

**TOWNSHIP OF EGELSTON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. 38 – Article I**

THE BOARD OF TRUSTEES OF THE TOWNSHIP OF EGELSTON HEREBY ORDAINS:

Chapter 38, Article I of the Code of Ordinances of the Township of Egelston, Michigan, Sections 5 through 9 are enacted as follows:

Section 5 " Purpose" is enacted to read as follows:

The purpose of this ordinance shall be to establish an off - road vehicle ("ORV") ordinance within the Township to promote the health, safety and welfare of persons operating ORVs within the Township, and to protect the safety of their passengers and other users of roads.

Section 6 " Definitions" is enacted to read as follows:

For the purpose of this section, the following words and phrases shall have the following meanings:

1. ORV: A motor driven off road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain, ORV includes, but is not limited to, a multi-track or multi-wheel drive vehicle, an ATV, Golf Cart with aftermarket modifications, a motorcycle or related 2-wheel, 3-wheel, or 4wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or registered aircraft.
2. Driver's License: A valid license issued to operate a motor vehicle issued by the State of Michigan or any other state.
3. ORV Safety Certificate: A certificate issued pursuant to MCL 324.81 129, as amended.
4. Operator: A person under 18 years of age shall not operate an ORV on a road unless the person is in possession of a valid Driver License or the person has in his or her immediate possession a valid Safety Certificate and is accompanied by an adult with a valid Driver License, at all times. A person under 13 years of age shall not operate an ORV under this Ordinance.

Section 7 " Rules and Regulations" is enacted to read as follows:

1. ORVs shall not be operated at a speed greater than 25 miles per hour.
2. ORVs must cross all roads in a manner that is the most direct route in order to decrease crossing distance.
3. ORV operators must carry their Driver's License or ORV Safety Certificate on their person at all times while operating an ORV on public roads.
4. Any person who operates an ORV on a public road must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no ORV containing any open container of alcohol shall be operated on public roads.
5. The Operator of the ORV shall comply with all traffic rules and regulations adopted by the State of Michigan and the Township which governs the operation of motor vehicles.
6. An Operator may not allow the number of people in or on the ORV at any one time to exceed the maximum capacity specified by the manufacturer. The Operator shall not allow passengers to ride on any part of an ORV not designed to carry passengers.
7. In no instances shall an ORV be operated at a speed greater than 25 miles per hour. No ORV may be operated at a speed greater than reasonable and prudent for the existing conditions or without head lights, tail lights and brakes
8. ORVs must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
9. ORVs must park in designated spaces in such a manner that multiple ORVs can utilize the space. All parking rules and limits apply. ORVs may not be parked on sidewalks.
10. ORVs must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer. Additionally, the ORV and its Operator must meet signal requirements of Section 648 of the Michigan Motor Vehicle Code.
11. ORV's are required to have a solid orange banner, which is at least six (6") inches by twelve (12") inches and mounted within ten (10") inches of the top of a "whip". The "whip" is a pole, rod or antenna, mounted on the back of the ORV and extends at least eight (8') feet from the surface of the ground. The "whip" must stand upright when the ORV is stationary.
12. ORVs may not be operated one half-hour before sunset to one half-hour before sunrise.
13. ORVs are prohibited from operating on Maple Island Road, Brooks Road from Evanston Avenue to MacArthur Road and Hall Road from Marion Street to Maple Island Road.
14. ORVs operating in this section must comply with this Ordinance.