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**NORVELL TOWNSHIP
JACKSON COUNTY, MICHIGAN**

**ORDINANCE NO. 38
TRUCK ROUTE ORDINANCE**

An ordinance to establish and regulate truck traffic routes within the Township of Norvell, Jackson County, Michigan, to prohibit truck traffic on certain roads within the Township, and to provide penalties for the violation thereof.

**THE TOWNSHIP OF NORVELL
JACKSON COUNTY, MICHIGAN**

ORDAINS:

SECTION I

DEFINITIONS

“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.

“Road” means any street, highway or route within the Township of Norvell.

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

“Trailer” means every vehicle with our without motor power, designed for carrying persons or property and for being drawn by a motor vehicle as so constructed that no substantial part of its weight rests upon the towing vehicle.

“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 to carry loads of no more than one ton.

“Truck Tractor” means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed to carry a load other than a part of the weight of vehicles and load so drawn.

“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 II RULES OF CONSTRUCTION

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

SECTION III TRUCK ROUTES

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

- A. M-124 (Wamplers Lake Road) from the western Township limits to the southern Township limits.
- B. Sharon Valley Road from the western Township limits to the eastern Township limits.
- C. Norvell Road from Sharon Valley Road to the northern Township limits
- D. Austin Road from the western Township limits to the eastern Township limits.
- E. Fay Lake Road, from Austin Road to Horning Road.
- F. Horning Road from the eastern Township limits to Hardcastle Road.
- G. Hardcastle Road, from Horning Road to M-124 (Wamplers Lake Road).

SECTION IV PROHIBITION AGAINST TRAVEL ON OTHER THAN TRUCK ROUTES.

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

SECTION V EXEMPTIONS

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

- A. Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property.
- B. Implements of husbandry incidentally moved upon a road.
- C. Road repair, construction or maintenance vehicles involved in the repair, construction or maintenance of a road within the Township
- D. Garbage and/or rubbish service vehicles while involved in the provision of services to residents of the Township.

**SECTION VI
PICK-UPS, DELIVERIES, SERVICE CALLS**

A vehicle which would otherwise be restricted to truck routes and which is being used to make pick-up, 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 at designations within the Township which are not located on designated truck routes. 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 that is shorter than the distance to the nearest truck route. It shall be the obligation of the truck operator to utilize herein designated truck routes to the maximum extent possible in making pick-ups, deliveries or service calls within the Township.

**SECTION VII
LEAVING OR RETURNING TO HOME OR PLACE OF BUSINESS**

Nothing herein contained shall prevent a truck, truck-tractor and semi-trailer, truck-tractor and trailer combinations, 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 VIII
SPECIAL PERMITS**

The Township Supervisor, or a designated alternative, shall have authority to grant a written permit in special and/or unusual 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, set a fee for special permits.

**SECTION IX
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 X
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 Jackson County Jail for not more than ninety (90) Days, or both such fine and imprisonment at the discretion of the court.

**SECTION XI
SEVERABILITY**

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

**SECTION XII
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 consequences or occurrence arising out of the discharge of his/her duties and responsibilities pursuant to this Ordinance.

**SECTION XIII
REPEAL AND EFFECTIVE DATE**

Except as provided in Ordinance No. 6, Article VIII, Section 8.3.C., all Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict. This Ordinance shall become effective 30 days following publication after adoption in a newspaper of general circulation within the Township.

Certification of the Clerk

I, John T. Turnquist, duly elected Clerk of Norvell Township, do hereby certify that the Norvell Township Truck Route Ordinance No. 38 was duly adopted at a Regular Meeting of the Norvell Township Board held on November 7, 2001, to which I set my sign on this ninth day of November, 2001.

John T. Turnquist
Norvell Township Clerk

ADOPTED DATE:	November 7, 2001
PUBLICATION DATE:	November 10, 2001
EFFECTIVE DATE:	December 10, 2001
NEWSPAPER OF CIRCULATION:	<u>The Jackson Citizen Patriot</u>