SANDSTONE CHARTER TOWNSHIP

ORDINANCE NO. 52-2012

Restricted Truck Routes

An ordinance to establish and regulate truck traffic routes; to prohibit truck traffic on roads designated as restricted truck routes; and to provide penalties for the violation thereof.

THE CHARTER TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, ORDAINS:

Section 1. Definitions

1.1 "Implement of husbandry" means every vehicle that is designed for agricultural purpose and exclusively used by the owner thereof in the conduct of agricultural operations.

1.2 "Road" means any street, highway or route within Sandstone Charter Township.

1.3 "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.

1.4 "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 no part of its weight rests upon the towing vehicle.

1.5 "Truck" means every motor vehicle that is designed, used or maintained primarily for the transportation of property, except a pick-up truck or a van designed to carry loads of no more than one (1) ton.

1.6 "Truck-tractor" means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

1.7 "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. Restricted Truck Routes

The following roads in Sandstone Charter Township are hereby designated as restricted truck routes:

3.1 Leora Lane

3.2 Glascow Road

Section 4. Prohibition Against Travel on Restricted 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 Sandstone Charter Township on any road designated as a restricted truck route.

Section 5. Exemptions

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

5.1 Fire trucks or other emergency vehicles or vehicle on emergency business involved in the saving of life or property, or

5.2 Implements of husbandry incidentally moved upon a road, or

5.3 Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of roads within the Township, or

5.4 Garbage service vehicles while involved in the provision of services to residents of the Township.

Section 6. Pick-Ups, Deliveries, Service Calls

A vehicle that is being used to make pick-ups, deliveries or service calls in the Township on roads designated as restricted truck routes shall restrict its travel to a minimum 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.

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 restricted truck route is utilized.

Section 8. Special Permits

The Township Supervisor shall have authority to grant a written permit in special cases that 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 (10) days from the date of issue. Said permit shall describe the vehicle, the time and dates of travel, and the route to be taken by the vehicle. The Township Board shall, by resolution, set a fee for special permits.

Section 9. Signs

The Township Board shall procure and have posted appropriate signs along the designated restricted truck routes.

Section 10. Penalties

10.1 *Civil Infraction.* Any person violating any provision of this Ordinance shall be deemed responsible for a civil infraction. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Sandstone Charter Township has been put in connection with the enforcement of this ordinance and the municipal civil infraction. In no case, however, shall costs of less than $50 or more than $500 be ordered.

10.2 *Other Remedies.* In addition to the foregoing, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance.

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 Sandstone Charter Township, or member of the Township Board shall render him/herself 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/her 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 as of the effective date of this ordinance are hereby repealed to the extent of such conflict, except that terms defined herein for purposes of interpretation, administration and enforcement of this ordinance only will in no way, manner or form repeal, notify or otherwise change the definition of any such terms as used in other ordinances of Sandstone Charter Township.

Section 14. Effective Date

This Ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Sandstone Charter Township, pursuant to the provisions of the Publication of Notices in Newspapers Act, Public Act 247 of 1963, as amended, (MCL 691.1051).

On motion by Dwight VanWinkle, second by Cheryl Marks.

YEAS: T Langston, C. Marks, K Acker, D VanWinkle, R Beeson, Petterwitz, T Taylor
NAYS: None
ABSENT: None

Ordinance declared adopted on 4/14, 2014.

L. Keith Acker
Township Supervisor
Charter Township of Sandstone

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Priscilla Sterrett, the duly elected Clerk of the Charter Township of Sandstone certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Charter Township of Sandstone on 4-14, 2014 and published in the County Press, a newspaper circulated in the Charter Township of Sandstone on 4-30, 2014.

Priscilla Sterrett
Township Clerk
Charter Township of Sandstone