

TOWNSHIP OF ARCADIA
MICHIGAN VEHICLE CODE
ORDINANCE NO. 2300

An Ordinance to adopt by reference of the Michigan Vehicle Code and to provide penalties and civil fines and costs for the violation thereof.

TOWNSHIP OF ARCADIA ORDAINS:

Section 1. MICHIGAN VEHICLE CODE ADOPTED. The Michigan Vehicle Code, Act No. 300 of the Public Acts of 1949, as amended, being Michigan Compiled law 257.1 – 257.923 is hereby adopted by reference in this Ordinance.

Section 2. PUBLICATION. The Township Clerk shall publish this Ordinance in the manner required by law and shall at the same time publish a notice that a complete copy of the Michigan Vehicle Code is available at the office of the Clerk for inspection.

Section 3. PENALTIES.

- A. An owner of a vehicle or lessee of the vehicle of an owner-operator or other person, who causes or allows a vehicle to be loaded and driven or moved on a highway when the weight of the vehicle violates Section 722 of the Michigan Vehicle Code as adopted herein, is responsible for a civil infraction and shall pay a civil fine in an amount equal to 3 cents per pound for each pound of excess load over 1,000 pounds when the excess is 2,000 pounds or less; 6 cents per pound of excess load when the excess is over 2,000 pounds but not over 3,000 pounds; 9 cents per pound for each pound of excess load when the excess is over 3,000 pounds but not over 4,000 pounds; 12 cents per pound for each pound of excess load when the excess is over 4,000 pounds but not over 5,000 pounds; 15 cents per pound for each pound of excess load when the excess is over 5,000 pounds but not over 10,000 pounds; and 20 cents per pound for each pound of excess load when the excess is over 10,000 pounds. However, the court shall have discretionary power as to the civil fine within the schedule provided by this sub-section and may impose the civil fine provided in Section 907(3) of the Michigan Vehicle Code as adopted herein for a civil infraction where, at the time of the violation, either the motor vehicle, motor vehicle and semi-trailer, or trailer did not exceed the total weight which could be lawful for each unit by a proper distribution of the load upon the various axles supporting each unit.
- B. Any provision of this Ordinance which describes an act or omission which constitutes a misdemeanor under the Michigan Vehicle Code shall be punishable by a fine not-to-exceed Five Hundred (\$500.00) Dollars or imprisonment for 90 days, or both.
- C. Any provision of this Ordinance which describes an act or omission which constitutes a civil infraction under the Michigan Vehicle Code shall be processed as a civil infraction, and the person determined to be responsible for a civil infraction except for a violation in Section 722 of the Michigan Vehicle Code as provided in Section 3.A. of this Ordinance, may be ordered by a judge or district court magistrate of competent jurisdiction to pay a civil fine and costs in accordance with Section 907 of the Michigan Vehicle Code.

Section 4. EFFECTIVE DATE. This Ordinance will be in effect thirty (30) days after the publication of this adopting Ordinance.

The undersigned Supervisor and Clerk of the Township of Arcadia hereby certify that this Ordinance was duly adopted by the Arcadia Township Board on the 12th day of May, 1998 and was published in The County Press on the 27th day of May, 1998.