

**Sec. 54-3. - Michigan Vehicle Code adopted.**

The Michigan Vehicle Code (MCL 257.1 et seq.) is adopted by reference.

- (1) The Michigan Vehicle Code, 1949 Public Act No. 300, MCL 257.1 to 257.923, and all future amendments and revisions to the Michigan Vehicle Code when they are effective in this state are incorporated and adopted by reference.
- (2) References in the Michigan Vehicle Code to "local authorities" shall mean the City of Gladstone.
- (3) The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the City of Gladstone may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

(Ord. No. 573, § 1, 6-23-2008)

**State Law reference—** Authority to adopt Michigan Vehicle Code by reference, MCL 117.3(k).

**Sec. 54-4. - Uniform Traffic Code for Cities, Townships and Villages adopted.**

- (a) The Uniform Traffic Code for Cities, Townships and Villages promulgated by the Director of the Michigan Department of State Police pursuant to the administrative procedures act of 1969, 1969 Public Act No. 306, MCL 24.201 to 24.328 and made effective October 30, 2002, and all future amendments and revisions to the Uniform Traffic Code when they are promulgated and effective in this state are incorporated and adopted by reference.
- (b) References in the Uniform Traffic Code for Cities, Townships and Villages to "governmental unit" shall mean the City of Gladstone.
- (c) The penalties provided by the Uniform Traffic Code for Cities, Townships, and Villages are adopted by reference.

(Ord. No. 573, § 1, 6-23-2008)

**State Law reference—** Authority to adopt Uniform Traffic Code by reference, MCL 257.951.

**MICHIGAN VEHICLE CODE (EXCERPT)**  
**Act 300 of 1949**

**257.610 Traffic control devices; placement and maintenance by local authorities and county road commissions; compliance with manual; failure to comply with statutory provisions; sale, purchase, or manufacture of devices.**

Sec. 610. (1) Local authorities and county road commissions in their respective jurisdictions shall place and maintain the traffic control devices upon highways under their jurisdiction that they consider necessary to indicate and to carry out the provisions of this chapter or local traffic ordinances or to regulate, warn, or guide traffic. All traffic control devices shall conform to the Michigan manual on uniform traffic control devices.

(2) The state transportation department shall withhold from any incorporated village, city, or county that fails to comply with sections 606, 608, 609, 612, and 613, the share of fuel and vehicle tax revenue that would otherwise be due the incorporated village, city, or county under section 10 of 1951 PA 51, MCL 247.660. Notice of failure to comply, and 1 year's time to comply after notice, shall first be given.

(3) A person, firm, or corporation shall not sell or offer for sale to local authorities and local authorities shall not purchase or manufacture any traffic control device that does not conform to the Michigan manual on uniform traffic control devices, except with the permission of the director of the state transportation department.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1955, Act 245, Eff. Oct. 14, 1955;—Am. 1972, Act 72, Imd. Eff. Mar. 9, 1972;—Am. 2016, Act 448, Eff. Jan. 5, 2018.

(2) A photocopy or electronic image shall be maintained if the original document is sent to another agency or to a court, except as provided in subrule (3) of this rule.

(3) A photocopy or electronic image is not required to be maintained by the police department if the original document, photocopy, or electronic image is maintained by another office of the municipality.

**R 28.1124 Rule 124. Annual traffic safety report.**

The police department shall annually prepare a traffic report that shall be filed with the executive head of this governmental unit and the ordinance making body of this governmental unit. The report shall contain all of the following information on traffic matters in this municipality:

- (a) The number of traffic accidents.
- (b) The number of persons killed.
- (c) The number of persons injured.
- (d) The number of traffic accidents investigated.
- (e) The plans and recommendations of the police department for future traffic safety activities.
- (f) Other pertinent data on the safety activities of the police.
- (g) Other pertinent traffic accident data.

**R 28.1125 Rule 125. Traffic engineer.**

(1) The office of traffic engineer is hereby established. The traffic engineer shall be appointed in a manner prescribed by the ordinance making body and shall exercise the powers and duties provided in this code in a manner that is consistent with prevailing traffic engineering and safety practices and that is in the best interests of this governmental unit. If a traffic engineer is not appointed, then the authority of the engineer shall be vested in the chief of police.

(2) The traffic engineer shall be responsible for any duties specifically delegated to the local authority by the Act, unless another office is specifically designated by the Act or by this code or is by its nature the more appropriate office.

**R 28.1126 Rule 126. Duties of traffic engineer.**

(1) The general duties of the traffic engineer are as follows:

- (a) To plan and determine the installation and proper timing and maintenance of traffic-control devices.
- (b) To conduct engineering analysis of traffic accidents and to devise remedial measures.
- (c) To conduct engineering investigations of traffic conditions.
- (d) To plan the operation of traffic on the streets of this governmental unit, including parking areas.
- (e) To cooperate with other officials of this governmental unit in the development of ways and means to improve traffic conditions.
- (f) To carry out the additional powers and duties imposed by the act and ordinances of this governmental unit.
- (g) To otherwise regulate the movement and parking of vehicles within the municipality consistent with the act.

(2) All duties carried out by the traffic engineer shall be in accordance with standard and accepted engineering practices as found in the Traffic Engineering Handbook, Fifth Edition, which is adopted by reference in these rules. The Handbook may be reviewed at the East Lansing Headquarters of the Michigan State Police, Special Operations Division, Traffic Services Section. The Handbook may be purchased from the Institute of Transportation Engineers, 1099 14<sup>th</sup> Street, N.W., Suite 300 West, Washington, DC 20005-3438, or from the Michigan Department of State Police, Special Operations Division, Traffic Services Section, 714 South Harrison Road, East Lansing, MI 48823, at a cost as of the time of adoption of these rules of \$110.00 each.

**R 28.1127 Rule 127. Emergency regulations.**

The chief of police is hereby empowered to make and enforce temporary regulations to cover emergencies or special conditions. Temporary regulations shall remain in effect for not more than 90 days.

**R 28.1128 Rule 128. Testing traffic-control devices.**

The traffic engineer may test or experiment with traffic-control devices under actual conditions of traffic in accordance with procedures contained in the Michigan manual of uniform traffic-control devices.

**R 28.1145, R 28.1146 Rescinded.**

**R 28.1147 Rule 147. Authority to sign 1-way streets and alleys.**

Where any 1-way street or alley is duly established, the traffic engineer shall place and maintain signs that give notice of the 1-way street or alley and the regulation shall not be effective unless the signs are in place. Signs that indicate the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

**R 28.1148 Rule 148. Authority to restrict direction of movement on streets during certain periods.**

The traffic engineer is hereby authorized to determine and designate streets, parts of streets, or specific lanes of streets on which vehicular traffic shall proceed in 1 direction during 1 period of the day and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The traffic engineer may erect signs that temporarily designate lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

**R 28.1149, R 28.1150 Rescinded.**

**R 28.1151 Rule 151. Prohibiting certain traffic.**

The traffic engineer may, after an engineering and traffic investigation, designate any heavily traveled street under his or her jurisdiction as prohibited to a class or kind of traffic found to be incompatible with the normal and safe movement of traffic. The traffic engineer shall erect appropriate traffic-control devices that give notice of the determination.

**R 28.1152 Rescinded.**

**R 28.1153 Rule 153. Traffic-control orders.**

(1) The authority in the Act and this code to regulate traffic shall be exercised by the traffic engineer by the issuance of traffic-control orders that shall specify the rules and regulations adopted or established by him or her. The traffic-control orders shall become effective upon being filed with the clerk and upon erection of adequate signs or signals that give notice of the existence of the regulation, if signs or signals are required by the provisions of this code that pertain to the regulation.

(2) Traffic-control orders may be issued by the traffic engineer on his or her own authority, but when so issued shall be known as temporary traffic-control orders and shall not be effective after the expiration of 90 days from the date of filing and these temporary traffic-control orders shall not be renewed or extended, except upon approval by the ordinance making body.

(3) Permanent traffic-control orders shall be issued by the traffic engineer, approved by the ordinance making body, and filed with the clerk.

(4) Temporary orders shall become permanent orders upon being approved by the ordinance making body, and notice of the approval shall be filed with the clerk.

(5) All traffic-control orders and any actions that modify or repeal the orders shall be kept by the clerk in a separate book that shall be known as the traffic-control order book.

(6) A copy of a traffic-control order, certified by the clerk to be a true copy compared by him or her with the original in his or her office, shall be permitted into evidence in all courts and proceedings in the same manner as the original would be permitted into evidence if produced. If it appears that a traffic-control sign, signal, or device that conforms to the provisions of this code was erected or in place when the alleged violation of this code occurred, it shall be prima facie evidence of the existence of a lawful traffic-control order that authorizes the traffic control, sign, signal, or device, and it is not necessary for the prosecution to affirmatively show the existence of a valid traffic-control order in these cases, unless and until the presumption is rebutted by competent evidence.

(7) All traffic control orders issued by the traffic engineer, whether temporary or permanent, shall be in accordance with standard and accepted engineering practices as adopted in R 28.1126.

**R 28.1154 Rule 154. Clerk.**

The duties set forth in rules 155 to 158 of this code shall apply to the person who is elected or appointed to the office of clerk of this governmental unit.