

TRUCK ORDINANCE

**Otsego Lake Township, Otsego County, Michigan
Ordinance No. 2022-1215
December 15, 2022**

An ordinance regulating the activities of commercial trucks over certain roads in Otsego Lake Township; providing for the prohibition of travel of commercial trucks over certain roads in Otsego Lake Township; providing for penalties for the violation of the terms of the ordinance; and repealing all prior ordinances in conflict with the provision of this ordinance.

The Township of Otsego Lake ordains:

- 1. Purpose.** This ordinance is to protect the health, safety, and general welfare of the residents of Otsego Lake Township by prohibiting trucking in residential areas and on roads unequipped to handle truck traffic, pursuant to its authority under Art. VII, § 29 of the Michigan Constitution of 1963, and MCL 257.726.
- 2. Definitions.**
 - a. **Commercial Truck.** A motor vehicle having a weight of 26,000 pounds GVW or more including the load carried, also including but not limited to any vehicle carrying hazardous materials or solid waste.
 - b. **No Truck Road.** A road on which commercial trucks are prohibited and the road is posted "No Through Trucks Over 26,000 Pounds Rated GVW."

The following are designated as a "No Truck Road": Fantasy Drive; Echo Drive; Sanctuary Drive; Fascination Drive; Passenheim Road; and Camp Carson.

- 3. Unlawful Acts.** It is a violation of this ordinance to operate a commercial truck on any designated "No Truck Road" within Otsego Lake Township, unless the activity is expressly permitted under this ordinance.
- 4. Exceptions.** The following commercial trucks may operate on a designed "No Truck Road":
 - a. A local, state, or federal emergency vehicle.
 - b. A vehicle necessary to respond to an emergency declared by public official or public act.
 - c. A vehicle involved in the routine local pick-up, delivery, or service where the destination is on a declared "No Truck Road."
 - d. A vehicle operated by a resident on a declared "No Truck Road" for travel to and from that residence.
 - e. A public utility vehicle.
 - f. School buses, charter buses, and public transportation if servicing a resident along a "No Truck Road."
 - g. Motor homes, recreational vehicles or other vehicles used exclusively to transport personal possessions or family members for non-business purposes.

APPROVED

BY: Board DATE: 12-15-22

5. **Posting of Restrictions.** Signs shall be posted stating “no thru trucks over 26,000 pounds rated GVW” or a substantially similar warning. Signs shall be posted at locations as determined by the Township Supervisor.
6. **Penalty.** Any person violating any provision of this ordinance is responsible for a civil infraction.
7. **Severability.** The provisions of this Ordinance are severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance, which shall continue in full force and effect.
8. **Effective Date.** This ordinance shall take effect on December 15, 2022.

CLERK'S CERTIFICATE

I, Mary Brown, Clerk of Otsego Lake Township, certify that the above Ordinance No. 2022-1215 entitled “Truck Ordinance” was adopted by the Otsego Lake Township Board at a regular meeting held on December 15, 2022, and that the vote was as follows:

FOR: MATELSKI, JOHNSON, BERGEL, J. BROWN, M. BROWN

AGAINST: Ø

A copy of this Ordinance was given publication in Weekly Choice on the following date: December 22, 2022.

Mary Brown
Mary Brown - Township Clerk