

CHARTER TOWNSHIP OF MONROE

ORDINANCE NO. 135

An Ordinance to establish and regulate truck traffic routes within the Charter Township of Monroe, Monroe County, Michigan, to prohibit truck traffic on other roads, and to provide penalties for the violation thereof.

The Charter Township of Monroe, Monroe County, Michigan ordains:

Section 1: TITLE.

This Ordinance shall be known and cited as the Monroe Charter Township “Truck Route Ordinance.”

Section 2: GENERAL PROVISIONS.

2.1 Purpose and Policy

The purpose of this Ordinance is to regulate the orderly operation of trucks on the streets of the Township. The primary objectives are to facilitate the transfer of goods and services by trucks to businesses and to preserve the quality of life of the neighborhoods. Prime considerations involved with the purpose of this Ordinance are:

- (A) the safety of our citizens;
- (B) avoidance of unreasonable or unnecessary disturbance or reduction in property values due to truck noise, vibration, and/or air pollution;
- (C) protection against the deterioration of those streets not designated for truck traffic, and
- (D) adequate truck service to businesses and residences in an expeditious manner, having due regard for economical vehicle operation.

2.2 Rule of Construction

Any word or term not defined herein shall be considered to be defined in accordance with the Code, or if not defined in the Code, shall be in accordance with its common or standard definition.

2.3 Definitions

For the purposes of this Ordinance:

- (A) “Implements of Husbandry” means every vehicle and every kind of farm equipment, apparatus, or machinery that is used exclusively for agricultural purpose in the conduct of agricultural operations.
- (B) “MCRC” means the Monroe County Road Commission.

- (C) “Restricted Truck” means every motor vehicle that is designed, used, or maintained primarily for the transportation of property or loads greater than one ton, including Implements of Husbandry, subject to the exceptions set forth in Section 4 below, semi-trailers, truck-tractors, and trailers, excepting those vehicles carrying or designated to carry passengers, all governmentally-owned or leased vehicles, emergency vehicles, public utility vehicles, and vehicles used for private refuse handling.
- (D) “Township Road” means any highway, roadway, or street in the Township.
- (E) “Truck Route” means the following highways, roadways, and streets, although such may not specifically be classified as “All-Season”, “All Weather,” or “Special Designated Routes” by MCRC, and as depicted in the attached Exhibit A:
- Seventh Street: Approximately 1,250 feet West of US-24 (Telegraph Road), beginning at the address of 1655 W. Seventh Street, to US-24 (Telegraph Road);
 - Dunbar Road: US-24 (Telegraph Road) to LaPlaisance Road; and
 - LaPlaisance Road: Dunbar Road to I-75.

In the event of any inconsistency, the above list supersedes Exhibit A.

Section 3: TRUCK ROUTES

3.1 Travel into and out of the Township. Restricted Trucks that do not have a scheduled pickup, delivery, or service within the Township, are required to enter and exit the Township on Truck Routes only.

3.2 Travel within the Township. Restricted Trucks traveling within the Township are required to travel on Truck Routes only, except as follows:

- (A) Implements of Husbandry used in the transportation of produce from the field or farmstead to the point of sale or incidentally moved upon a Township Road; provided that the most direct route to a Truck Route is used;
- (B) Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of road within the Township;
- (C) In compliance with any officially-recognized detour;
- (D) In compliance with any Haul and Maintenance Agreement or Special Haul Agreement applicable to the Restricted Truck, as specifically set forth in Section 4;
- (E) Delivery and service call Restricted Trucks while making a delivery, pick-up or service call; provided that:
- (1) the most direct route to a Truck Route is used;

- (2) The Restricted Truck complies with seasonal, posted or special weight restrictions;
 - (3) The Restricted Truck is complying with any Haul and Maintenance Agreement, or a Special Haul Route Agreement, if applicable; and
 - (4) The Restricted Truck is not part of road usage that the County Highway Engineer has determined is “abnormal use.”
- (F) Traveling to a personal residence within the Township or to a storage at a commercial or industrial location for the purpose of storing or parking the Restricted Truck, provided that
- (1) the most direct route to and from Truck Route is used;
 - (2) the storage of a Restricted Truck at a personal residence is otherwise permitted by the Code; and
 - (3) the Restricted Truck is not loaded.

3.3 **Obligations.**

It shall be the duty of any owner or responsible person in charge or control of any Restricted Truck on a Township Road that is not a designated Truck Route to stop upon the request of a police officer and answer any questions such officer may have regarding the weight of the Restricted Truck, its destination, and its point of origin; and such person shall also present the log book, weight slips, delivery slips and other written evidence of destination or point of origin, for the officer's examination.

Section 4: Abnormal Use.

4.1 Determination of Abnormal Use. When the MCRC determines that the volume of truck traffic on any Township Road that is not a Truck Route to or from a specific site is or will likely be “abnormal,” the owner or responsible person in charge or control of any Restricted Truck responsible for such abnormal use must enter into one of the following agreements, as applicable:

- (A) **Haul Route and Maintenance Agreement.** If the abnormal use is expected to be for a short or defined period of time less than two (2) years, the owner or responsible person in charge or control of any Restricted Truck responsible for such abnormal use must enter into a Haul Route and Maintenance Agreement with MCRC, in accordance with the terms and conditions required by MCRC; or
- (B) **Special Haul Agreements.** If the abnormal use is expected to extend for more than two (2) years, the owner or responsible person in charge or control of any Restricted Truck responsible for the abnormal use must enter into a Special Haul Agreement with MCRC, in accordance with the terms and conditions required by MCRC.

4.2 MCRC Obligations. MCRC will (1) promptly provide the Township Supervisor a copy of any Haul Route and Maintenance Agreement or Special Haul Agreement, and (2) affirm that any financial contribution required to be made by the owner or responsible person in charge or control of any Restricted Truck under either agreement will only be used on the specified Township roads indicated within such agreement.

Section 5: Exceptions.

Nothing in this Ordinance supersedes or amends any weight restrictions imposed on any Township Road unless specifically authorized by MCRC.

Section 6: Signs.

The MCRC shall procure and the Township shall post appropriate signs along the Truck Route at reasonable intervals and at intersections where the Truck Route turns as required by the laws of the State of Michigan. Such signs shall consist of the words "Truck Route," below which shall be placed an appropriate type arrow indicating the direction of the route.

Section 7: Penalties.

Any person who violates any provision of this Ordinance shall be responsible for a civil infraction.

Section 8: Severability.

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby.

Section 9: Repeal.

All ordinances or parts thereof which are in conflict in whole or in part with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict, except that terms defined herein for purposes of interpretation, administration, and endorsement of this Ordinance only will in no way, manner or form repeal, modify or otherwise change the definition of any such terms as used in other ordinances of the Charter Township of Monroe.

Section 10: Effective Date.

This Ordinance shall become effective thirty (30) days after its publication, or publication of a summary thereof, in a newspaper in general circulation within Monroe Charter Township.

This Ordinance was adopted at a Regular Meeting of the Monroe Charter Township Board of Trustees held on March 21, 2017 7 Board Members being present and 7 voting in favor.

**MONROE CHARTER TOWNSHIP BOARD OF TRUSTEES,
MONROE COUNTY, MICHIGAN**

By: Bob Schnurr,
Bob Schnurr, Monroe Charter Township Clerk

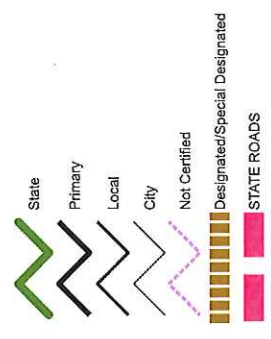
ATTESTED:

By: Alan Barron
Alan Barron, Monroe Charter Township Supervisor

Monroe County TRUCK ROUTE MAP MONROE TOWNSHIP

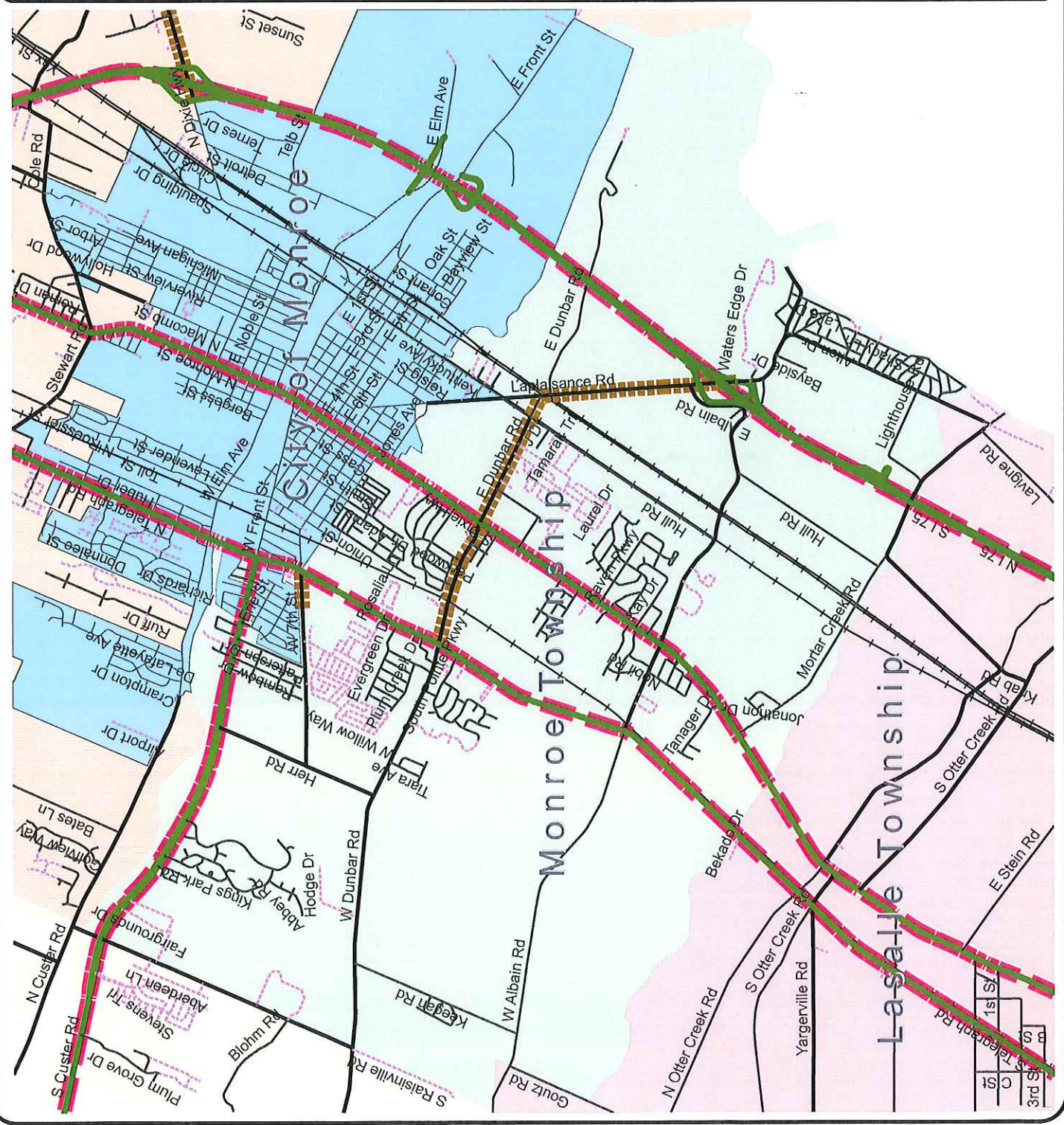


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TYPICAL POSTINGS

Revision date: 03-16-2015



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