

PINCONNING TOWNSHIP SNOWMOBILE ORDINANCE

Pinconning Township
Ordinance Number 4

WHEREAS, the Township Board of Pinconning Township deems it necessary for the public health, safety and general welfare of the residents of the Township of Pinconning, County of Bay and State of Michigan, to regulate the operation of snowmobiles within the said township, and

WHEREAS, authority for such regulation has been granted to the township under provisions of MCLA 257.1501 et seq. as amended, being Public Acts of 1968, number 74, as amended.

NOW, THEREFORE, be it ordained by the Township Board of Pinconning Township, State of Michigan, as follows:

I.

DEFINITION

A. As used herein:

Operator means any person who operates or is in actual physical control of a snowmobile.

B. Operate:

Means to ride in or on and be in actual physical control of the operation of a snowmobile.

C. Snowmobile:

Means any motor driven vehicle designed for travel primarily on snow or ice of a type which utilizes sled type runners or skis, or an endless belt tread, or any combination of skis or any other similar means of contact with the surface upon which it is operated.

D. 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 traffic.

E. ROADWAY:

Means that portion of the highway improved, designated or ordinarily used for vehicular traffic. If a highway includes two or more separate roadways, the term roadway refers to any such roadway separately, but not to all such roadways collectively.

F. Right of Way:

Means that portion of a highway less the roadway and any shoulder.

G. Shoulder:

Means that portion of a highway on either side of a roadway which is normally snow plowed for the safety and convenience of vehicular traffic.

II.

upon a public highway or street
No person shall operate a snowmobile within the Township of Pinconning, County of Bay and State of Michigan, except under the following conditions and circumstances:

A. A snowmobile may be operated on the right of way of a public highway except a limited access highway if it is operated at the extreme right of the open portion of the right of way and with the flow of traffic on the highway; Provided, however, that all snowmobiles so operated shall proceed in a single file.

B. A snowmobile may be operated on the roadway or shoulder when necessary to cross a bridge or culvert if the snowmobile is brought to a complete stop before entering the roadway or shoulder, and the driver yields the right of way to any approaching vehicle on the highway.

C. A snowmobile may be operated across a public highway other than a limited access highway, at

1 right angles to the highway for the purpose
2 of getting from one area to another when the
3 operation can be done in safety and another
4 vehicle is not crossing the highway at the
5 same time, and in the same general area. An
6 operator shall bring his snowmobile to a complete
7 stop before proceeding across any public highway
8 and shall yield the right of way to all oncoming
9 traffic.

10 D. A snowmobile may be operated on a public highway
11 or street within the township when a duly consti-
12 tuted law enforcement officer of the State or
13 County authorizes the use thereof when an emer-
14 gency occurs and conventional motor vehicles
15 cannot be used for transportation due to snow
16 or other extreme highway conditions.

17 E. A snowmobile may be operated on a street or
18 highway within the township for a special event
19 of limited duration conducted according to a
20 pre-arranged schedule, after obtaining a permit
21 from the Township Board.

22 III.

23 No person shall use a snowmobile for the purpose of
24 hunting, pursuing, worrying, or killing any wild bird or animal with
25 the Township of Pinconning.

26 IV.

27 No person shall operate a snowmobile:

28 A. At a rate of speed greater than is reasonable
29 and proper, having due regard for the conditions
30 then existing.

31 B. While under the influence of intoxicating liquor or
32 narcotics, barbitol, or any derivative of barbitol

or any other controlled substance as so defined by the Statutes of the State of Michigan.

C. In any forest, nursery, planting area or public land posted or reasonably identifiable as an area of forest reproduction when growing stock may be damaged.

D. Within 100 feet of a dwelling between twelve midnight and six a.m. at a speed greater than minimum required to maintain power of movement of the snowmobile.

E. In or upon or remain unlawfully on premises which are fenced, otherwise enclosed in a manner to exclude intruders, posted in a conspicuous manner or when notice against trespass is personally communicated to him by the owner or an authorized person, nor in or upon any farm lands, farm woodlots, or platted property without permission of the landowner.

F. On or across a cemetery or burial ground.

V.

No snowmobile shall be parked on any roadway or shoulder except in an emergency situation.

VI.

All snowmobiles shall at all times give way to all vehicular traffic and the operator of such snowmobile shall at all times obey all traffic signs, signals and devices.

VII.

Any person found guilty of violating the terms and provisions of this ordinance shall be guilty of a misdemeanor, and subject to a fine of not more than \$500.00, or 90 days in jail, or both, at the discretion of the Court.

THIS ORDINANCE SHALL TAKE EFFECT ON THE 12th DAY

1 OF MARCH, 1976.

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3 ADOPTED at a regularly scheduled meeting of the Township
4 Board, Pinconning Township, County of Bay and State of Michigan
5 on the 9th day of Feb, 1976.

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CERTIFICATION

12 Stanley Switek, Township Clerk, Township of Pinconning,
13 County of Bay and State of Michigan, does hereby certify that the
14 foregoing ordinance was adopted at a regularly scheduled meeting
15 of the Township Board held on the 9th day of Feb, 1976,
16 given affect as of the 12 day of MAR, 1976, and
17 published in the PINCONNING JOURNAL, a newspaper
18 of general circulation within said township on the 11th
19 day of Feb, 1976, and that a copy thereof was forwarded
20 for filing with the County Clerk for the County of Bay on the
21 11th day of Feb, 1976.

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Stanley Switek
Clerk