

CHARTER TOWNSHIP OF JAMESTOWN  
COUNTY OF OTTAWA, STATE OF MICHIGAN

TRUCK ROUTE ORDINANCE  
ORDINANCE # 09-001

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

THE CHARTER TOWNSHIP OF JAMESTOWN, OTTAWA COUNTY, MICHIGAN,  
ORDAINS:

**Section 1: Definitions**

- A. "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.
- B. "Road" means any street, highway or route within Jamestown Charter Township.
- C. "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" 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.
- E. "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.
- F. "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.
- G. "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 Jamestown Charter Township, to the exclusion of all other roads, are hereby designated as truck routes and classified for truck traffic:

<b>Street:</b>	<b>From:</b>	<b>To:</b>
Adams St	Kenowa Ave.	48th Ave.
Byron Rd.	Kenowa Ave.	48th Ave.
Quincy St.	32nd Ave.	Royal Ct.
8th Ave.	Jackson St.	M-6
22nd Ave.	Jackson St.	Quincy St.
24th Ave.	Quincy St.	Ottogan St.
32nd Ave.	Hud. City Limit	Byron 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 Jamestown Charter Township 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 roads 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 that 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 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 truck routes as required by the laws of the State of Michigan.

#### **Section 10: Penalties**

Violations of this Ordinance a Municipal Civil Infraction. Any violation of this ordinance shall constitute a municipal civil infraction. Any person, firm or corporation who violates

any provision of this ordinance is responsible for a municipal civil infraction and subject to payment of a civil fine, as well as any other action by the Township to abate the violation. The minimum fine for a municipal civil infraction under this ordinance shall be one hundred (\$100) dollars plus costs and other sanctions for each violation. Increased civil fines shall be imposed for repeated offenses by the same person. As used in this section, the term "repeated offense" means a second (or any subsequent) municipal civil infraction of the same requirement or provision of this ordinance which is committed by a person.

#### **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 Jamestown 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 Jamestown Charter Township.

#### **Section 14: Effective Date**

This ordinance was approved and adopted by the Township Board of Jamestown Charter Township, Ottawa County, Michigan, on Jan 19, 2009 and is ordered to take effect on March 5, 2009; said date being 30 or more days after publication in a newspaper having general circulation in Jamestown Charter Township.