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OTTO TOWNSHIP
Free Standing Ordinance No. 3
Off Road Vehicles

An ordinance authorizing and regulating the operation of Off Road Vehicles (ORVs) on county primary and county local roads in Otto Township, Oceana County, providing penalties for the violation thereof, and for the distribution of fines and costs resulting from those penalties pursuant to 2009 PA 175, MCL 324.81131.

THE TOWNSHIP OF OTTO ENACTS:

Section 1. Definitions

- a. "Township" means the Township of Otto, Oceana County.
- b. "County" means Oceana County.
- c. "Drivers license" means an operator's or chauffeur's license or permit issued to an individual by the secretary of state under chapter III of the Michigan vehicle code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- d. "Maintained portion" means that portion of a road improved, designated or ordinarily used for vehicular traffic, including the gravel shoulder or paved shoulder of the road.
- e. "Operate" means to ride in or on, and be in actual physical control of the operation of an ORV.
- f. "Operator" means a person who operates or is in actual physical control of the operation of an ORV.
- g. "ORV" means a motor driven off road recreation vehicle capable of cross-county 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, and ATV, a motorcycle, golf cart or related 2-wheel, 3-wheel, or 4-wheel vehicle, and amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive 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, or a registered aircraft.
- h. "Road" means a County primary road or County local road as described in section 5 of 1951 PA 51, MCL 247.655.
- i. "Road Commission": means the Board of County Road Commissioners for the County of Oceana.