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SUBJECT: ORDINANCE #1997-2 (SCHOOL BUS ORDINANCE)

ADOPTED DATE: JANUARY 21, 1997

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CASS COUNTY GOVERNMENT  
ORDINANCE #1997-2

AN ORDINANCE PROHIBITING THE DISOBEDIENCE OF SCHOOL BUS TRAFFIC CONTROL SIGNALS RELATING TO THE GENERAL RULES OF THE ROAD

WHEREAS, the County Commission has determined that there has been an increase in reports of disobedience of traffic rules relating to school buses; and

WHEREAS, the Board of County Commissioners has an obligation to provide for the protection of citizens of Cass County, including the minor children who will ride on school buses; and

WHEREAS, existing state laws have not adequately protected the citizens of Cass County and this ordinance will be in the interest of public health, safety, and general welfare and will help obtain the foregoing objectives;

NOW, THEREFORE,

be it ordained by the Board of Cass County Commissioners that an ordinance prohibiting the disobedience of school bus traffic control signals is hereby enacted as follows:

Section 1. Enactment

Ordinance 1997-2 of the Cass County Ordinances is hereby enacted to read as follows:

Permitting use of vehicles to violate subsections (A) and (B) of Ordinance #1997-1 prohibited--Presumption of permission--Defense--Dual prosecution prohibited.--The registered owner of a motor vehicle may not permit that motor vehicle to be operated in violation of subsections (A) and (B) of Ordinance #1997-1. If a motor vehicle is seen violating said subsections, it is a disputable presumption that the registered owner of the motor vehicle permitted that violation. It is a defense to a charge of violating this section that the registered owner of the vehicle was not operating the vehicle, if that registered owner identifies the person authorized by that owner to operate the motor vehicle at the time of violation of the aforementioned subsections of Ordinance #1997-1, or if that motor vehicle had been taken without the registered owner's permission. The person may not be charged with violating both this section and with violating subsections (A) and (B) of

Ordinance #1997-1. Violation of this section is not a lesser included offense of a violation of subsections (A) and (B) of Ordinance #1997-1.

Section 2. Penalty Clause

Every person, firm or corporation violating this section shall be guilty of a non-criminal offense and shall pay a fee of \$50.00.

Section 3. Effective Date

This ordinance shall be in full force and effect from and after its passage, approval and publication pursuant to the Cass County Home Rule Charter.

ss/Alon Wieland  
Chair, Board of Commissioners  
of the County of Cass

Attest:

First Reading: 12/18/95  
Second Reading: 1/16/96  
Final Passage: 1/16/96  
Publication: 12/26/95

ss/Michael Montplaisir  
Michael Montplaisir  
County Auditor

(SEAL)

HISTORICAL REFERENCE DATE: JANUARY 21, 1997