

Village of Lawrence

Off Road Vehicle(ORV) Ordinance

The Village of Lawrence ordains that the Lawrence Village Code is hereby amended to add, Recreational Vehicles, to allow and regulate the use of Off Road Recreational Vehicle (ORV) on Village Streets as more specifically set forth in PA 451 of 1994 (the "Act"), MCL 324.81101 et seq., as amended. §71.03 OFF ROAD RECREATIONAL VEHICLES.

(A) Applicable Law. Consistent with the letter and spirit of PA 451 of 1994, MCL 324.81101 et seq., as amended, and specifically MCL 324.8113(1) and (5) the Village shall permit an ORV to be operated on local Village Streets.

(B) Compliance with Law. The Operator of an ORV shall comply with all applicable federal, local, and state regulations, including but not limited to the provisions of Part 811 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.81101 et seq., as amended.

ORV Definitions:

(C) "ORV" means 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 or vehicle includes, but is not limited to, a multi-track or multi-wheel drive vehicle, or ORV, a motorcycle or related 2-wheel, 3-wheel, or 4-wheel vehicle, or other means of transportation deriving motor power from a source other than muscle or wind ORV or vehicle 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, a registered aircraft, an amphibious machine or a ground effect air cushion vehicle.

(D) Additional Restrictions.

(1) An ORV shall not operate on the street during the time period from ½ hour before sunset to ½ hour after sunrise without displaying a lighted taillight, brake light and headlight.

(2) An ORV shall not operate on the street between the hours of 11PM and 5AM

(3) The operator of an ORV shall possess a valid motor vehicle driver license.

(4) Operation of an ORV is prohibited in all cemeteries in the Village.

(5) Operation of an ORV is prohibited on all sidewalks, and other pathways not specifically designed for motor vehicle use. This prohibition shall not apply to agents of the Village, or other law enforcement personnel in the performance of their official duties.

(6) A person shall not transport any passenger in or upon an ORV unless the manufacturing standards for the vehicle make provisions for transporting passengers.

(7) A person shall not operate an ORV unless the vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.

(8) An individual shall not operate an ORV unless the vehicle is equipped with a Roll-Over Protective Structure ("ROPS") as that term is defined in the Occupational Safety and Health Administration regulations.

(9) With a rear viewing mirror located to allow driver to see traffic from behind.

(10) An individual who is operating or is a passenger on an ORV shall wear a crash helmet and protective eyewear that are approved by the United States department of transportation. This subsection does not apply to an individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds United States department of transportation standards for a crash helmet.

(11) A maximum speed limit of 35 mph shall be maintained within Village limits unless otherwise posted lower.

(E) An ORV license is required to ride eligible roads that are open to ORV use within the Village limits.

(1) ORV shall have an active State of Michigan ORV license located on the rear vehicle per State of Michigan requirements of the vehicle.

(F) This ordinance shall cease to be effective and the permissions granted herein revoked in two years after its effective date.

(G) Penalty. See §71.99. In addition to the penalties set forth in Section 71.99, a
court shall order violators of this ordinance to pay the cost of repairing any damage to the environment, a street, county road, or highway, or public property as a result of the violation pursuant to MCL 324.81131(17).

(1) The parents of minor violating this ordinance shall face penalty.

(H) Effective Date

This Ordinance shall become effective September 20th, 2019.

Motion was made by: Glennie Supported by: Lorenzo

Yeas: Lorenzo, Ouzts, Keyser, Glennie, Gritter, Webster

Nays: none

Absent: Quick

Abstain: none

Made, Passed and Adopted by the Village Council of the Village of Lawrence, Van Buren County, Michigan, on the September 10, 2019, and published in the Courier Leader on September 13, 2019.

CERTIFICATION

I hereby certify that the above is a true and complete copy of the ordinance adopted by the VILLAGE Commission of the VILLAGE OF LAWRENCE, County of Van Buren, State of Michigan, at a regular meeting held on the September 10, 2019, and that said meeting was conducted pursuant to and in full compliance with Act No 267, Public Acts of Michigan, 1976 as required by said act.


Lucinda R. Nower, Village Clerk