

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE NO. 158**

Effective Date: November 13, 2003

**AN ORDINANCE FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE UNDER THE AUTHORITY OF PUBLIC ACT 359 OF THE PUBLIC ACTS OF 1947, 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.*; *MSA 9.1801 ET SEQ.*, AS AMENDED, AND PUBLIC ACT 62 OF THE PUBLIC ACTS OF 1956, AS AMENDED, (*MCLA 257.951 ET SEQ.*; *MSA 9.2651 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.**

**THE CHARTER TOWNSHIP OF SUPERIOR HEREBY ORDAINS:**

**Section 158.01. Title.** This Ordinance shall hereafter be known as the Superior Charter Township “Traffic Code”.

**Section 158.02. Traffic Code.** Superior Charter Township hereby adopts by reference and incorporates in this Ordinance as if fully stated herein the Michigan Vehicle Code, being *MCL §257.1 et. seq.*; *MSA §9.1801 et. seq.*, as amended, and the Uniform Traffic Code for Cities, Townships and Villages (“UTC”) 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 158.03. Copies of Statues For Inspection and Purchase.** Copies of the Michigan Vehicle Code and the Uniform Traffic Code as adopted herein by reference shall be kept in the office of the township clerk and shall be made available for inspection by, and distribution to, the public for a reasonable fee as determined by the clerk, which fee shall not exceed the cost for reproduction or furnishing copies of this Ordinance, the Uniform Traffic Code, the Michigan Vehicle Code, or for any parts thereof.

**Section 158.04. Penalty.** The penalties provided for in the Michigan Vehicle Code and the Uniform Traffic Code are hereby adopted and incorporated herein by reference as if fully stated.

**Section 158.05. 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 Chapter 50, Article II. Additionally, the Superior Charter Township Motor Carriers Ordinance, Superior

Charter Township Chapter 50, Article IV as amended, is repealed and replaced.

**Section 158.06. 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 158.07. 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 158.08. Codification.** Upon adoption and final publication, this Ordinance and the Codes adopted by reference herein shall be incorporated by reference into Chapter 50, Article II of the Code of Ordinances of Superior Charter Township.

**Section 158.09. Publication and Effective Date.** The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective as of the date of final publication of the Ordinance.

This Ordinance was duly adopted by the Superior Charter Township Board at its regular meeting called and held on the 3<sup>rd</sup> day of November, 2003, and was ordered given publication in the manner required by law.

William McFarlane, Supervisor  
Superior Charter Township

Kay Williams, Clerk

#### CERTIFICATION

I, Kay Williams, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for first reading at a regular meeting held on October 20, 2003, and for final reading on November 6, 2003; that said meetings were conducted and public notice of said meetings were given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Ordinance; and that minutes of said meetings were kept and will be or have been made available as required by said Open Meetings Act. This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

William McFarlane, Supervisor  
October 20, 2003

Kay Williams, Clerk

**STATEMENT OF PURPOSE**  
**MICHIGAN VEHICLE CODE AND UNIFORM TRAFFIC CODE**

Superior Charter Township Ordinance No.158 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 streets, highways, alleys and other public and semi-public places within the Charter Township of Superior; 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 Superior Charter Township Ordinance No.158 Superior Charter Township has the authority to locally enforce any provision of the named Codes not in conflict with its general ordinance authority under Public Act 359 of the Public Acts of 1947, as amended, being MCL §42.1 *et. seq.*, MSA §5.46(1) *et. seq.*

A complete copy of the Michigan Vehicle Code and the Uniform Traffic Code are available at the office of the Superior Charter Township Clerk.

Kay Williams, Clerk  
Charter Township of Superior  
Dated: November 3, 2003