

ARMADA TOWNSHIP
MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 113-38A

AN ORDINANCE TO AMEND ORDINANCE 113-38, OF ARMADA TOWNSHIP CODE OF ORDINANCES, "ARMADA TOWNSHIP MOTOR VEHICLE CODE ORDINANCE", TO ADOPT SECTION 625(1)(C) OF THE MICHIGAN MOTOR VEHICLE CODE BY REFERENCE AND TO PROVIDE PENALTIES FOR A VIOLATION OF THAT SECTION, PURSUANT TO PUBLIC ACTS 7, 8, 9, 10, AND 11 OF 2012, THE TOWNSHIP OF ARMADA ORDAINS:

SECTION 1. SHORT TITLE.

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

SECTION 2. PURPOSE AND INTENT.

This is an ordinance to amend Ordinance 113-38 of the Armada Township Code of Ordinances, "Armada Township Motor Vehicle Code 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 Acts 7, 8, 9, 10 and 11 of 2012.

SECTION 3. AUTHORITY.

Ordinance 113-38 is hereby amended to adopt the following language: 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 Acts 7, 8, 9, 10 and 11 of 2012."

SECTION 4. VIOLATIONS AND PENALTIES.

The following language is hereby added to read as follows:

Violations and Penalties.

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 5. 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 6. REPEAL OF CONFLICTING PROVISIONS.

All Resolutions, Ordinances and parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 7. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 8. PUBLICATION.

A true copy of this Ordinance or a summary thereof shall be published in the Armada Times, a newspaper of general circulation in the Township of Armada.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after the publication of a true copy or summary thereof as provided in Section 8.

CERTIFICATE OF TOWNSHIP CLERK

I certify that the foregoing constitutes a true and complete copy of an Amendment to the Ordinance duly adopted by the Township Board of the Township of Armada, Macomb County, Michigan, at a meeting held on the 9th day of May A.D., 2012

I further certify that the following Township Board Members were present at the meeting: SMITH, PATEREK, SWIACKI, RUTHENBERG AND LOBECK

and the following Township Board members were absent: None

I further certify that Member SWIACKI moved for the adoption of the Ordinance, and that motion was supported by LOBECK Member

I further certify that the following Township Board Members voted for the adoption of the Ordinance: SMITH, PATEREK, LOBECK, RUTHENBERG AND SWIACKI

and that the following Township Board Members voted against adoption of the Ordinance: None

MARY K. SWIACKI, Clerk
Armada Township

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Armada, do hereby certify that on May 23, 2012 the foregoing Ordinance or Summary thereof, was duly published in the Armada Times, a newspaper having general circulation within the Township of Armada.

MARY K. SWIACKI, Clerk
Armada Township

MACOMB COUNTY, MICHIGAN

ADOPTION BY REFERENCE OF 2003 INTERNATIONAL FIRE CODE

ORDINANCE NO. 06-01

TITLE

AN ORDINANCE of Armada Township adopting the 2003 Edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Armada Township: providing for the issuance of permits and collection of fees; and repealing any and all other ordinance and parts of the ordinances in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF
ARMADA, MACOMB COUNTY, MICHIGAN ORDAINS:**

SECTION 1. CODE AND APPENDICES ADOPTED

Subsection 1.1

The 2003 Edition of the International Fire Code, copies of which are on file in the office of the Township Clerk of the Township of Armada being marked and designated as the 2003 International Fire Code, including all Appendix Chapters, as published by the International Code Council, is adopted as the Fire Code of Armada Township, for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; providing for the issuance of permits and collection of fees

therefor; and each and all of the regulations, provisions, penalties, conditions and terms of the 2003 International Fire Code on file in the office of Armada Township are hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, set forth in subsections 1.2 and 1.3 of this Ordinance.

Subsection 1.2

The following sections of the 2003 International Fire Code are revised accordingly:

Section 101.1, insert: the Township of Armada.

Section 109.3, insert: misdemeanor punishable by a fine of \$500.00 and/or 90 days in jail.

Section 111.4, insert: not less than \$500.00 for each day the violation occurs.

Subsection 1.3

The geographic limits referred to in sections of the 2003 International Fire Code are established as follows:

Section 3404.2.9.5.1 (geographic limits in which the storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited): storage of Class I and Class II liquids in above ground tanks outside of buildings is permitted within the Township of Armada after special land use approval in compliance with the Armada Township Zoning Ordinance and compliance with all NFPA requirements.

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above ground tanks is prohibited): storage of Class I and Class II liquids in above ground tanks is permitted within the Township of Armada after special land use approval in compliance with the Armada Township Zoning Ordinance and compliance with all NFPA requirements.

Section 3804.2 (geographic limits in which the storage of liquified petroleum gas is restricted for the protection of heavily populated or congested areas): storage of liquified petroleum gas in above ground tanks outside of buildings is permitted

within the Township of Armada after special land use approval in compliance with the Armada Township Zoning Ordinance and compliance with all NFPA requirements.

SECTION 2. REPEAL OF CONFLICTING PROVISIONS.

All Resolutions, Ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

SECTION 3. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. PUBLICATION

This Ordinance, shall be published in The Armada Times, a newspaper of general circulation in the Township of Armada, within thirty (30) days after its adoption.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days from and after publication of a true copy in The Armada Times, as provided by Section 4.

CERTIFICATE OF TOWNSHIP CLERK

I certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of the Township of Armada, Macomb County, Michigan, at a meeting held on the 8th day of March, A.D., 2006, and was approved for publication.

I further certify that the following Township Board Members were present at the meeting: Eison, Ruthenberg, Hoxie, LeMieux, Jacob and the following Township Board members were absent: None

I further certify that Member LeMieux moved for the adoption of the Ordinance, and that motion was supported by Member Jacob. I further certify that the following Township Board Members voted for the adoption of the Ordinance: Eison, Ruthenberg, Hoxie, LeMieux, Jacob and that the following Township Board Members voted against adoption of the Ordinance: None

MARGARET RUTHENBERG
ARMADA TOWNSHIP CLERK

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Armada, do hereby certify that on March 22, 2006, the foregoing Ordinance was duly published in The Armada Times, a newspaper having general circulation within the Township of Armada.

MARGARET RUTHENBERG
ARMADA TOWNSHIP CLERK

