

Charter Township of Orion

Ordinance No. 144

Super Drunk

Adopted January 6, 2014

AN ORDINANCE TO ADOPT SECTION 625(1)(C) OF THE MICHIGAN VEHICLE CODE BY REFERENCE AND TO PROVIDE PENALTIES FOR A VIOLATION OF THAT SECTION, PURSUANT TO PUBLIC ACT 8 OF 2012.

Section I

This Ordinance shall be known as and may be cited as the “High BAC Amendment” to the 2000 Motor Vehicle Code Ordinance.

Section II – PURPOSE AND INTENT

This is an ordinance to adopt Section 625(1)(C) of the Michigan Vehicle Code by reference and to provide penalties for a violation of that Section, pursuant to Public Act 8 of 2012.

Section III – ADOPTION BY REFERENCE

Ordinance 144 shall read as follows:

Michigan Vehicle Code Adopted.

- A. The Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as amended, is hereby adopted by reference. MCL 257.625(1)(C) of the Vehicle Code is specifically adopted by reference, pursuant to Public Act 8 of 2012.”
- B. Penalty. The penalties provided by the Michigan Vehicle Code are adopted by reference. The Township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days; provided, however, that a violation of MCL 625(1)(C) is punishable by one or more of the following:
 - (i) Community service of 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 IV – SEVERABILITY

If any Section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section V – SAVINGS

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section VI – REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section VII – EFFECTIVE DATE

This ordinance shall take effect ten (10) days after the final passage thereof.