

CHARTER TOWNSHIP OF DELHI, COUNTY OF INGHAM, STATE OF MICHIGAN
ORDINANCE NO. 131
TRUCK TRAFFIC AND TRUCK PARKING ORDINANCE

PREAMBLE

AN ORDINANCE OF THE CHARTER TOWNSHIP OF DELHI, INGHAM COUNTY, MICHIGAN, PURSUANT TO MCL 257.726, TO REGULATE AND PROHIBIT CERTAIN VEHICULAR TRAFFIC AND UTILIZATION ON THE ROADWAYS DEFINED HEREIN; TO PROHIBIT OTHER TRUCK TRAVEL; TO PROHIBIT THE PARKING OF TRUCKS OF SPECIFIED TYPES ON PUBLIC STREETS WITHIN THE BOUNDARIES OF DELHI CHARTER TOWNSHIP; TO DEFINE TERMS, ESTABLISH EXCEPTIONS; TO REQUIRE SPECIAL PERMITS; TO REQUIRE SIGNAGE; TO ESTABLISH PENALTIES FOR THE VIOLATION HEREOF; TO REPEAL ORDINANCES IN CONFLICT HEREWITH; AND TO ESTABLISH AN EFFECTIVE DATE HEREOF.

THE CHARTER TOWNSHIP OF DELHI
INGHAM COUNTY, MICHIGAN

ORDAINS:

SECTION I
TITLE

This ordinance shall be known and may be cited as the "Delhi Charter Township Truck Traffic and Truck Parking Ordinance."

SECTION II
LEGISLATIVE FINDINGS

The Board of Trustees of Delhi 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.

SECTION III
PURPOSE

The purpose of this Ordinance is to protect the surface of public roads and streets, to protect residential property located near such roads and streets, and generally provide for the health, safety, and welfare of the public and particularly children residing on or near public roadways, and to reduce residents' exposure to the nuisance of excessive noise and dust. This Ordinance establishes and regulates truck traffic routes; prohibits truck traffic on other roads; prohibits

the parking of trucks of specified types on public streets within the boundaries of the Township; to define terms, establish exceptions; to require special permits; to require signage; to establish penalties for the violation hereof; to repeal ordinances in conflict herewith; and to establish an effective date hereof.

SECTION IV **DEFINITIONS**

Rule of construction. Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition. The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Ordinance, except where the context clearly indicates a different meaning:

- A. *“Township”* means the Charter Township of Delhi.
- B. *“Implement of husbandry”* means every vehicle that is designed for agricultural purpose and exclusively used by the owner thereof in the conduct of agricultural operations.
- C. *“Road”* means any street, highway or route within Delhi Charter Township.
- D. *“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 rests upon or is carried by some other vehicle.
- E. *“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 rests upon the towing vehicle.
- F. *“Truck”* means every motor vehicle that 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 (1) ton.
- G. *“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 part of the weight of the vehicle and load so drawn.
- H. *“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 V **APPROVED TRUCK ROUTES**

No person shall operate or drive a truck upon a street within the corporate limits of the Township, except on the following streets, and as illustrated in the Approved Truck Routes Map dated October 1, 2019 (Exhibit A):

- 1. M-99 (Eaton Rapids Road)
- 2. US-127
- 3. Waverly Road

4. Interstate 96.
5. Alamo Drive
6. Holt Road – except between Lakeshore Drive and Heatherton Drive
7. Grovenburg Road -south of Holt Road to Nichols Road
8. McCue Road – east of Grovenburg Road to the Publicly Owned Treatment Works Facility
9. Onondaga Road
10. Willoughby Road – east of Washington Road to 4201 Willoughby Road
11. Eifert Road
12. Aurelius Road – except between Cedar Street and Holt Road
13. Cedar Street – except between Holt Road and Aurelius Road
14. Keller Road – between Jarco Drive and Depot Street
15. Jarco Drive
16. Depot Street
17. Holloway Drive
18. College Road – between Holt Road and Howell Road
19. Pine Tree Road – between Jolly Road and Interstate 96
20. Jolly Road – between College Road and Aurelius Road
21. Dunckel Road
22. Legacy Parkway
23. Belle Chase Way
24. Development Drive
25. Spanish Oak Drive
26. Sovereign Drive
27. English Oak Drive
28. Grand Oak Drive
29. Patient Care Drive

SECTION VI

PROHIBITION AGAINST TRAVEL ON OTHER THAN TRUCK ROUTE

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 Delhi Charter Township on any road other than a designated truck route.

SECTION VII

EXEMPTIONS

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

- A. Fire trucks or other emergency vehicles or vehicle on emergency business involved in the saving of life or property, or
- B. Implements of husbandry incidentally moved upon a road, or
- C. Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of roads within the Township, or

- D. Garbage service vehicles while involved in the provision of services to residents of the Township.

SECTION VIII
PICK-UPS, DELIVERIES, SERVICE CALLS

A vehicle that would otherwise be restricted to truck routes and which is being used to make pick-ups, 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 within the Township. 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. 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. Shortcuts on non-truck routes are expressly prohibited.

SECTION IX
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 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 X
CERTAIN VEHICLES PROHIBITED FROM PARKING ON PUBLIC STREETS

No person shall park the following upon public streets within the corporate limits of the Township:

1. A vehicle with three or more axles.
2. A vehicle with a gross vehicle weight rating (GVWR) exceeding 10,000 pounds.
3. A vehicle which exceeds 12 feet in height or 35 feet in length.

SECTION XI
SIGNS

The Township Board shall procure and have posted appropriate signs at all truck route entrances to the Township giving notice of the restrictions on truck traffic and as required by the laws of the State of Michigan.

SECTION XII **ENFORCEMENT**

Any person that 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, which may include all direct or indirect expenses which the Township has incurred in connection with the violation. Increased civil fines may be imposed for repeated violations of this Ordinance. A "repeat violation" of this Ordinance is a second or subsequent violation of this Ordinance committed by a person within six (6) months of a prior violation of this Ordinance, and for which the person 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 Manager, an authorized Township official, any law enforcement officer of the Ingham County Sheriff's Office or the Michigan State Police, and the Township Attorney are authorized to issue municipal civil infraction citations for violations of this Ordinance.

A violator of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

SECTION XIII **ADMINISTRATIVE LIABILITY**

No officer, agent, or employee of Delhi Charter Township or member of the Township Board shall render him/herself 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/her duties and responsibilities pursuant to this Ordinance.

SECTION XIV **SAVINGS CLAUSE**

Except as expressly amended herein, all other provisions of the Delhi Charter Township Code and Ordinances shall remain in full force and effect.

SECTION XV **REPEAL**

All Township Codes and Ordinances or parts of Code and Ordinances of the Charter Township of Delhi inconsistent herewith shall be and are hereby repealed, provided that this Ordinance shall not be construed to repeal expressly or by implication any provision of the Township Zoning Ordinance. The adoption of this Ordinance shall not, however, invalidate any prosecution or

other legal proceeding taken in connection with a similar subject matter under ordinances existing at the time such action was initiated.

SECTION XVI
SEVERABILITY

It is the legislative intent of the Township Board adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety, and general welfare of the inhabitants of the Township and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance, it being the intent of the Delhi Charter Township Board that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

SECTION XVII
EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days from and after its' adoption and publication as provided by law.

First Reading:	September 17, 2019
First Publication:	September 22, 2019
Second Reading:	October 1, 2019
Second Publication:	October 6, 2019
Effective Date:	November 5, 2019

John Hayhoe, Supervisor

Evan Hope, Clerk

I, Evan Hope, Clerk of the Charter Township of Delhi, hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 131, duly adopted by the Board of Trustees of the Charter Township of Delhi, Ingham County, Michigan, on the 1st day of October, 2019, and that the same was published as required by law on the 22nd day of September, 2019 and the 6th day of October, 2019.

Evan Hope, Clerk

State law reference: Authority to adopt Uniform Traffic Code by reference, MCL 257.951.

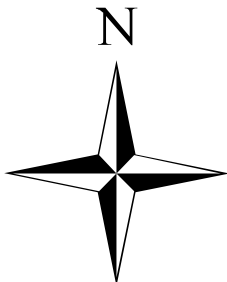
Exhibit A:

Approved Truck Routes Map

Approved Truck Routes Map

Delhi Charter Township Ordinance No. 131

10/1/2019



Approved Truck Routes

DelhiRoads

