

NOTICE OF ADOPTION

The City of Wyandotte Ordinance has been amended as follows:

Amendment #1535

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND §71.006 and §71.999 OF THE CODE OF ORDINANCES OF THE CITY OF WYANDOTTE

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment to §71.006 by deleting the title “Supplements to Uniform Traffic Code” and creating a new title “Motor Vehicle Insurance”. The Amendment shall read as follows:

§71.006. Motor Vehicle Insurance.

1. The owner or registrant of a motor vehicle required to be registered in the State of Michigan shall maintain security (insurance) for payment of benefits under personal protection insurance, property protection insurance, and residual liability insurance as required by law including all provisions of Chapter 31 of the Insurance Code of 1956, as amended (MCL 500.3101 to 500.3179). Security (insurance) shall only be required to be in effect during the period the motor vehicle is driven or moved upon a highway.
2. A nonresident owner or registrant of a motor vehicle or motorcycle not registered in this state shall not operate or permit the motor vehicle or motorcycle to be operated in this state for an aggregate of more than 30 days in any calendar year unless he or she continuously maintains security (insurance) for the payment of benefits pursuant to this ordinance and state law.
3. An owner or registrant of a motor vehicle or motorcycle with respect to which security (insurance) is required, who operates the motor vehicle or motorcycle or permits it to be operated upon a public highway in this state, without having in full force and effect security (insurance) complying with this section is guilty of a misdemeanor. A person who operated a motor vehicle or motorcycle upon a public highway in this state with the knowledge that the owner or registrant does not have security (insurance) in full force and effect is guilty of a misdemeanor. A person convicted of a misdemeanor under this section shall be fined not less than \$200.00 nor more than \$500.00, imprisoned for not more than 93 days.
4. The failure of a person to produce evidence that a motor vehicle or motorcycle has in full force and effect security (insurance) complying with this section on the date of the issuance of the citation, creates a rebuttal presumption in a prosecution under subsection (3) that the motor vehicle or motorcycle did not have in full force and effect security (insurance) complying with this section on the date of the issuance of the citation.
5. An owner or operator of a motor vehicle or motorcycle who fails to produce evidence of security (insurance) on request under this ordinance or the provisions of the Motor Vehicle Code or the provisions of the State of Michigan Insurance Code is responsible for a civil infraction.

Section 2. Amendment to §71.999 “Penalty” to read as follows:

§71.999. Penalty.

- (A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to §10.999 of this code of ordinances.
- (B) (1) Any provision of §71.001 through §71.002 of this chapter which describes an act or omission which constitutes a civil infraction under the terms of the Michigan Vehicle Code, being Public Act 300 of 1949, as amended, shall be processed as a civil infraction and any person found to have committed a civil infraction may be ordered to pay a civil fine of not more than \$100 and costs in accordance with §907 of the Michigan Vehicle Code, being Public Act 300 of 1949, as amended, being M.C.L.A. §257.1 through §257.923.
(2) All parking tickets issued under the provisions of the Uniform Traffic Code as adopted by the city shall require a mandatory minimum fine for any parking infraction in the sum of \$25, except for overtime parking as prohibited by § 8.10(r), in which case the mandatory minimum fine shall be \$10.
- (C) Any person violating §71.006(1)-(4) is guilty of a misdemeanor.
- (D) Any person violating §71.006(5) is responsible for a civil infraction.

Section 3. Severability

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 4. Effective Date

This Ordinance shall take immediate effect. This Ordinance is deemed necessary for the immediate preservation of the public peace, property, health, safety and for providing for the usual daily operation of the Wyandotte Police Department. This Ordinance or a summary of this Ordinance shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption. A copy of this Ordinance may be inspected or obtained at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan.

On the question, "SHALL THIS ORDINANCE NOW PASS?", the following vote was recorded:
Motion unanimously carried.

CERTIFICATION

We, the undersigned Robert A. DeSana and Lawrence S. Stec, respectively, the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the City Council of the City of Wyandotte, at a regular session on Monday, June 5, 2023.

Robert A. DeSana, Mayor
Lawrence S. Stec, City Clerk

The effective date of this Ordinance is June 5, 2023. A copy of this Ordinance may be purchased or inspected at the City of Wyandotte Clerk's Office, 3200 Biddle Avenue, Wyandotte, Michigan, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Publication Date: June 14, 2023