

VILLAGE OF ROSCOMMON
ORDINANCE # 81
ORV ORDINANCE

An ordinance for the regulation of the operation of ORV's on streets, roads and highways located in the Village of Roscommon, Roscommon County, Michigan.

Section 1. As used in this ordinance, the following definitions shall apply:

- a) "Streets, Roads and Highways" means the entire width between the boundary lines of a way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel.
- b) "Operate" means to ride in or on, and be in actual control of the operation of an ORV.
- c) "ORV" means a motor driven off-road recreational vehicle with forward movement made possible by the use of two, three, four or six wheels with the surface contact made of rubber tires. The vehicle must have a measurement from ground surface to base of seat greater than 18 inches.
- d) "Road Surface" means that portion of a roadway improved, designated, or ordinarily used for vehicular travel, and does not include within it's meaning the shoulder or the right-of-way.
- e) "Shoulder" means that portion of a street, road or highway to the immediate right of the road surface while facing the direction of travel, which is not generally used for vehicular travel.

Section 2. An ORV may be operated on the shoulder of all Village streets, with the exception of M-76 and M-18 or any other state highway in the Village of Roscommon. ORV's shall operate in a single file manner. ORV's shall not be operated on the road surface of any streets, roads or highways with the exceptions of sections of streets, roads or highways that do not have an adequate shoulder allowing the ORV to avoid contact with the road surface. In these cases the ORV must remain to the far right of the roadway contacting the least amount of road surface possible. The operator of an ORV may cross a public highway at right angles, for the purpose of getting from one area to another, if the operation can be done safely. The operator shall bring the vehicle to a complete stop before proceeding across a public highway, and shall yield the right-of-way to oncoming traffic.

Section 3. Any ORV being operated on a street, road or highway in the Village of Roscommon pursuant to this ordinance must operate at all times in accordance with sections 324.81101 through 324.80050 of the Michigan Compiled Laws, being part of the Natural Resources and Environmental Protection Act, PA 1994, No. 451.

Section 4. Any ORV may not be operated on a street, road or highway in the Village of Roscommon pursuant to this ordinance at a rate of speed greater than 25 mph.

Section 5. Any violation of this ordinance will result in civil infraction which carries a fine of up to \$500, with 100% of the funds going to the Village of Roscommon.

Adopted: July 27, 2009

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