

**BIG RAPIDS CHARTER TOWNSHIP
TRUCK ROUTE ORDINANCE NO. 32**

Adopted: May 6, 1997

Effective: July 1, 1997

An Ordinance to establish and regulate truck traffic routes within the Charter Township of Big Rapids, Mecosta County, Michigan, to prohibit truck traffic on other roads, and to provide penalties for the violation thereof.

**THE CHARTER TOWNSHIP OF BIG RAPIDS
MECOSTA COUNTY, MICHIGAN
ORDAINS:**

Section 1. Definitions:

(a) Implement of Husbandry "Implement of Husbandry" means every vehicle which is designed for agricultural purpose and exclusively used by the owner thereof in the conduct of agricultural operations.

(b) Road "Road" means any street, highway or route within the Township of Big Rapids.

(c) Semi-Trailer "Semi-Trailer" means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by some other vehicle.

(d) Trailer "Trailer" means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and to constructed that no part of its weight rests upon the towing vehicle.

(e) Truck "Truck" means every motor vehicle which is designed, used or maintained primarily for the transportation of property, except a pick-up truck, or a van designed so as to carry loads of no more than one ton.

(f) Truck Tractor "Truck Tractor" means every motor vehicle designed primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of vehicle and load so drawn.

(g) Person "Person" includes an agency, company, organization, firm, association, partnership, joint venture, corporation, trust or equivalent entity or a combination of any of them as well as a natural person.

Section 2. Rule of Construction:

Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition.

Section 3. Truck Routes:

The following roads in the Township of Big Rapids, to the exclusion of all other roads, are hereby designated as truck routes and classified for truck traffic:

- 1.) 220th Ave. from Woodward Ave. south to a point ½ mile south of 15 Mile Rd.
- 2.) 13 Mile Rd. from the Mecosta County line east to 205th Ave.
- 3.) 205th Ave. from 13 Mile Rd. north to 15 Mile Rd.
- 4.) Arthur Rd. from 205th Ave. east to Northland Dr.

- 5.) Northland Dr. from 12 Mile Rd. north to 18 Mile Rd.
- 6.) 16 Mile Rd. from Big Rapids City limit to 180th Ave.
- 7.) US 131 Expressway.
- 8.) Route M-20.
- 9.) 14 Mile Rd. from Northland Dr. to 190th Ave.
- 10.) Old Millpond Rd. from Taft Rd. to 15 Mile Rd.

Section 4. Prohibition Against Travel on Other Than Truck Routes:

Except as expressly permitted under this Ordinance, no person shall operate a truck or truck-tractor and semi-trailer or truck-tractor and trailer combination, or truck and trailer combination in the Township of Big Rapids on any road other than a designated truck route.

Section 5. Exemptions:

The truck route limitations prescribed in this Ordinance shall not apply to:

- (a) Fire trucks or other emergency vehicles or vehicle on emergency business involved in the saving of life or property, or
- (b) Implements of husbandry incidentally moved upon a road, or
- (c) Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of road within the Township, or
- (d) Garbage service vehicles while involved in the provision of services to residents of the Township.

Section 6. Pick-Ups, Deliveries, Service Calls:

A vehicle which would otherwise be restricted to truck routes and which is being used to make pick-ups, deliveries or service calls in the Township on roads other than designated truck routes shall restrict its travel to a minimum and shall not be driven or moved on other than truck routes except when being used to make pick-ups, deliveries or service calls within the Township. Said vehicle shall be driven in such a manner as to leave a permitted truck route and proceed to its destination or destinations in the Township by the most direct route. Upon completion of the pick-ups, deliveries, or service calls, the vehicle shall return to the nearest permitted truck route or leave the Township by the most direct route. This Section shall not be interpreted as permitting a vehicle otherwise restricted to a truck route from entering or leaving the Township by other than a truck route.

Section 7. Leaving or Returning to Home or Place of Business:

Nothing herein contained shall prevent a truck or truck-tractor and semi-trailer, or truck-tractor and trailer combination, or truck and trailer combination from leaving or returning to its customary storage location at the owner or operator's personal residence, or a commercial or industrial location in the Township, provided the most direct route to and from a designated truck route is utilized.

Section 8. Special Permits:

The Township Supervisor shall have authority to grant a written permit in special cases which would otherwise be in violation of the provisions of this Ordinance. Such permits, however, shall not be given for more than one round trip and in no case shall a permit be valid for a longer period than ten days from the date of issue. Said permit shall describe the vehicle, the time and date of travel, and the route to be taken by the vehicle. The Township Board shall, by resolution, grant written Special Permits for longer periods of time for special projects or in conjunction with Special Use Permits granted by the Big Rapids Charter Township Zoning Board. The Township Board shall, by resolution, set fees for such special permits.

Section 9. Signs:

The Township Board shall procure and have posted appropriate signs along the designated truck routes as required by the laws of the State of Michigan.

Section 10. Penalties:

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more than Five Hundred (\$500.00) Dollars or shall be imprisoned in the Mecosta County Jail for not more than ninety (90) days or both such fine and imprisonment at the discretion of the Court.

Section 11. Severability:

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby.

Section 12. Administrative Liability:

No officer, agent, or employee of the Township of Big Rapids, or member of the Township Board shall render himself personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of his duties and responsibilities pursuant to this Ordinance.

Section 13. Repeal:

All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict, except that terms defined herein for purposes of interpretation, administration and endorsement of this Ordinance only will in no way, manner or form repeal, modify or otherwise change the definition of any such terms as used in other ordinances of the Township of Big Rapids.

Section 14. Effective Date:

This Ordinance was approved and adopted by the Township Board of the Township of Big Rapids, Mecosta County, Michigan, on May 6, 1997 and is ordered to take effect on July 1, 1997 said date being thirty(30) or more days after publication in the Pioneer, a newspaper having general circulation in the Township of Big Rapids, pursuant to the provisions of Act 78 of the Public Acts of 1989 as amended.