ORDINANCE NO. ORD-12-07

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TRAFFIC

An Ordinance to Amend Section 10:1a, to Add a New Section 10:1b and to Renumber the Current Section 10:1b of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor.

The City of Ann Arbor ordains:

Section 1: That Section 10:1a of Chapter 126 of Title X of the Code of the City of Ann Arbor shall be amended to read as follows:

10:1a. - Adoption of Michigan Vehicle Code and Michigan Uniform Traffic Code.

(1)   Effective January 13, 2011, the City of Ann Arbor adopts by reference the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923 and as subsequently amended. A complete copy of the code is available to the public for inspection in the Office of the Ann Arbor City Clerk.

(2)   Effective January 13, 2011, the City of Ann Arbor adopts by reference the Michigan Uniform Traffic Code for Cities, Townships and Villages, R 28.1001 et seq., of the Michigan Administrative Code and as subsequently amended to the extent not in conflict with existing or future ordinances and regulations of the City. A complete copy of the code is available to the public for inspection in the Office of the Ann Arbor City Clerk. The City's adoption by reference of the UTC does not simultaneously prohibit the existence, addition, and adoption of further ordinances or regulations, provided such ordinances or regulations do not conflict with State law.

(3)   The penalties provided by the Michigan Vehicle Code and Michigan Uniform Traffic Code for Cities, Townships and Villages are adopted by reference, provided, however, that no ordinance violation under the Michigan Vehicle Code shall be punishable by more than 93 days imprisonment except as provided in Section 10:1b.

(4)   The provisions of the Michigan Vehicle Code adopted in this section supersede all provisions of this chapter that substantially correspond to provisions in the Michigan Vehicle Code or the Michigan Uniform Traffic Code for Cities, Townships and Villages, respectively.

Section 2. That a new Section 10:1b shall be added to Chapter 126 of Title X of the Code of the City of Ann Arbor to read as follows:

10:1b. Adoption of MCL 257.625(1)(c) – Operating with an Alcohol Content of .17 or more.

The City of Ann Arbor adopts by reference section 625(1)(c) of the Michigan Vehicle Code, 1949 PA 300, MCL 257.625(1)(c), and as subsequently amended, which shall be punishable by 1 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 $200.00 or more than $700.00.

Section 3. That the current Section 10:1b of Chapter 126 of Title X of the Code of the City of Ann Arbor shall be amended by renumbering as follows:

10:1bc. - Definitions.

Words and phrases used in this chapter shall have their usual and customary meaning, provided, however, that all words defined in the Michigan Vehicle Code shall have the meaning specified therein; provided, further, that the following words and phrases shall have the meanings respectively ascribed to them in this section as follows:

(1) *Alley.* Any minor thoroughfare, opened to public use, for purposes of ingress and egress to service adjacent buildings.

(2) *Bus stand.* A fixed area in the roadway parallel and adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.

(3) *Center or centerline.* A continuous or broken line marked upon the surface of a roadway by paint or otherwise to indicate each portion of the roadway allocated to traffic proceeding in the 2 opposite directions, and if the line is not so painted or otherwise marked, it is an imaginary line in the roadway equally distant from the edges or curbs of the roadway.

(4) *Curb loading zone.* A space adjacent to a curb for the exclusive use of vehicles licensed as commercial vehicles during the loading or unloading of freight.

(5) *Holidays.* Where used in this Code or on official signs erected by authorized official agencies shall in addition to Sundays mean the following legal holidays, to wit: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Veterans' Day, Christmas Day and any other holiday excluding Saturdays, when city hall is officially closed.

(6) *Local authorities.* The City of Ann Arbor.

(7) *Michigan Vehicle Code.* Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923 and as subsequently amended. A complete copy of the code is available to the public for inspection in the Office of the Ann Arbor City Clerk.

(8) *Parking meter zone.* An area adjacent to a parking meter set aside for the exclusive use of vehicles upon the deposit of a coin of United States currency in said parking meter as specified thereon.

(9) *Residence district.* The territory contiguous to a highway not comprising a business district.

(10) *Stop.* When required, means complete cessation of movement.

(11) *Stop, stopping or standing.* When prohibited, means any stopping or standing of a vehicle whether occupied or not, other than the temporary stopping of a passenger vehicle for the purpose of and while actually engaged in picking up and discharging passengers, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

(12) *Taxicab.* A motor vehicle licensed under the provisions of Title VII of this Code.

(13) *Taxicab stand.* A fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers.

(14) *Time.*

>   (a) *Official time standard.* Whenever certain hours are named herein, they shall mean standard time or daylight saving time, as may be in current use in this city.
>
>   (b) *Day time.* Time between 30 minutes before sunrise and 30 minutes after sunset.
>
>   (c) *Night time.* Time between 30 minutes after sunset and 30 minutes before sunrise.

Section 4. This Ordinance shall take effect on the tenth day following legal publication.