

VILLAGE OF BANCROFT
(Enacted October 10, 2018)
Resolution 2018- 04

**RESOLUTION SETTING FINES FOR VIOLATION OF
ORDINANCE # 294-18
OPERATING OFF ROAD VEHICLES ON VILLAGE STREETS**

WHEREAS, on August 8, 2018, the Village of Bancroft passed Ordinance # 294-18, titled Operating Off Road Vehicles on Village Streets, which authorizes and regulates the operation of off road vehicles (ORVs) on streets within the Village of Bancroft;

WHEREAS this Ordinance makes it a municipal civil infraction to violate any provision of this Ordinance and any person responsible for such a violation shall, in addition to any applicable court costs and fees, pay a civil fine to be determined by the Court of not more than \$500.00, except as otherwise specifically set by Resolution of the Village Council;

WHEREAS, the Village Council has determined to establish a schedule of fines to be charged those who violate any provision of Ordinance # 294-18, Operating Off Road Vehicles on Village Streets, in addition to any applicable court costs and fees, as well as paying the cost of repairing any damages to the environment, street, alley, or public property resulting from a violation of this Ordinance;

IT IS THEREFORE RESOLVED that the Village of Bancroft establishes the following schedule of fines for violations of Ordinance # 294-18 Operating Off Road Vehicles on Village Streets:

- | | | |
|----|--|----------|
| A. | Exceeding the OV speed limit by 1 to 5 miles per hour: | \$100.00 |
| B. | Exceeding the OV speed limit by 6 to 10 miles per hour: | \$150.00 |
| C. | Exceeding the OV speed limit by 11 to 15 miles per hour: | \$200.00 |
| D. | Exceeding the OV speed limit by more than 15 miles per hour: | \$250.00 |
| E. | Operating upon any road, other than a limited access highway, that has not been authorized for ORVs under Section 2: | \$250.00 |
| F. | Operating within the right of way of a limited access highway: | \$350.00 |
| G. | Operating upon any street otherwise authorized for ORVs under this Ordinance, but which has been specifically closed to ORVs by a duly-enacted township ordinance or county road commission action | |

CLERK'S CERTIFICATION

I certify that the above is a true and complete copy of Resolution 2018-04 adopted by the Village Council at a meeting held on the 10th day of October, 2018.



Karen Cole, Village Clerk

Drafted by: Christopher S. Johnson (P-58746)

Gornley & Johnson Law Offices, PLC

Village Attorneys of Bancroft

101 E. Grand River

Fowlerville, MI 48836

517.223.3758

C:\Users\chris\TRFC\Matters - Open\Village Of Bancroft\Village Of Bancroft\Resolutions\ORV Fines Resolution.wpd

- | | | |
|----|---|----------|
| | pursuant to MCL 324.81131(4); or where otherwise specifically prohibited: | \$200.00 |
| H. | Operating against the flow of traffic, failing to operate only on the shoulder of the road (or the far right of the road surface where there is no shoulder), or operating in a manner that interferes with regular traffic on any roadway: | \$250.00 |
| I. | Failing to travel single file, except when overtaking and passing another ORV and when yielding the right of way to all roadway traffic: | \$250.00 |
| J. | Failing to display a white-lighted headlight and/or red-lighted taillight; except for golf carts without such lights; failing to display a slow-moving vehicle sign as described in Section 1(J) of the Ordinance: | \$200.00 |
| K. | Operating an ORV without a properly operating brake, throttle, mirror, or muffler as required by Section 3 (F) - (I) of the Ordinance, or that does not comply with all federal and state OV regulations with regard to any prescribed equipment or registration requirements as may be applicable to the specific vehicle: | \$150.00 |
| L. | Failing to meet the requirements of Section 3 (K) of the Ordinance pertaining to required safety helmets and exceptions: | \$150.00 |
| M. | Careless or negligent operation likely to endanger any person or damage any property, including in a manner likely to damage the surface or shoulder of the road: | \$350.00 |
| N. | Any other violation not otherwise specified above: | \$250.00 |

Adopted at a regular meeting of the Village Council held on the 10th day of October 2018.

Motion By: B. Barnum

Second By: M. St. Louis

YEAS: A. Miller, R. Miller, B. Barnum, K. Bible, T. Terpening, M. St. Louis

NAYS: None

ABSENT: R. Beebe

Signed: 
 Robin Miller, Village President Pro Tempore