



**City of Beaverton**

128 Saginaw Street PO Box 477

Beaverton, Michigan MI 48612

989.435.3511

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**ORDINANCE NO. 2019-6**

**AN ORDINANCE TO AMEND SECTION 10.100 OF CHAPTER 126, OF TITLE X, OF THE CODE OF THE CITY OF BEAVERTON.**

\$10.100 Code Adopted.

- (a) The following laws are adopted by reference: 1. The revised Uniform Traffic Code for Cities, Townships and Villages is hereby ratified and continues as promulgated by the Michigan Department of State Police and amended, 2. The Michigan Vehicle Code, Act 300 of the Public Acts of 1949, MCL 257.1, et. seq. as amended. 3. The Motor Carrier Safety Act of 1963 being Act 181 of the Public Acts of 1963, MCL 480.11 et seq., as amended and the rules promulgated thereunder by the Michigan Department of State Police, Motor Carrier Division and as amended. 4. The Michigan Snowmobile Regulations and as amended. 5. Michigan abandoned Vehicle Code and as amended. (b) Penalties. The penalties provided by the Michigan Vehicle Code, Motor Carrier Safety Act and the Uniform Traffic Code are adopted by reference, provided, however that the City of Beaverton may not enforce any provision for which the maximum period of imprisonment is greater than 93 days.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BEAVERTON BY ADDING A NEW SECTION (10.109) WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 10.109 OF CHAPTER 126 OF TITLE X OF THE CODE OF THE CITY OF BEAVERTON.

\$10.109 Distracted Driving 1. 2. A person shall not engage in distracted driving within the City of Beaverton. Distracted driving means the following: a. The physical manipulation of any 2-way wireless electronic communication device used for dialing numbers; or scrolling; or typing or entering multiple letters, numbers, symbols or other text; or the sending, receiving and reading of any non-voice data in the device while the motor vehicle is in motion on any highway or street or place open to the general public within the City of Beaverton. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigating system or cellular telephone that is affixed to the motor vehicle or radio service equipment used by a licensee of the Federal Communications Commission and/or b. The physical manipulation or handling of any wireless entertainment or electronic telephonic communication device for the purpose of speaking into, or listening to voice data, while the motor vehicle in motion on any highway or street or place open to the general public within the City of Beaverton. 3. A person who violates this rule is responsible for a civil infraction. A penalty of \$100.00 together with any costs assessed by the court shall be imposed. Exceptions. This rule does not apply to a person who is using an electronic communications device to do one or more of the following: a. Report a traffic accident, medical emergency or serious road hazard. b. Report a situation in which the person believes their personal safety is in jeopardy. C. Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person. d. Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.

City Council of the City of Beaverton, AUTHENTICATED: Gladwin County, Michigan By: dauren JANELLE KEEN, City Clerk RAYNAU, Mayor 1, Janelle Keen, City Clerk of the City of Beaverton, Michigan do hereby certify that I am the Clerk of the City of Beaverton, Gladwin County, and I do hereby certify that this amendment and addition to Chapter 126 of Title X of the Code of the City of Beaverton was adopted by the City Council of the City of Beaverton at a regular meeting of the City Council held on the 21st day of October , 2019 at the Beaverton Area Community Center. The vote on said Ordinance, members being present and I members being absent, was as follows: AYES: 5 NAYS: 0 Hollacun JANELLE KEEN, City Clerk 1, Janelle Keen, the City Clerk of the City of Beaverton, do hereby certify that this amendment and addition to Chapter 126 of Title X of the Code of the City of Beaverton, or a summary of it, was published on the 2471 day of Uchhi in Midland Daily News, a newspaper of general circulation in the City of Beaverton, within (30) days after adoption of the Ordinance. Dated: Qitober 11, 2019 a drittien JANÉLLE KEEN, City Clerk