

Mussey Township Ordinance No. 05-01

Truck Route Ordinance

An Ordinance to establish and regulate truck traffic routes within the Township of Mussey, St. Clair County, Michigan, to prohibit truck traffic on other roads, and to provide penalties for the violation thereof.

The Township Board of the Township of Mussey, County of St. Clair and State of Michigan Ordains:

Section 1. Definitions:

- (a.) Road – “Road” means any street, highway or route within the Township of Mussey.
- (b.) Semi-Trailer – “Semi-Trailer” means 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 rest upon or is carried by some other vehicle.
- (c.) Trailer – “Trailer” means 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 rest upon the towing vehicle.
- (d.) Truck - “Truck” means every motor vehicle designed, used or maintained primarily for the transportation of property, except a pick-up truck, or a van designed so as to carry loads of no more than one ton.
- (e.) Truck-Tractor – “Truck-Tractor: means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a art of the weight of vehicle and load so drawn.
- (f.) Person – “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 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. Purpose:

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 of Mussey on Imlay City Road between Capac Road and M-21.

Section 4. 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; or

- (b) Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of roads within the Township; or
- (c) Garbage service vehicles while involved in the provisions of service to residents of the Township.

Section 5. Pick-Ups, Deliveries. Service Calls:

A vehicle which would otherwise be restricted and which is being used to make pick-ups, deliveries or service calls in the Township on Imlay City Road restrict its travel to a minimum. Said vehicle shall be driven in such a manner as to proceed to its destination or destinations on Imlay City Road. 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. This Section shall not be interpreted as permitting a vehicle otherwise restricted to a truck route from entering or leaving the Township by other than a truck route.

Section 6. 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 returning to its customary storage location at the owner or operator's personal residence.

Section 7. Special Permits:

The Township Supervisor shall have the 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 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 8. 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 9. Penalties:

Any person who violates any provision of this Ordinance shall be guilty of a Civil Infraction.

Section 10. Severability:

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared that the remainder of this Ordinance shall not be affected thereby.

Section 11. Administrative Liability:

No officer, agent, or employee of the Township of Mussey, 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 12. 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 the terms defined herein for purposes of interpretation, administration and enforcement of this Ordinance only 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 Township of Mussey.

Section 13. Effective Date:

This Ordinance as approved and adopted by the Township of Mussey, County of St. Clair, Michigan, on 04-13-2005 and is ordered to take effect on _____, said date being thirty (30) or more days after publication in the Tri-City Times, a newspaper having general circulation in the Township of Mussey pursuant to the provisions of Act 191 of the Public Acts of 1939, as amended.

Michael Lauwers, Supervisor

Shelia McDonald, Clerk