

ERIE TOWNSHIP ORDINANCE NO. 100  
ERIE TOWNSHIP VEHICLE CODE ORDINANCE

As an ordinance enacted pursuant to the authority granted in Act 246 of the Public Acts of 1945, to adopt by reference the Michigan Vehicle Code, Act 300 of the Public Acts of 1949, being MCL 257.1 to 257.1873 and to repeal Erie Township Ordinance No. 79, as amended, as being obsolete.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ERIE, COUNTY OF MONROE, STATE OF MICHIGAN, ORDAINS:

Section 1 - Statute Adopted

The Township of Erie hereby adopts by reference the Michigan Vehicle Code, being Act No. 300 of the Public Acts of 1945, MCL 257.1 to 257.1873 and further incorporates by reference the appropriate rules and regulations and amendments promulgated by the Michigan Department of State pursuant to the Michigan Vehicle Code as may be amended from time to time.

Section 2 - Short Title

This Ordinance shall be known as the "Erie Township Vehicle Code Ordinance".

Section 3 - Penalties

The penalties imposed under this Ordinance shall be those set forth in the Michigan Motor Vehicle Code being Act No. 300 of the Public Acts of 1945, MCL 257.1 to 257.1873, except that any provision adopted by reference for which the maximum period of imprisonment is greater than 93 days shall not be enforced.

Section 4 - Publication

The Erie Township Clerk shall publish this Ordinance in the manner required by law and shall at the same time publish a statement of the purpose of the statute and notification of the fact that a complete copy of the statute as well as the Ordinance is available at the office of the Township Clerk for inspection by the public during normal business hours.

Section 5 - Conflicting Ordinances Repealed

Erie Township Ordinance No. 79, adopted May 11, 1992, Erie Township Ordinance No. 79-C, adopted May 10, 1992, Erie Township Ordinance No. 79-D, adopted August 10, 1994, and

Erie Township Ordinance No. 79-E, adopted September 14, 1999 are hereby specifically repealed. All other Ordinances or parts of ordinances in conflict with this Ordinance are to the extent of such conflict repealed.

Section 6 - Severability

This Ordinance, and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance in each part, sentence, paragraph, section, subsection, phrase and clause thereof, irrespective of the fact that either one or more parts, sentences, paragraphs, sections, phrases or clauses are declared invalid.

Section 7 - Effective Date

This Ordinance shall become effective on the 31<sup>st</sup> day after it, or a summary of it, and the supplementary notice provided in Section 4 of this Ordinance have been published in a newspaper of general circulation in the Township of Erie.

THE TOWNSHIP BOARD OF THE  
TOWNSHIP OF ERIE, COUNTY OF  
MONROE, STATE OF MICHIGAN:

By: Gayle A. Burlen  
Gayle A. Burlen,  
Erie Township Clerk

AUTHENTICATED:

Daniel J. Bonkoski  
Daniel J. Bonkoski,  
Erie Township Supervisor

I, Gayle A. Burlen, do hereby certify that I am the duly elected and acting Township Clerk of the Township of Erie, and do hereby certify that this Ordinance was adopted by the Township Board of the Township of Erie, Monroe County, Michigan at a regular meeting of the Township Board held at the Erie Township Hall, Erie, Michigan, on the 14<sup>th</sup> day of March, 2000.

The vote on said Ordinance, 5 members being present and 0 members absent, was as follows:

Member's Last Name

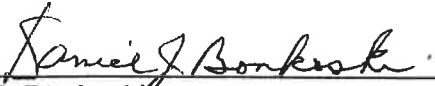
Voting in Favor:	<u>Bonkoski</u>	<u>Cousino</u>
	<u>Burlen</u>	<u>Grodi</u>
	<u>Baum</u>	
Voting Against:	<u>0</u>	<u></u>
Abstained:	<u>0</u>	<u></u>
Absent:	<u>0</u>	<u></u>

I, Gayle A. Burlen, the Township Clerk of the Township of Erie, do hereby certify that this Ordinance or a summary of it, and the supplementary notice of said Ordinance, a copy of which is inserted following the Ordinance, was published on the 23<sup>rd</sup> day of March, 2000 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Erie, within thirty (30) days after adoption of the Ordinance.

Dated: March 23, 2000

Gayle A. Burlen  
 Gayle A. Burlen,  
 Erie Township Clerk

ATTEST:



Daniel J. Bonkoski,  
Erie Township Supervisor

ADOPTED: March 14, 2000

PUBLISHED: March 23, 2000

EFFECTIVE: April 23, 2000

STATEMENT OF PURPOSE FOR THE  
ADOPTION OF THE MICHIGAN VEHICLE CODE

Notice is hereby given that pursuant to the provisions of Act No. 246 of the Public Acts of 1945, the Michigan Vehicle Code being Act No. 200 of the Public Act of 1949, was adopted by reference by the Township Board of the Township of Erie on the 14<sup>th</sup> day of March, 2000. The purpose of the Michigan Vehicle Code, Act No. 200 of the Public Act of 1949, being MCL 257.1 to 257.923 as may be amended from time to time, is to regulate the operation of vehicles, to provide for the regulation and use of streets, highways and alleys and other public and semi-private places within the Township of Erie and to provide penalties for the violation of the Erie Township Michigan Vehicle Code.

A complete copy of the Michigan Vehicle Code as adopted by Erie Township Vehicle Code is available at the office of the Erie Township Clerk at the Erie Township Hall for inspection by the public, during normal business hours, at the offices of Erie Township, 2065 Erie Road, Erie, Michigan, telephone number (734) 848-5915.

No further or additional publication of the Erie Township

TOWNSHIP BOARD OF THE TOWNSHIP OF  
ERIE, MONROE COUNTY, MICHIGAN:

Dated: March 14, 2000

By: Gayle A. Burlen  
Gayle A. Burlen,  
Erie Township Clerk

**ERIE TOWNSHIP ORDINANCE NO. 100-A**

**AMENDMENT TO ERIE TOWNSHIP**

**VEHICLE CODE ORDINANCE**

An ordinance amending the provisions of Erie Township Ordinance No. 100, known as the “Erie Township Vehicle Code Ordinance”, to adopt section 625(1)(c) of the Michigan Vehicle Code by reference and to provide penalties for a violation of Section 625(1)(c) pursuant to Acts 7, 8, 9, 10 and 11 of the Michigan Public Acts of 2012, which said Acts allow for enhanced penalties for operating while intoxicated with a blood alcohol content of .17 or greater; and to generally provide for the public health, safety and general welfare for the persons and property of the Township of Erie, County of Monroe, State of Michigan.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ERIE, COUNTY OF MONROE, STATE OF MICHIGAN, ORDAINS:

**SECTION 1. AMENDMENT TO SECTION 3 OF ORDINANCE NO. 100.**

Ordinance No. 100 is hereby amended by replacing current Section 3 of the Erie Township Vehicle Code Ordinance in its entirety with a new Section 3, such that the new Section 3 shall hereinafter read as follows:

**...SECTION 3. PENALTIES.**

The penalties set forth in the Michigan Vehicle Code are hereby adopted by reference. Erie Township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days, with the exception of a violation of MCL 625(1)(c), which is punishable by one or more of the following:

- (i) Community service of not more than 360 hours;
- (ii) Imprisonment for not more than 180 days; and/or
- (iii) A fine of not less than \$200.00 or more than \$700.00.

**SECTION 2. PRIOR AND INCONSISTENT ORDINANCES REPEALED.**

All ordinances, or parts thereof, inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. EFFECTIVE DATE.

This ordinance shall become effective thirty (30) days after it has been published in a newspaper of general circulation in the Township of Erie.

THE TOWNSHIP BOARD OF THE  
TOWNSHIP OF ERIE, COUNTY OF  
MONROE, STATE OF MICHIGAN:

By: Jolene Upchurch Conc  
Jolene Upchurch  
Erie Township Clerk

AUTHENTICATED:

By: William D. Frey  
William D. Frey  
Erie Township Supervisor

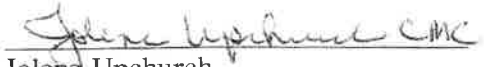
I, Jolene Upchurch, do hereby certify that I am the duly elected and acting clerk of the Township of Erie, and I do hereby certify in this ordinance that this ordinance was adopted by the Township Board of the Township of Erie, Monroe County, Michigan, in the regular meeting of the Township Board held at the Erie Township Hall, Erie Township, Michigan, on the 8<sup>th</sup> day of October, 2013.

The vote on said Ordinance, 5 members being present and 0 members being absent as follows:

Member's Last Name

Voting in Favor:	<u>Frey</u>	<u>Grodi</u>
	<u>Upchurch</u>	<u>Yenor</u>
	<u>Wisbon</u>	
Voting Against:	<u>0</u>	
Abstained:	<u>0</u>	
Absent:	<u>0</u>	

I, Jolene Upchurch, the Township Clerk of the Township of Erie, do hereby certify that this ordinance or a summary of it, was published on the 21st. day of October, 2013 in a newspaper of general circulation in the Township of Erie, within thirty (30) days after adoption of the Ordinance.

  
Jolene Upchurch,  
Erie Township Clerk

ATTEST:

  
William D. Frey,  
Erie Township Supervisor

ADOPTED: October 8, 2013

PUBLISHED: October 21, 2013

EFFECTIVE: November 21, 2013

LJH/sp  
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