

VILLAGE OF GROSSE POINTE SHORES,
A MICHIGAN CITY

ORDINANCE NO. 258

AMENDMENT TO CITY TRAFFIC ORDINANCE
SO AS TO PERMIT THE CITY TO LOCALLY
ENFORCE THE STATUTE FORBIDDING OPERATING
WITH A HIGH BLOOD ALCOHOL CONTENT

An ordinance to amend Chapter 34 of the City Ordinance Code, entitled "Traffic and Vehicles," so as to specifically permit the City to locally enforce Michigan's statute forbidding operating a motor vehicle with a high blood alcohol content, as now permitted by Public Act 7 of 2012; and to repeal inconsistent ordinances.

VILLAGE OF GROSSE POINTE SHORES, A MICHIGAN CITY, ORDAINS:

Section 1. Section 34-1 of the City Ordinance Code, a portion of the chapter entitled "Traffic and Vehicles," is amended to now provide as follows:

Sec. 34-1. Michigan Vehicle Code adopted.

- a. Pursuant to the authority provided it by Public Act No. 260 of 1999 (MCL §117.3(k)), the City adopts by reference the Michigan Vehicle Code, Public Act No. 300 of 1949 (MCL §257.1, *et seq.*), as amended and as it may hereafter be amended. References in the Michigan Vehicle Code to "local authorities" shall mean the City.
- b. The City adopts by reference the penalties provided by the Michigan Vehicle Code; provided, however, that except as provided in subsection (c) of this section, the City may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.
- c. As permitted by Public Act No. 7 of 2012, the City expressly adopts by reference Section 625(1)(c) of the Michigan Vehicle Code, MCL §257.625(1)(c), (pertaining to operation of a motor vehicle with an alcohol content of 0.17 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine), and as it may hereafter be amended, and provides that a violation of that provision is a misdemeanor 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; and/or
- 3) A fine of not more than \$200.00 or more than \$700.00.

Section 2. Miscellaneous Provisions


- a. **Severability.** If a word, clause, sentence, paragraph or part of this ordinance shall be found invalid or unconstitutionally by any court of competent jurisdiction, it shall not affect the remainder of this ordinance and such remainder shall remain in full force and effect.
- b. **Inconsistent Ordinances Repealed.** All ordinances or parts of ordinances in conflict, or inconsistent with this ordinance are hereby repealed.
- c. **Effective Date; Publication.** This ordinance shall take effect immediately upon publication of this ordinance, or a synopsis thereof, in a newspaper circulated in Village of Grosse Pointe Shores, A Michigan City, which publication shall be within 16 days after passage.

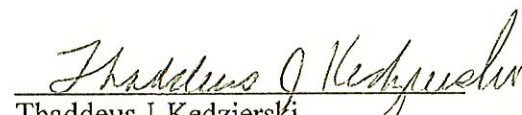
Passed: _____

Ayes: Council Members

Nays:

Absent:


Bruce R. Nichols
City Clerk


Thaddeus J. Kedzierski
Mayor