

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 34-6

An ordinance to adopt by reference the Michigan Vehicle Code.

ORDAINS: THE CHARTER TOWNSHIP OF HAMPTON, BAY COUNTY, MICHIGAN,

SECTION 1. SHORT TITLE

This ordinance shall be known as the "Charter Township of Hampton Traffic Ordinance.

SECTION 2. MICHIGAN VEHICLE CODE ADOPTED BY REFERENCE

The Michigan Vehicle Code, being 1949 P.A. 300, MCL 257.1 to 257.923, inclusive, and as amended from time to time, is hereby adopted by reference as if set forth herein word for word and paragraph for paragraph, unless otherwise modified within this ordinance.

A portion of the Natural Resources and Environmental Protection Act (Act 451 of 1994, as amended) is specifically also adopted, being part 821 of Section 324.82101 to Section 324.82160 by reference, regulating snowmobiles.

References on tickets for violations to the codes adopted shall be identified by using HT. as a prefix to the section violated.

The Charter Township of Hampton does not have authority to enforce any provision adopted by reference herein for which the maximum period of imprisonment is greater than 93 days.

SECTION 3. REFERENCES IN CODE

References in the Michigan Vehicle Code referring to "governmental unit" shall mean the Charter Township of Hampton, Bay County, Michigan.

SECTION 4. NOTICE TO BE PUBLISHED

The Township Clerk shall publish this ordinance in the manner required by law.

SECTION 5. CONFLICTING ORDINANCES REPEALED

Ordinance No. 34, adopted June 26, 1978, relating to traffic is hereby specifically repealed, as are Ordinance 34-2, 34-3, 34-4 (1992 version), 34-4 (2000 version), and 34-5. All other ordinances inconsistent with the provisions of the Michigan Vehicle Code are, to the extent of such inconsistency, hereby repealed.

SECTION 6. WHEN EFFECTIVE

The Michigan Vehicle Code will be in effect in the Charter Township of Hampton, Bay County, Michigan, on October 1, 2003.

SECTION 7. CHANGES IN CODE

In addition to the Michigan Vehicle Code adopted by reference, the following provisions are specifically adopted, which will be entitled:

Section 5.90(a) Operation of Vehicle with Unnecessary Noise Prohibited; Violation is Civil Infraction.

(1) A person shall not operate a motor vehicle or radio, disc player, tape deck or other musical device within a motor vehicle which creates unnecessary noise and shall not start, move, or turn a motor vehicle or apply the brakes or the power on a motor vehicle or in any manner operate the vehicle or device within the vehicle so as to cause the tires to squeal or create any unnecessary noise or cause the tires or vehicle to make any noise not usually connected with the operation of the motor vehicle, except in the case of an emergency. In addition to squealing tires, excessive noise shall include but not be limited to noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of others within the limits of the township, including playing of any radio or other mechanical or musical device in such a manner or with such volume at any time or place as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel, or other type of residence or any person in the vicinity, including those within other motor vehicles.

(2) A person who violates this section is responsible for a civil infraction.

Section 5.100 Production of Evidence of Insurance.

The owner or operator of a motor vehicle who operates or permits its operation upon the highways of the township shall produce, upon the request of a police officer, evidence that the vehicle is an insured motor vehicle under Chapter 31 of Act No. 218 of Public Acts of Michigan of 1956 (MCLA 500.3101, et seq., MSA 25.13101, et seq.), as amended. An owner or operator of a motor vehicle who fails to produce evidence under this section when requested to produce the evidence is responsible for a civil infraction.

SECTION 8. PENALTY

The penalty for violation of this ordinance, unless otherwise specifically stated, shall be the same as set forth in the Michigan Vehicle Code.

SECTION 9. SEVERABILITY AND SAVING CLAUSE

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part declared to be invalid.