

**BEAVER CREEK TOWNSHIP
ROAD LOAD LIMIT ORDINANCE
No. 19**

Purpose: This ordinance provides for the regulation of weight limits on truck and commercial vehicle traffic over certain township roads to restrict the running of such traffic from and to a gravel mining operation on 7 Mile Road to designated roads, streets and highways under the jurisdiction of Beaver Creek Township.

THE TOWNSHIP OF BEAVER CREEK ORDAINS:

SECTION 01: ENABLING LEGISLATION: This ordinance is established under the power granted by the Michigan Vehicle Code, being Act 300 of the Public Acts of 1949, as amended, being MCL 257.726 and MSA 9.2426.

SECTION 02: SHORT TITLE: This ordinance shall be known as the Beaver Creek Township Road Load Limit Ordinance.

SECTION 03: ROADWAYS SUBJECT TO WEIGHT LIMITATION: The following roads, streets and highways are closed to truck and/or other commercial vehicle traffic of a three (3) ton or greater weight.

- 03 (a): 7 Mile Road from South Grayling Road to Old 27 Highway
- 03 (b): Johnson Road from 7 Mile Road to Federal Highway
- 03 (c): Staley Lake Road from 7 Mile Road to Pere Cheney Road

SECTION 04: EXCEPTIONS: Exceptions to the weight limitation provisions on those above-designated roads, streets and highways are declared to be applicable for the following truck and/or other commercial traffic:

- 04:(a): Those vehicles operating out of and/or from businesses located on those roads.
- 04:(b): Those vehicles making deliveries to delivery points located on those roads.
- 04:(c): Utility company vehicles.
- 04:(d): Municipal emergency vehicles.
- 04:(e): Municipal road maintenance vehicles.
- 04:(f): State or federal military vehicles.
- 04:(g): Those vehicles lawfully kept, parked or stored on property adjacent to such roads not otherwise having ingress and egress on and over non-restricted roads.

SECTION 05: TRUCK ROUTE ESTABLISHED: In furtherance of the intention of this ordinance, a so-called "truck route" is created specifically on and over 7 Mile Road from Staley Lake Road to South Grayling Road to permit lawful access to and from the gravel mining operation on 7 Mile Road. Any truck and other commercial vehicle traffic on that route shall not be subject to the weight limitations set out elsewhere in this ordinance.

SECTION 06: ENFORCEMENT: This ordinance shall not be enforced until and unless all appropriate signs shall be placed along the designated roads, streets and highways consistent with the requirements of Section 608 of the Michigan Vehicle Code.

SECTION 07: VIOLATION: Any person firm or corporation that is the owner and/or other commercial vehicle that is in violation of any of the established load limits and/or truck route designation shall be responsible for a civil infraction.

SECTION 08: EFFECTIVE DATE: This ordinance shall have immediate effect.

Motion by Mobarak and supported by Hartman to adopt Ordinance #19. Ayes: Riley, Balmes, Summers, Mobarak and Hartman. Nays: 0. Motion carried.

Date of Adoption: February 14, 2000

Date of Publication: February 24, 2000

**BEAVER CREEK TOWNSHIP
CRAWFORD COUNTY, MICHIGAN
ORDINANCE NO. 35**

AMENDED AND RESTATED ROAD LOAD LIMIT ORDINANCE

Beaver Creek Township, Crawford County, Michigan, hereby ordains and enacts an Ordinance to amend and restate existing Ordinance 19, Road Load Limit Ordinance, said amended and restated Ordinance providing as follows:

An Ordinance to secure the public health, safety and welfare of the residents and property owners of the Township of Beaver Creek, Crawford County, Michigan, by the regulation of the weight limits on trucks and commercial vehicles using certain township roads as authorized by Michigan law and having appropriate signs; to provide for exceptions to the weight limits for certain vehicles and in certain instances upon the owner obtaining a permit and furnishing a bond; to provide penalties for violation thereof; to allow the issuance of Appearance Tickets for violations; and to amend or repeal all ordinances in conflict therewith.

**THE TOWNSHIP OF BEAVER CREEK, CRAWFORD COUNTY, MICHIGAN
ORDAINS:**

**SECTION I
NAME AND STATUTORY AUTHORITY**

This Ordinance shall be known and cited as the Beaver Creek Township Road Limit Ordinance. This Ordinance is established under the power granted by the Michigan Vehicle code, Section 726 of Act 300 of the Public Acts of 1949, as amended (MCL 257.726), etc.

**SECTION II
ROADWAYS SUBJECT TO WEIGHT LIMITATION**

The following roads, streets and highways are closed to truck and/or other commercial vehicle traffic having weight greater than three (3) tons:

- (1). W. 7 Mile Road from S. Grayling Road to Old Highway US 27.
- (2). Johnson Road from W. 7 Mile Road to Federal Highway.
- (3). Staley Lake Road from W. 7 Mile Road to Pere Cheney Road.

Required signs are now located along the above named roads.

**SECTION III
EXCEPTIONS ALLOWED FOR CERTAIN VEHICLES ON ABOVE NAMED ROADS**

Trucks and commercial vehicles complying with the following shall be exempt from the above stated weight restrictions on the roads subject to the weight restriction:

- (1). Trucks and commercial vehicles operating out of and/or from businesses located on the weight restricted roads.

- (2). Trucks and commercial vehicles making deliveries or pick-ups to or from places located on the weight restricted roads.
- (3). Utility company trucks and commercial utility vehicles.
- (4). Municipal emergency trucks and other emergency municipal vehicles.
- (5). Municipal, county or state trucks or other vehicles.
- (6). State or federal military trucks or other state or federal vehicles.
- (7). Licensed trucks and commercial vehicles lawfully stored on property adjacent to these weight restricted roads and having no other access.
- (8). Farm vehicles and equipment being used on property along such weight-restricted roads.
- (9). Trucks and commercial vehicles if operated at times other than when frost laws are in effect and when owner(s) have obtained township permits from an authorized township official for use on a specific weight-restricted road for specific time periods and have furnished a surety bond in favor of the Crawford County Road Commission in the amount as stated on the permit.

SECTION IV PENALTIES, VIOLATIONS AND ENFORCEMENT

Any person, firm or corporation that is the owner and any operator of a truck or commercial vehicle that violates any of the provisions of this ordinance shall be guilty of a civil infraction and be subject to a civil penalty of up to \$500.00 for each violation. The Township Supervisor or any Ordinance Enforcement Officer appointed by the Township Board may investigate and issue Appearance Tickets where the owner or operator has violated the weight provisions of this ordinance.

SECTION V CONFLICT WITH OTHER ORDINANCES

All ordinances or parts of ordinances in conflict herewith, including Ordinance No. 19 entitled Beaver Creek Township Road Limit Ordinance, are hereby repealed.

SECTION VI EFFECTIVE DATE

This ordinance shall take effect 30 days following publication.

Sharon K. Hartman, Clerk

Motion by Little and seconded by Balmes. Ayes: Riley, Balmes, Summers, Little and Hartman. Nays: None. Motion carried on October 13, 2008.