

**BARTON HILLS VILLAGE
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 24

[AN ORDINANCE FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE UNDER THE AUTHORITY OF PUBLIC ACT 278 OF THE PUBLIC ACTS OF 1909, AS AMENDED; PROVIDING FOR THE REGULATION OF TRAFFIC AND USE OF STREETS AND HIGHWAYS UNDER PUBLIC ACT 300 OF THE PUBLIC ACTS OF 1949, THE MICHIGAN VEHICLE CODE, BEING MCL 257.1 ET SEQ., AS AMENDED, AND PUBLIC ACT 62 OF THE PUBLIC ACTS OF 1956, AS AMENDED, (MCL 257.951 ET SEQ.); PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND THE EFFECTIVE DATE HEREOF.]

BARTON HILLS VILLAGE ORDAINS:

SECTION 1 - TITLE

This Ordinance shall hereafter be known as the Barton Hills Village Traffic Code.

SECTION 2 - ADOPT BY REFERENCE

Barton Hills Village hereby adopts by reference and incorporates in this Ordinance as if fully stated herein the Michigan Vehicle Code, being MCL ' 257.1 *et. seq.*, as amended, and the Uniform Traffic Code for Cities, Townships and Villages ("UTC") pursuant to Subsection 23(i) of P.A. 278 of 1909, as amended, being MCL ' 78.23(i), and P.A. 62 of 1956, being MCL ' 257.951, as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, P.A. 306 of 1969, being MCL ' 24.201 *et. seq.*, and made effective October 30, 2002, and all future amendments and revisions to the Michigan Vehicle Code and the Uniform Traffic Code when they are promulgated and made effective in this state.

SECTION 3 - COPIES

The Village Clerk shall make available for inspection by the public a complete copy of the Michigan Vehicle Code and Uniform Traffic Code for Cities, Townships and Villages at the Village offices.

SECTION 4 - PENALTY

The penalties provided for in the Uniform Traffic Code are hereby adopted and incorporated herein by reference as if fully stated. The penalties provided by the Michigan Vehicle Code are adopted by

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reference, provided, however, that the Village may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

SECTION 5 - REPEAL

All other ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed. This Ordinance specifically repeals and replaces the Uniform Traffic Code as adopted in Ordinance No. 1 and as amended by Ordinance No(s). 10 and 11.

SECTION 6 - SAVINGS CLAUSE

The repeal and amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution, on any right established, occurring prior to the effective date hereof.

SECTION 7 - SEVERABILITY

The provisions of this Ordinance, the Michigan Vehicle Code, and the Uniform Traffic Code adopted herein by reference are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection of this Ordinance or the Codes adopted herein by reference are declared void or inoperable for any reason by any court, it shall not affect any other part or portion of this Ordinance or the Codes adopted herein by reference except the part declared void or inoperable.

SECTION 8 - PUBLICATION AND EFFECTIVE DATE

The Deputy Village Clerk shall cause a Statement of Purpose Michigan Vehicle Code and Uniform Traffic Code for Cities, Townships and Villages and this Ordinance to be published once in the Ann Arbor News, a newspaper of general circulation in the Village. This Ordinance shall be effective upon its publication.

Adopted: October 15, 2007
Published: October 19, 2007
Effective: October 19, 2007

Forrest Butterwick, Clerk
Adele P. Laporte, President

STATEMENT OF PURPOSE

**BARTON HILLS VILLAGE
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ORDINANCE NO. 24

MICHIGAN VEHICLE CODE AND UNIFORM TRAFFIC CODE

Barton Hills Village Ordinance No. 24 adopts by reference Michigan Public Act 300 of 1949, the Michigan Vehicle Code, as amended, and the Uniform Traffic Code for Cities, Townships, and Villages pursuant to Michigan Public Act 62 of 1956. The purpose of the Uniform Traffic Code is to regulate the operation of vehicles; to provide for the regulation and use of private roads, streets, highways, alleys and other public and semi-public places within the Village of Barton Hills; and to provide penalties for violation of said Code. Adoption of the Uniform Traffic Code is supplemental to, and enforceable in conjunction with, provisions and requirements in the Michigan Vehicle Code. The purpose of the Michigan Vehicle Code is stated in the synopsis of the Act as follows:

Act 300 of 1949

AN ACT to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.

By the adoption of the Michigan Vehicle Code and the Uniform Traffic Code into Barton Hills Village Ordinance No. 24, Barton Hills Village has the authority to locally enforce any provision of the named Codes not in conflict with its general ordinance authority under Public Act 278 of the Public Acts of 1909, as amended, being MCL '78.1 *et. seq.*

Complete copies of the Michigan Vehicle Code and the Uniform Traffic Code are available at the office of the Barton Hills Village Deputy Clerk located at 227 Barton Shore Drive, Ann Arbor, Michigan 48105.

Forrest Butterwick, Clerk
Barton Hills Village
Dated: October 15, 2007