

STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK

ORDINANCE #02-2012

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES;
AMENDING CHAPTER 46, TRAFFIC AND VEHICLES, ARTICLE II, TRAFFIC
CODE, ADOPTING MICHIGAN PUBLIC ACT 7 OF 2012.

The City of Allen Park Ordains:

SECTION 1. AMENDMENT TO CODE.

Chapter 46, Article II, Section 33 is hereby amended to comply with Public Act 7 of 2012, by amending section 46-33(b), and adding section 46-33(c) to provide as follows:

Section 46-33: Adoption by Reference

(b) *Limitation on penalties.* The city shall have no authority to enforce any provision adopted by reference in subsection (a) of this section where the maximum period of imprisonment is greater than 93 days, except as provided in Section 46-33(c).

(c): Section 625(1)(C) of the Michigan Vehicle Code 1949 P.A. 300, MCL 257.625 is hereby adopted by reference, including the provisions that provide a violation of this ordinance and this specific section is punishable by one or more of the following:

- 1) Community service for 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
- 4) Any and all penalties and provisions as provided by the Michigan Vehicle Code and/or the ordinances of the City of Allen Park.

SECTION 2. Repeal. All ordinance or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 4. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 5. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the **12th day of June, 2012.**

WILLIAM MATAKAS, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park