



CITY of NOVI CITY COUNCIL

Agenda Item I
July 8, 2019

SUBJECT: Approval of Resolution appointing City Engineer Ben Croy as Traffic Engineer in accordance with Section 33-51 of the Code of Ordinances.

SUBMITTING DEPARTMENT: City Manager

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

Chapter 33 of the Code of Ordinances (Traffic and Motor Vehicles) requires the designation of a Traffic Engineer. Specifically, Section 33-51 adopts the Uniform Traffic Code for Cities, Townships, and Villages, which requires in Rule 125:

The traffic engineer shall be appointed in a manner prescribed by the ordinance making body and shall exercise the powers and duties provided in this code in a manner that is consistent with prevailing traffic engineering and safety practices and that is in the best interests of this governmental unit.

The duties of the traffic engineer are defined as follows in Rule 126:

- To plan and determine the installation and proper timing and maintenance of traffic control devices.
- To conduct engineering analysis of traffic accidents and to devise remedial measures.
- To conduct engineering investigations of traffic conditions.
- To plan the operation of traffic on the streets of this governmental unit, including parking areas.
- To cooperate with other officials of this governmental unit in the development of ways and means to improve traffic conditions.
- To carry out the additional powers and duties imposed by the act and ordinances of this governmental unit.
- To otherwise regulate the movement and parking of vehicles within the municipality consistent with the act.

The currently appointed traffic engineer, George Melistas, Engineering Senior Manager, has resigned his position with the City of Novi. The attached resolution appoints City Engineer Ben Croy as the City's Traffic Engineer.

RECOMMENDED ACTION: Approval of Resolution appointing City Engineer Ben Croy as Traffic Engineer in accordance with Section 33-51 of the Code of Ordinances.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION TO APPOINT TRAFFIC ENGINEER

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on _____, _____, at ____ o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS; the City of Novi has adopted the Uniform Traffic Code for Cities, Townships, and Villages in Section 33-51 of the Novi Code of Ordinances; and,

WHEREAS; Rule 125 of the Uniform Traffic Code for Cities, Townships, and Villages requires the appointment of a traffic engineer to exercise the powers and duties provided in the code in a manner that is consistent with prevailing traffic engineering and safety practices and that is in the best interest of the City of Novi; and,

WHEREAS; the duties of the Traffic Engineer are to: plan and determine the installation and proper timing and maintenance of traffic control devices; conduct engineering analysis of traffic accidents and to devise remedial measures; conduct engineering investigations of traffic conditions; plan the operation of traffic on the streets of the City including parking areas; to cooperate with other officials of the City in the development of ways and means to improve traffic conditions; and to carry out the additional powers and duties imposed by the ordinances of the City; and.

WHEREAS; City Engineer Ben Croy is fully qualified to accept said appointment.

NOW THEREFORE, IT IS THEREFORE RESOLVED that the Mayor and Council of the City of Novi hereby appoint Ben Croy as Traffic Engineer for the City of Novi.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2019, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi

ARTICLE II. - UNIFORM TRAFFIC CODE^[2]

Footnotes:

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Editor's note—Ord. No. 09-81.24, §§ 1, 2 adopted, Aug. 10, 2009, repealed the former Art. II, Div. 1, §§ 33-16—33-88, Div. 2, §§ 33-101—33-176, Div. 3, §§ 33-191—33-204, Div. 4, §§ 33-216—33-238, Div. 5, §§ 33-256—33-386, Div. 6, §§ 33-401—33-430, Div. 7, §§ 33-446—33-461, Div. 8, §§ 33-481—33-506, Div. 9, §§ 33-526—33-530, Div. 10, §§ 33-546—33-580 and enacted a new Art. II as set out herein. The former Art. II pertained to the Uniform Traffic Code. For a complete derivation of the former Art. II see the Code Comparative Table at the end of this volume.

DIVISION 1. - UNIFORM TRAFFIC CODE (UTC)

Sec. 33-51. - Adoption.

The City of Novi hereby adopts and incorporates by reference as an ordinance of the City the Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328 and made effective October 30, 2002, and all future amendments and revisions of the uniform traffic code when they are promulgated and effective in this state.

(Ord. No. 09-81.24, § 1, 8-10-09)

Sec. 33-52. - References in the Uniform Traffic Code.

References to "governmental unit" and "municipality" in the Uniform Traffic Code for Cities, Townships, and Villages shall mean the City of Novi.

(Ord. No. 09-81.24, § 1, 8-10-09)

Sec. 30-53. - Copies.

Printed complete copies of the October 2002 edition of the Uniform Traffic Code for Cities, Townships, and Villages, and all future amendments and revisions thereto, shall be kept on file in the office of the city clerk and made available to the public at all times the office is open.

(Ord. No. 09-81.24, § 1, 8-10-09)

Sec. 33-54. - Penalties.

The penalties provided in the Uniform Traffic Code for Cities, Townships, and Villages are adopted by reference.

(Ord. No. 09-81.24, § 1, 8-10-09)

Secs. 33-55—33-100. - Reserved.

(2) A photocopy or electronic image shall be maintained if the original document is sent to another agency or to a court, except as provided in subrule (3) of this rule.

(3) A photocopy or electronic image is not required to be maintained by the police department if the original document, photocopy, or electronic image is maintained by another office of the municipality.

R 28.1124 Rule 124. Annual traffic safety report.

The police department shall annually prepare a traffic report that shall be filed with the executive head of this governmental unit and the ordinance making body of this governmental unit. The report shall contain all of the following information on traffic matters in this municipality:

- (a) The number of traffic accidents.
- (b) The number of persons killed.
- (c) The number of persons injured.
- (d) The number of traffic accidents investigated.
- (e) The plans and recommendations of the police department for future traffic safety activities.
- (f) Other pertinent data on the safety activities of the police.
- (g) Other pertinent traffic accident data.

R 28.1125 Rule 125. Traffic engineer.

(1) The office of traffic engineer is hereby established. The traffic engineer shall be appointed in a manner prescribed by the ordinance making body and shall exercise the powers and duties provided in this code in a manner that is consistent with prevailing traffic engineering and safety practices and that is in the best interests of this governmental unit. If a traffic engineer is not appointed, then the authority of the engineer shall be vested in the chief of police.

(2) The traffic engineer shall be responsible for any duties specifically delegated to the local authority by the Act, unless another office is specifically designated by the Act or by this code or is by its nature the more appropriate office.

R 28.1126 Rule 126. Duties of traffic engineer.

(1) The general duties of the traffic engineer are as follows:

- (a) To plan and determine the installation and proper timing and maintenance of traffic-control devices.
- (b) To conduct engineering analysis of traffic accidents and to devise remedial measures.
- (c) To conduct engineering investigations of traffic conditions.
- (d) To plan the operation of traffic on the streets of this governmental unit, including parking areas.
- (e) To cooperate with other officials of this governmental unit in the development of ways and means to improve traffic conditions.
- (f) To carry out the additional powers and duties imposed by the act and ordinances of this governmental unit.
- (g) To otherwise regulate the movement and parking of vehicles within the municipality consistent with the act.

(2) All duties carried out by the traffic engineer shall be in accordance with standard and accepted engineering practices as found in the Traffic Engineering Handbook, Fifth Edition, which is adopted by reference in these rules. The Handbook may be reviewed at the East Lansing Headquarters of the Michigan State Police, Special Operations Division, Traffic Services Section. The Handbook may be purchased from the Institute of Transportation Engineers, 1099 14TH Street, N.W., Suite 300 West, Washington, DC 20005-3438, or from the Michigan Department of State Police, Special Operations Division, Traffic Services Section, 714 South Harrison Road, East Lansing, MI 48823, at a cost as of the time of adoption of these rules of \$110.00 each.

R 28.1127 Rule 127. Emergency regulations.

The chief of police is hereby empowered to make and enforce temporary regulations to cover emergencies or special conditions. Temporary regulations shall remain in effect for not more than 90 days.

R 28.1128 Rule 128. Testing traffic-control devices.

The traffic engineer may test or experiment with traffic-control devices under actual conditions of traffic in accordance with procedures contained in the Michigan manual of uniform traffic-control devices.