

The City of Ypsilanti

Ordinance No. 2005-_____

AN ORDINANCE TO AMEND CHAPTER 102 OF THE YPSILANTI CITY CODE, ENTITLED "TRAFFIC AND VEHICLES*," BY RE-ADOPTING BY REFERENCE THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 to 257.923, AS AMENDED, FOR THE PURPOSE OF REGULATING THE STREETS AND HIGHWAYS OF THE CITY OF YPSILANTI AND TO REPEAL OR AMEND ALL ORDINANCE SECTIONS INCONSISTENT THERETO AND TO SET FORTH THE PENALTIES.

THE CITY OF YPSILANTI HEREBY ORDAINS:

Section 1: Amendments, additions, and deletions to Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles."

That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles," is hereby amended by amending Section 102-1 by re-adopting The Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, which section reads as follows:

Sec. 102-1. Code adopted.

The Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as amended, is adopted by reference.

That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles," is hereby amended by re-adopting Article I, Section 102-2, which section reads as follows:

Sec. 102-2. References in code.

References in the Michigan Vehicle Code to "local authorities" shall mean the City of Ypsilanti.

That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles," is hereby amended by re-adopting Article I, Section 102-3, which section

reads as follows:

Sec. 102-3. Penalties.

The penalties provided in the Michigan Vehicle Code are adopted by reference, provided, however, that the City of Ypsilanti may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled “Traffic and Vehicles,” is hereby amended by re-adopting Article I, Section 102-4, which section reads as follows:

Sec. 102-4. Copies to be available.

Copies of the Michigan Vehicle Code, as amended, are available at the office of the city clerk for inspection by and distribution to the public at all.

Section 2. Severability.

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

Section 3. Repeal.

All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

Section 4. Savings Clause.

The balance of Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan,

entitled "Traffic and Vehicles," except as herein or heretofore amended, shall remain in full force and effect. The repeal 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 of any right established, occurring prior to the effective date hereof.

Section 5. Publication and Effective Date.

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF _____, 2005.

Cheryl Farmer, Mayor

Cherry Lawson, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in the Ypsilanti Courier on the ____ day of _____, 2005.

Cherry Lawson, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ____ day of _____, 2005.

Cherry Lawson, City Clerk

Notice Published _____

First Reading _____

Second Reading _____

Published _____

Effective Date _____