

# **TRUCK ROUTE ORDINANCE**

## **WILLIAMSTOWN TOWNSHIP, MICHIGAN**

An Ordinance to promote the health, safety and welfare of the people of Williamstown Township, Ingham County, Michigan, by regulating 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; to establish administrative requirements and prescribe procedures; to establish remedies, provide for enforcement, and fix penalties for the violation of this ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

The purpose of this Ordinance is to regulate the orderly operation of trucks on the streets of the Township. The primary objectives are to facilitate the transfer of goods and services by trucks to businesses and to preserve the quality of life of the neighborhoods. Prime considerations involved with the purpose of this Section are: (1) the safety of our citizens; (2) avoidance of unreasonable or unnecessary disturbance or reduction in property values due to truck noise, vibration, and/or air pollution; (3) protection against the deterioration of those streets not designated for truck traffic, and (4) adequate truck service to businesses and residences in an expeditious manner, having due regard for economical vehicle operation.

WHEREBY THE TOWNSHIP OF WILLIAMSTOWN, INGHAM COUNTY, MICHIGAN, ORDAINS:

### **Section I: Title**

This ordinance shall be known and cited as the Williamstown Truck Route Ordinance.

### **Section II: Definition of Terms, Commercial Truck**

As used in this ordinance, including in this section, the following words and terms shall have the meanings stated herein:

- A. A “truck,” as used herein, shall mean any “truck,” “truck tractor,” “semitrailer” or “commercial vehicle” or combination thereof having an elected gross weight greater than 10,000 pounds 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 “truck” or “commercial truck” do not include the following:
1. Bus, as defined by MCLA § 257.4b;
  2. School bus, as defined by MCLA § 257.57;
  3. Authorized emergency vehicles, as defined by MCLA § 257.2;
  4. Motor home, as defined by MCLA § 257.32a;
  5. Farm tractors and other agricultural equipment, as defined by MCLA § 257.16;
  6. Utility service vehicles or vehicles used for construction in the Township while the work is in progress;

7. Road construction and maintenance vehicles while being used for that purpose inside the Township limits;
  8. Authorized refuse trucks while making refuse pick-ups within the residential districts of the Township;
  9. All vehicles owned or leased by the Township; and
  10. All vehicles used exclusively to transport personal possessions or family members for nonbusiness purposes.
  11. Private automobiles and pickup trucks.
- B. “Enforcing agency” means this Township and/or any such other official(s) or agencies as may be designated by the Township Board to enforce this ordinance, including, but not limited to contracted law enforcement agencies.
- C. Additional definitions. The term “Township” shall mean the Township of Williamstown. The terms “elected gross weight,” “truck,” “truck tractor,” “semitrailer” and “commercial vehicle” shall have the same definitions as provided in the Michigan Vehicle Code, Act 300, Public Acts of Michigan, 1949, as amended.

### **Section III: 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.

### **Section IV: 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.

### **Section V: 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.

## **Section VI: Designated Truck Routes**

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

1. M-43
2. Haslett Rd.
3. Williamston Rd.
4. Shoeman Rd.
5. Zimmer Rd. from M-43 to Haslett Rd.
6. Sherwood Rd.
7. Meridian Rd.
8. Milton Rd./W. Lovejoy Rd. from Williamston Rd. to Shaftsbury Rd. (N)

## **Section VII: Signs, Posting**

The Township shall, with the approval of the Ingham County Road Commission, cause all routes which are designated as truck routes to be posted.

## **Section VIII: 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.

## **Section IX: 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 \$100.00, 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, an authorized Township official, any law enforcement officer, including but not limited to the Meridian Township Police Department, Ingham 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.

**Section X: Administrative Liability**

No officer, agent, or employee of the Township, or member of the Township Board shall render themselves 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 their duties and responsibilities pursuant to this Ordinance.

**Section XI: Severability**

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

**Section XII: Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided that this ordinance shall not be construed to repeal expressly or by implication any provision of the Township Building Code.

**Section XIII: Effective Date**

This ordinance shall take effect 30 days after publication as required by law.

Adopted \_\_\_\_\_, 2022; Published \_\_\_\_\_, 2022; Effective \_\_\_\_\_, 2022.