

DeWITT CHARTER TOWNSHIP
CLINTON COUNTY, MICHIGAN

ORDINANCE O2014-7-6

PREAMBLE

AN ORDINANCE TO AMEND THE DeWITT CHARTER TOWNSHIP MOTOR VEHICLE ORDINANCE NO. 10.10 AND ARTICLE II OF CHAPTER 38 OF THE TOWNSHIP CODE TO ADD SECTION 38.23 TO ADOPT THE MICHIGAN VEHICLE CODE, PA 1949 NO. 300, AS AMENDED, BEING SECTION 257.625(1)(c) OF THE MICHIGAN COMPILED LAWS, AND THE MICHIGAN UNIFORM TRAFFIC CODE (EXCEPT WHEN NOT IN CONFORMITY WITH THE MICHIGAN MOTOR VEHICLE CODE) PURSUANT TO MCL 257.951, AND PURSUANT TO MCL 42.23; AND TO PROVIDE A PENALTY FOR VIOLATION THEREOF; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

The Charter Township of DeWitt, Clinton County, Michigan, ordains:

SECTION I. AMENDMENT OF MOTOR VEHICLE ORDINANCE NO. 10.10, AND ARTICLE II OF CHAPTER 38 OF THE TOWNSHIP CODE, TO ADD SECTION 38.23 FOR PROSECUTION OF ELEVATED ALCOHOL CONTENT AND PENALTY FOR VIOLATION THEREOF.

The DeWitt Charter Township Motor Vehicle Ordinance No. 10.10 and Article II of Chapter 38, Section 38.23 of the Township Code, shall be and is hereby added to provide follows:

SECTION II. ADOPTION OF THE MICHIGAN VEHICLE CODE, SECTION 625(1)(c). The Michigan Vehicle Code, PA 1949 No. 300, as amended, being Section 257.625(1)(c) of the Michigan Compiled Laws, and the Michigan Uniform Traffic Code (except when not in conformity with the Michigan Motor Vehicle code) pursuant to MCL 257.951 and

pursuant to MCL 42.23, is hereby adopted and amends the DeWitt Charter Township Motor Vehicle Ordinance and the Township Code.

SECTION III. PENALTIES. A violation of the prohibited conduct in section 625(1)(c), which has been adopted in this Ordinance and the Township Code, is a misdemeanor punishable by one or more of the following:

- a) Community service for not more than 360 hours.
- b) Imprisonment for not more than 180 days.
- c) A fine of not less than \$200.00 or more than \$700.00.

SECTION IV. REFERENCE TO LOCAL AUTHORITIES. References in the Michigan Vehicle Code to "local authorities" or "local units of government" or "police agency" or any similar reference referring to local government shall be deemed to refer to the Charter Township of DeWitt, its police officers and police department, and any other personnel authorized to enforce the DeWitt Chart Township Motor Vehicle Ordinance.

SECTION V. COPIES OF VEHICLE ORDINANCE. At the time of adoption of this Ordinance, sufficient copies of the Motor Vehicle Code adopted hereby and amendments thereto shall be made available for public use at a reasonable charge at the office of the Charter Township of DeWitt.

SECTION VI. EFFECT OF HEADINGS. Section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any section of the DeWitt Charter Township Motor Vehicle Ordinance.

SECTION VII. SAVINGS CLAUSE.

Except as expressly amended herein, all other provisions of the DeWitt Charter Township Zoning Ordinance shall remain in full force and effect.

SECTION VIII. REPEAL. All Ordinances or parts of Ordinances of the Charter Township of DeWitt inconsistent herewith shall be and are hereby repealed, insofar as they may be inconsistent with the provisions of this Ordinance. The adoption of this Ordinance shall not, however, invalidate any prosecution or other legal proceeding taken in connection with a similar subject matter under ordinances existing at the time such action was initiated.

SECTION IX. SEVERABILITY. It is the legislative intent of the Township Board adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety and general welfare of the inhabitants of the Township and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance, it being the intent of the DeWitt Charter Township Board that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

SECTION X. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after its adoption and publication as provided by law.

First Reading:	May 27, 2014
First Publication:	June 8, 2014
Second Reading:	July 14, 2014
Second Publication (Posting):	July 20, 2014
Effective Date:	August 20, 2014

Rick Galardi, Supervisor

Diane K. Mosier, Clerk

I, Diane K. Mosier, Clerk of the Charter Township of DeWitt, hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. O2014-7-6, duly adopted by the Board of Trustees of the Charter Township of DeWitt, Clinton County, Michigan, on the 14th day of July, 2014, and that the same was posted and published as required by law on the 20th day of July, 2014, with effective date on the 20th day of August, 2014.

Diane K. Mosier, Clerk