

ALLENDALE CHARTER TOWNSHIP
TRUCK ROUTE ORDINANCE

Ordinance 1995-13, Amended with Ordinance 2003-3

THE CHARTER TOWNSHIP OF ALLENDALE, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Definitions.

The following listed terms and words are defined for the purpose of this Ordinance and shall apply in the interpretation and enforcement of this Ordinance unless otherwise specifically stated.

1. Implements of Husbandry: A vehicle which is either a farm tractor, a vehicle designed to be drawn by a farm tractor or an animal, a vehicle which directly harvests farm products, or a vehicle which directly applies fertilizer, spray, or seeds to a farm field.
2. Road: Any street, highway road, alley or route within the Township.
3. Semi-Trailer: 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.
4. Trailer: 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.
5. Truck: Every motor vehicle which is designed, used or maintained primarily for the transportation of property which has a gross vehicle weight of more than 10,000 lbs.
6. Truck Tractor: 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 vehicle and load so drawn.

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.
8. Township: Allendale Charter Township, Ottawa County, Michigan.

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, to the exclusion of all other roads, are hereby designated as truck routes and classified as being for truck traffic:

1. Fillmore Street from 68th Avenue to 72nd Avenue;
2. Rich Street from 48th Avenue to 46th Avenue;
3. Warner Street West from 68th Avenue to 92nd Avenue and Bass Drive to the West Township line;
4. 48th Avenue from 1/2 mile North of Rich Street South to the South Township line;
5. 46th Avenue from Rich Street North 1/2 mile;
6. 68th Avenue from the South Township line to the North Township line; and
7. 96th Avenue from the South Township line to M-45.
8. Allen Park;
9. Edgewater Drive;
10. Edgeway Drive;
11. Commerce Drive;
12. 53rd Avenue from Edgewater Drive to Rich Street; and
13. 54th Avenue.

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 on any road other than a designated truck route.

Section 5. Exemptions.

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

1. Traffic on M-45 (Lake Michigan Drive);
2. Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of lives or property;
3. Implements of husbandry moved on a road;
4. Construction or maintenance vehicles while involved in the repair, construction or maintenance of roads, public and private utilities, cable television and drains within the Township; and
5. Trash/garbage service vehicles while involved in the provision of services to residents and businesses within the Township.

Section 6. Local Trips.

A vehicle which originates its trip from a point within the Township and which terminates its trip at a point inside the Township without leaving the Township shall not be restricted to the designated truck routes.

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 within the Township, provided that the vehicle does not intersect with or cross any designated truck route roadway. Any such vehicle that does intersect with or cross a designated truck route roadway shall use the first designated truck route roadway it intersects with and continue on a designated truck route road until it reaches an intersecting road that is closest to the desired destination, at which point it may turn off the designated truck route roadway and proceed to its destination.

Section 8. Special Permits.

The Township Supervisor, or his/her designated representative, 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 (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 shall post or have posted appropriate signs along the designated truck routes as required by the laws of the State of Michigan.

Section 10. Penalties.

Any person violating the provisions of this Ordinance shall be deemed responsible for a civil infraction, and upon conviction thereof, be assessed a fine not to exceed \$500.00 for each act or occurrence in violation of the provisions of this Ordinance.

Section 11. Severability.

This Ordinance and the various parts, sections and 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, 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 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, modified or otherwise change the definitions of any such terms as used in other ordinances of the Township.

Section 14. Effective Date.

This Ordinance was approved and adopted by the Township Board on May 8, 1995 after introduction and a first reading on April 24, 1995 and publication after such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on May 18, 1995.