

03/08/2012

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 98, MICHIGAN VEHICLE CODE, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO ADOPT BY REFERENCE SECTION 625(1)(c) OF THE MICHIGAN VEHICLE CODE, REPEAL CONFLICTING ORDINANCES AND PRESCRIBE PENALTIES FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Article III of Chapter 98 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

### **ARTICLE III. MICHIGAN VEHICLE CODE**

#### **Sec. 98-61. Adoption by reference.**

The Michigan Vehicle Code, MCL 257.1 through 257.923, as amended and as may be amended in the future, is adopted by reference. Section 625(1)(c) of the Michigan Vehicle Code, being MCL 257.625(1)(c), is specifically adopted by reference in accordance with 2012 PA 7.

#### **Sec. 98-62. Reference to local authorities.**

References in the Michigan Vehicle Code to "local authorities" shall mean the city.

#### **Sec. 98-63. Publication of notice.**

The city clerk shall publish this article in the manner required by law and shall publish, at the same time, a notice stating the purpose of the Michigan Vehicle Code and the fact that a complete copy of the code is available to the public at the clerk's office for inspection.

#### **Sec. 98-64. Penalties.**

The penalties provided by the Michigan Vehicle Code are adopted by reference; provided, however, that the city may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment exceeds 93 days. Notwithstanding the foregoing, a violation of Section 625(1)(c) of the Michigan Vehicle Code is punishable by one or more of the following:

- (i) Community service for not more than 360 hours.
- (ii) Imprisonment for not more than 180 days.
- (iii) A fine of not less than \$200 or more than \$700.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on \_\_\_\_\_, following its publication in the *Rochester Post* on \_\_\_\_\_, 2012.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on \_\_\_\_\_, 2012.

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Bryan K. Barnett, Mayor  
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON \_\_\_\_\_, 2012.

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Jane Leslie, Clerk  
City of Rochester Hills