

CHARTER TOWNSHIP OF WHITE LAKE

AN ORDINANCE TO AMEND CHAPTER 36, TRAFFIC AND VEHICLES, ARTICLE II – VEHICLE CODES, OF THE WHITE LAKE TOWNSHIP CODE OF ORDINANCES

An Ordinance to Amend Chapter 36, Article II of the Charter Township of White Lake Code of Ordinances in its entirety, adopting by reference the Uniform Traffic Code, the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as amended, the Michigan Motor Carrier Safety Act, 1963 PA 181, MCL 480.11 to 480.25, as amended, Chapter 324, Part 821 of the Natural Resource Environmental Protection Act, 1994 PA 451, and Chapter 324, Part 811 of the Natural Resource Environmental Protection Act, 1994 PA 451.

THE CHARTER TOWNSHIP OF WHITE LAKE ORDAINS:

ARTICLE II. - VEHICLE CODES

DIVISION 1. - GENERALLY

DIVISION 2. - UNIFORM TRAFFIC CODE

Sec. 36-40. - Code adopted.

The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 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 by reference, and its provisions will be effective in this Township from the effective date of the ordinance from which this division is derived.

Sec. 36-41. - References in code.

References in the Uniform Traffic Code for Cities, Townships, and Villages to a "governmental unit" shall mean the Charter Township of White Lake.

Sec. 36-42. - Notice.

The township clerk shall publish the ordinance from which this division is derived in the manner required by law and shall publish, at the same time, a notice stating the purpose of the Uniform Traffic Code for Cities, Townships, and Villages and the fact that a complete copy of the code is available to the public at the office of the clerk for inspection.

Sec. 36-43. - Penalties.

The penalties provided by the Uniform Traffic Code for Cities, Townships, and Villages are adopted by reference.

Sec. 36-44. - Applicability to private property.

The Uniform Traffic Code for Cities, Townships, and Villages is hereby made applicable, for the purpose of enforcement and imposition of penalties, to the operation, parking and speed of motor vehicles upon the following properties, pursuant to resolution or agreement requesting same:

- (1) All properties of the Huron Valley School District situated within the boundaries of the Township of White Lake.
- (2) Whispering Meadows Association.
- (3) Bocovina East Association.
- (4) Whetherstone Condominium Association.
- (5) Twin Lakes Village Association.
- (6) Ivy Glen Park Home Owners Association
- (7) Cedarbrook Estates Manufactured Home Community

Sec. 36-45. - Parking on private property; violation as civil infraction.

No person shall park any motor vehicle on any private property in the Township without the express or implied consent, authorization or ratification of the owner, holder, occupant, lessee, agent or trustee of such property. A person who violates this section is responsible for a civil infraction.

DIVISION 3. - MICHIGAN VEHICLE CODE

Sec. 36-64. - Code adopted.

The Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as amended, and all future amendments and revisions to the Michigan Vehicle Code when they are promulgated and effective in this state are incorporated by reference, and its provisions will be effective in this township from the effective date of the ordinance from which this division is derived. MCL 257.625(1)(c) of the Michigan Vehicle Code is specifically adopted by reference pursuant to Public Act 8 of 2012.

Sec. 36-65. - References in code.

References in the Michigan Vehicle Code to "local authorities" shall mean the Charter Township of White Lake.

Sec. 36-66. - Notice.

The township clerk shall publish the ordinance from which this division is derived in the manner required by law and shall publish, at the same time, a notice setting the purpose of the Michigan Vehicle Code and the fact that a complete copy of the code is available to the public at the office of the clerk for inspection.

Sec. 36-67. - Penalties.

The penalties provided by the Michigan Vehicle Code are adopted by reference. The township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days or for which a fine is greater than \$500.00, except for a violation of MCL 257.625(1)(c) which is a misdemeanor punishable by one or more of the following:

- (1) Community service of not more than 360 hours.
- (2) Imprisonment for not more than 180 days.
- (3) A fine of not less than \$200.00 or more than \$700.00.

Sec. 36-68. - Applicability to private property.

The Michigan Vehicle Code, 1949 PA 300, as amended, MCL 257.1 to 257.923, as amended, is hereby made applicable, for the purpose of enforcement and imposition of penalties, to the operation, parking and speed of motor vehicle upon the following properties, pursuant to resolution or agreement requesting same:

- (1) All properties of the Huron Valley School District situated within the boundaries of the Township of White Lake.
- (2) Whispering Meadows Association.
- (3) Bocovina East Association.
- (4) Whetherstone Condominium Association.
- (5) Twin Lakes Village Association.
- (6) Ivy Glen Park Home Owners Association
- (7) Cedarbrook Estates Manufactured Home Community

Sec. 36-69. - Parking on private property; violation as civil infraction.

No person shall park any motor vehicle on any private property in the township without the express or implied consent, authorization or ratification of the owner, holder, occupant, lessee, agent or trustee of such property. A person who violates this section is responsible for a civil infraction.

DIVISION 4. - SNOWMOBILES

Sec. 36-97. - Act adopted.

Chapter 324, Part 821 of the Natural Resource Environmental Protection Act, 1994 PA 451, MCL 324.82101 to 324.82161, as amended, and all future amendments and revisions to Chapter 324, Part 821 of the Natural Resource Environmental Protection Act when they are promulgated and effective in this state are incorporated by reference, and its provisions will be effective in this township from the effective date of the ordinance from which this division is derived.

Sec. 36-98. - References in Act.

References in Chapter 324, Part 821 of the Natural Resource Environmental Protection Act to "local unit of government" shall mean the Charter Township of White Lake.

Sec. 36-99. - Notice.

The township clerk shall publish the ordinance from which this division is derived in the manner required by law and shall publish, at the same time, a notice stating the purpose of Chapter 324, Part 821 of the Natural Resource Environmental Protection Act. A complete copy of Chapter 324, Part 821 of the Act is available to the public at the office of the clerk for inspection.

Sec. 36-100. - Penalties.

The penalties provided by Chapter 324, Part 821, of the Natural Resource Environmental Protection Act are adopted by reference, provided, however, that the township may not enforce any provision of Chapter 324, Part 821 of the Act for which the maximum period of imprisonment is greater than 93 days, or for which a fine is greater than \$500.00.

DIVISION 5. - MICHIGAN MOTOR CARRIER SAFETY ACT

Sec. 36-129. - Act adopted.

The Michigan Motor Carrier Safety Act, 1963 PA 181, MCL 480.11 to 480.25, as amended, and all future amendments and revisions to Michigan Motor Carrier Safety Act when they are promulgated and effective in this state are incorporated by reference, and its provisions will be effective in this township from the effective date of the ordinance from which this division is derived.

Sec. 36-130. - References in Act.

References in the Michigan Motor Carrier Safety Act to "local authorities" shall mean the Charter Township of White Lake.

Sec. 36-131. - Notice.

The township clerk shall publish the ordinance from which this division is derived in the manner required by law and shall publish, at the same time, a notice stating the purpose of the Michigan Motor Carrier Safety Act and the fact that a complete copy of the Act is available to the public at the office of the clerk for inspection.

Sec. 36-132. - Penalties.

The penalties provided by Motor Carrier Safety Act are adopted by reference, provided, however, that the Township may not enforce any provision of Motor Carrier Safety Act for which the maximum period of imprisonment is greater than 93 days, or for which a fine is greater than \$500.00.

DIVISION 6. - OFF ROAD VEHICLES

Sec. 36-163. - Act adopted.

Chapter 324, Part 811 of the Natural Resource Environmental Protection Act, 1994, PA 451, MCL 324.81101 to 324.81150, as amended, and all future amendments and revisions to Chapter 324, Part 811 of the Natural Resource Environmental Protection Act when they are promulgated and effective in this state are incorporated by reference, and its provisions will be effective in this township from the effective date of the ordinance from which this division is derived.

Sec. 36-164. - References in Act.

References in Chapter 324, Part 811 of the Natural Resource Environmental Protection Act to "local unit of government" shall mean the Charter Township of White Lake.

Sec. 36-165. - Notice.

The township clerk shall publish the ordinance from which this division is derived in the manner required by law and shall publish, at the same time, a notice stating the purpose of Chapter 324, Part 811 of the Natural Resource Environmental Protection Act. A complete copy of Chapter 324, Part 811 of the Act is available to the public at the office of the clerk for inspection.

Sec. 36-166. - Penalties.

The penalties provided by Chapter 324, Part 811 of the Natural Resource Environmental Protection Act are adopted by reference, provided, however, that the Township may not enforce any provision of Chapter 324, Part 811 of the Act for which the maximum period of imprisonment is greater than 93 days or for which a fine is greater than \$500.00.

ARTICLE II: SEVERABILITY.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE III: EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE IV: REPEALER.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

ARTICLE V: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Township Board of this Charter Township of White Lake at a meeting thereof duly called and held on the __ day of _____, 2022, and ordered to be given publication in the manner prescribed law.

BY: _____
Rik Kowall, Supervisor

BY: _____
Anthony Noble, Clerk