

20.0600

**TRUCK ROUTE ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 145 eff. Nov. 14, 1990**

An Ordinance to regulate the use of roads, highways, and streets in the Township by commercial trucks, and to provide or designate routes on which commercial truck traffic is permitted.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN
ORDAINS:

20.0601

Sec. 1 TITLE

This Ordinance shall be known and referred to as the "Grand Haven Charter Township Truck Route Ordinance".

20.0602

Sec. 2 LEGISLATIVE FINDINGS

The Board of Trustees of Grand Haven Charter Township hereby finds and determines that it is necessary for the public health, safety, and welfare to designate certain streets, roads, or highways located in the Township as appropriate or inappropriate for use by commercial trucks in route to various destinations in the Township or in municipalities adjacent to the Township. In recent years the Grand Haven-Spring Lake area has experienced significant growth or increases in the volume of commercial truck traffic and along with the increases in such traffic the Township has noted increased complaints from the residents of certain areas in the Township through which the commercial truck traffic passes en route to various industrial or commercial enterprises which are either located in the Township or in municipalities adjacent to the Township.
(ord. no. 145 eff. Nov. 14, 1990)

20.0603

Sec. 3 RESTRICTION ON COMMERCIAL TRUCK TRAFFIC

It is unlawful for any person, firm, or corporation to operate or cause to be operated a commercial truck, as hereinafter defined, on any street, road, public right-of-way, or highway unless that route has been designated by this Ordinance as one on which commercial truck traffic is permitted.
(ord. no. 145 eff. Nov. 14, 1990)

20.0604

Sec. 4 DEFINITION, COMMERCIAL TRUCK

As used herein, the words "commercial truck" shall mean any motor vehicle constructed or used for the transportation of goods, wares, merchandise, raw materials, or materials which have been processed although the manufacturing process has not been completed or there are other steps to be completed in the

manufacturing process. The words "commercial truck" do not include the following:

1. Bus;
2. School bus;
3. Fire truck;
4. Other emergency vehicles;
5. Motor home;
6. Farm tractors and equipment;
7. Utility service vehicles or vehicles used for construction in the Township while in performance of that work;
8. Road construction and maintenance equipment, so long as being used for that purpose;
9. Private automobiles and pickup trucks.
(ord. no. 145 eff. Nov. 14, 1990)

20.0605 Sec. 5 EXCEPTION, HOME DELIVERIES

A commercial truck may use or travel upon a street, road, public right-of-way, or highway even though it has been designated by the Township as one on which commercial traffic is prohibited if the truck is traveling to a residence for the purpose of delivering or picking up goods, wares, or merchandise, or for the purpose of providing services at the residence upon arrival. Provided, however, that in such event the travel along the prohibited route shall be limited to the minimum necessary to accomplish the pickup, delivery, or service call, and said vehicle shall be driven in such a manner as to leave the prohibited route as quickly as possible by the closest available truck route.

(ord. no. 145 eff. Nov. 14, 1990)

20.0606 Sec. 6 EXCEPTION, LEAVING OR RETURNING TO HOME OR PLACE OF BUSINESS

Nothing herein contained shall prevent a commercial truck 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 which is located along a route on which commercial traffic has been prohibited, provided that the most direct route to and from a non-prohibited truck route is utilized.

(ord. no. 145 eff. Nov. 14, 1990)

20.0607 Sec. 7 DESIGNATED TRUCK ROUTES

Commercial trucks shall be operated upon the following routes in the Township only except as otherwise provided in this Ordinance:

1. 144th Avenue from M-45 to Mercury Drive;
2. Lincoln Avenue from 144th Avenue to US 31;
3. M-45 from 144th Avenue to US 31;
4. US 31 from Filmore Street to Robbins Road;
5. Robbins Road from US 31 to 168th Avenue;
6. Hayes Street from US 31 to 168th Avenue, also from 168th Avenue East 660 feet;
7. 168th Avenue to Robbins Road from Hayes Street;
8. Johnson Street from US 31 to 168th Avenue;
9. 168th Avenue from Johnson Street to US 31 and from Ferris Street to US 31;
10. Hayes Street from US 31 to Lakeshore Drive;
11. Lakeshore Drive from Hayes Street to Rosy Mound Drive;
12. Rosy Mound Drive from Lakeshore Drive to US 31;
13. Lake Michigan Drive from US 31 to Lakeshore Drive. (ord. no. 145 eff. Nov. 14, 1990)
14. 172nd Avenue from Johnson Street to Robbins;
15. Comstock Street from US-31 to 168th Avenue;
16. Ferris Street from 168th Avenue east for 1,250 feet.

(ord. no. 145 eff. April 3, 2004)

20.0608 Sec. 8 SIGNS, POSTING

The Township shall, with the approval of the Ottawa County Road Commission,

cause all routes which are designated as truck routes to be posted.
(ord. no. 145 eff. Nov. 14, 1990)

20.0609 Sec. 9 SPECIAL PERMITS

The Township Supervisor 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 (1) round trip, and in no case shall a permit be valid for a period longer 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 set a fee for such special permits by resolution. It is the intention of this provision to provide for bona fide use of commercial vehicles and trucks outside of the truck routes where the necessity and practicality of a situation dictates a proper exception to the application of the Ordinance.

(ord. no. 145 eff. Nov. 14, 1990)

20.0610 Sec. 10 VIOLATIONS

Any person, firm, or corporation which violates the provisions of this Ordinance shall be responsible for a municipal civil infraction. The sanction for a violation of this Ordinance shall be a civil fine of not less than \$50.00, plus costs and other sanctions. Increased civil fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A "repeat violation" of this Ordinance is a second or subsequent violation of this Ordinance committed by a person, firm, or corporation within six (6) months of a prior violation of this Ordinance, and for which the person, firm, or corporation admits responsibility or is determined to be responsible. The sanction for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than \$250.00, plus costs and other sanctions. The sanction for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than \$500.00, plus costs and other sanctions. The Township Supervisor, Township Superintendent (Township Manager), an authorized Township official, any law enforcement officer of the Ottawa County Sheriff's Department or the Michigan State Police, and the Township Attorney are authorized to issue municipal civil infraction citations for violations of this Ordinance.

(ord. no. 145 eff. Nov. 14, 1990; amend. by ord. no. 220 eff. June 11, 1995; amend. by ord. no. 486 eff. Dec. 15, 2010)

20.0611 Sec. 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 to be unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby.
(ord. no. 145 eff. Nov. 14, 1990)

20.0612 Sec. 12 ADMINISTRATIVE LIABILITY

No officer, agent, or employee of the Charter Township of Grand Haven, or member of the Township Board of the Charter Township of Grand Haven shall render himself personally liable for any damage that may accrue to any person as a result of any act, omission, decision, or other consequence or occurrence arising out of the discharge of his duties and responsibilities pursuant to this Ordinance.

(ord. no. 145 eff. Nov. 14, 1990)

20.0613 Sec. 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 the purpose of interpretation, administration, and enforcement of this Ordinance will in no way, manner, or form repeal, modify, or otherwise change the definition of any such terms as used in other Ordinances of the Charter Township of Grand Haven.

(ord. no. 145 eff. Nov. 14, 1990)

20.0614 Sec. 14 EFFECTIVE DATE

This Ordinance is ordered to take effect thirty (30) days after its publication in a newspaper of general circulation in the Township, pursuant to the provisions of Act 191 of the Public Acts of 1939, amended.

Adopted: October 8, 1990

Effective: November 14, 1990