

AN ORDINANCE TO REGULATE THE USE OF SNOWMOBILES AND ALL-TERRAIN-VEHICLES

THE VILLAGE OF OTISVILLE ORDAINS:

Section 1. As used in this act:

(a) "Operator" means any person who operates, or is in actual physical control of a snowmobile or All-Terrain-Vehicle.

(b) "Owner" means any person, other than a lienholder, having the property in or title to a snowmobile or All-Terrain-Vehicle entitled to the use or possession thereof.

(c) "Operate" means to ride in or on and to control the operation of a snowmobile or All-Terrain-Vehicle.

(d) "Snowmobile" means any motorized vehicle designed for travel primarily on snow or ice, steered by wheels, skis or runners.

(e) "All-Terrain-Vehicle" means a motorized recreational vehicle not licensed for travel on Michigan roads, streets or highways, capable of carrying one or more persons as passengers. Such vehicle shall be hereinafter designated as an ATV.

(f) "Highway" or "Street" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(g) "Roadway" means that portion of a highway or street improved, designated or ordinarily used for vehicular travel.

Section 2. All snowmobiles and ATVs operated within the Village shall have the following equipment:

(a) Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operating the vehicle, and no person shall use a muffler cutout, by pass or similar device on said vehicle.

(b) Adequate brakes in good working condition and at least one headlight and one taillight.

(c) A safety, or so-called dead man throttle, in operating condition; a safety or dead man throttle is defined as a device which when pressure is removed from the accelerator or throttle causes the motor to be disengaged from the driving track.

Section 3. No snowmobile or ATV shall be operated within the Village limits unless registered as provided by state law, or without affixing to said vehicle the identification number as required by state law.

Section 4. No one shall operate a snowmobile or ATV within the Village of

Otisville on or within ten (10) feet of any roadway as herein defined, with the following exceptions:

(a) Properly registered snowmobiles or ATVs may cross public highways, except limited access highways and freeways as defined in Act No. 300 of the Public Acts of 1949, if such crossing can be made in safety and does not interfere with the free movement of vehicular traffic approaching from any direction on such highway. The snowmobile or ATV operator shall yield the right of way to all vehicular traffic upon any highway, and shall cross said street or highway at as near to a right angle to said street or highway as practical.

(b) Snowmobiles and ATVs may be operated on highways and streets in the Village which are not maintained for winter wheel vehicular traffic by removal of snow.

(c) Snowmobiles and ATVs may be operated on a street or highway during a period of emergency, when so declared by the Village Police Chief, when travel by conventional automotive equipment is not possible.

(d) Snowmobiles and ATVs may be operated on the highways within the restrictions set forth herein for the purposes of crossing bridges and culverts.

(e) Snowmobiles and ATVs may be operated on county and village streets or highways not having ten (10) or more feet of traversable right of way outside the traveled portion of the roadway as far off the roadway as possible.

(f) Snowmobiles and ATVs may be operated on a street or highway for a special snowmobile or ATV event of limited duration which is conducted according to a prearranged schedule under permit from the Village Council.

(g) Whenever it is impractical to gain immediate access to an area adjacent to a village street or highway where a snowmobile or ATV is to be operated, the vehicle may be operated adjacent and parallel to the highway for the purpose of gaining access to the area of operation, provided that such operation is possible without causing a hazard to vehicular traffic approaching from either direction on the street or highway.

Section 5. No person shall operate a snowmobile or ATV within the Village limits within the hours of 11:00 p.m. and 7:00 a.m., except to leave the Village by a direct route to the Village limits, or to proceed from some point within the Village by a direct route to the place where the snowmobile or ATV is to be stored for the evening.

Section 6. No person shall operate a snowmobile or ATV on private property other than his own, without first obtaining express permission from the owner of such property.

Section 7. No person shall operate a snowmobile or ATV within the Village limits while under the influence of alcoholic beverages or narcotic drugs.

Section 8. No person shall operate a snowmobile or ATV within the Village limits in a heedless, reckless, careless or negligent manner, or in a manner which might endanger persons or property, or at a speed greater than is safe in view of all conditions.

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Section 9. No person at any time shall operate a snowmobile or ATV within the Village limits in a manner, or at a time that will interfere with, or cause to interfere with the peace and tranquility of the residents of the Village of Otsiville.

Section 10. The operator of a snowmobile or ATV involved in an accident within the Village limits resulting in injuries to or death of any person or property damage shall immediately by the quickest means of communication notify the Village Police Department, and shall fill out any accident report required by such Department.

Section 11. No person under the age of fourteen (14) years shall operate a snowmobile or ATV on any street or highway as herein defined unless accompanied by a person licensed to operate a motor vehicle on public highways pursuant to the State Traffic Code.

Section 12. No person shall operate a snowmobile or ATV upon any sidewalk in the Village, except for the purpose of crossing the same at right angles, or as near thereto as possible.

Section 13. No person shall operate a snowmobile or ATV within the Village limits during the hours of from one-half hour after sunset to one-half hour before sunrise without displaying a lighted headlight and a lighted taillight sufficient to comply with the statutes of the State of Michigan.

Section 14. No person shall operate a snowmobile or ATV upon any property belonging to the Village unless such property, or any part thereof so utilized shall be designated as an area for such operation by resolution of the Village Council.

Section 15. No owner or operator shall leave or allow a snowmobile or ATV to be or remain unattended on public property while the motor is running or with keys for starting the vehicle left in the ignition.

Section 16. Each person operating a snowmobile or ATV on village streets or highways shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of any police officer of the Village of Otsiville authorized to direct or regulate traffic.

Section 17. Any person who shall violate or assist in the violation of any provision of this Ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than \$100.00, or by imprisonment in the County Jail for a period not to exceed 90 days, or both such fine and imprisonment.

This Ordinance was approved by unanimous vote of the Village Council, a quorum being present on November 2, 1970, and ordered published in three public places in the Village of Otsiville within ten (10) days after its adoption.

Robert Price
ROBERT PRICE, Village President

Carroll Owen, Jr.
CARROLL OWEN, JR., Village Clerk

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