

TOWNSHIP OF BURT, COUNTY OF ALGER
STATE OF MICHIGAN
OPERATION OF SNOWMOBILES
ORDINANCE #17

An Ordinance to regulate and control the operation of snowmobiles within the limits of the Township of Burt, County of Alger, State of Michigan

THE TOWNSHIP OF BURT ORDAINS:

Section 1. Purpose of Ordinance

The purpose of this ordinance is to regulate and control the operation of snowmobiles within a specific area within the Township of Burt, and except as otherwise provided herein, the Township of Burt, adopts the laws of the State of Michigan, governing the use of snowmobiles, being Act. No. 74 of the Public Acts of 1968 (MCLA 324.82101 et seq.), as amended, and Alger County ordinance #19, as amended.

Section 2. Operations

Within the Snowmobile Control Area (SCA), within the Township of Burt snowmobiles:

- A) shall travel only in a single file;
- B) shall not be operated in a careless or reckless manner, or operated in any way that endangers any person, creature or property of others;
- C) shall not be operated at a rate of speed greater than 10 mph;
- D) shall not be operated by anyone under the influence of intoxicating liquor or any controlled substance, or by anyone whose ability to operate said snowmobile may be impaired thereby;
- E) shall not tow another snowmobile or other sledding device unless equipped with a rigid tow-bar or tongue device specifically designed for towing. The use of tow ropes or straps will only be allowed in a situation in which a snowmobile has become disabled on a trail and needs to be towed to the nearest community for assistance. While towing another snowmobile, a snowmobile operator shall only travel at the minimum speed necessary to maintain forward motion. Emergency rescue vehicles exempted; (Common Sense/Discretion will be left up to the officer in charge).
- F) Shall be operated only by persons who are seventeen (17) years of age or older, except that a person who is at least twelve (12) but less than seventeen (17) years of age may operate a snowmobile in the accordance with the limitations stated within the ordinance only if:
 - 1. The person is under the direct supervision of a person who is twenty-one (21) years of age or older; and
 - 2. The person has in his or her immediate possession, a snowmobile safety certificate issued pursuant to a program conducted under MCLA 324.82107, as amended, or the authority of a law of another state or Province of Canada. A person operating a snowmobile pursuant to this section shall present the snowmobile safety certificate to any peace officer upon demand.
 - 3. The owner of a snowmobile shall not permit the snowmobile to be operated contrary to this section.

Section 3. Seasonal Operation Only

No snowmobile may operate in an area open to public hunting during the November 15 – 30 firearm deer season from 7:00 a.m. to 11:00 a.m. and from 2:00 p.m. to 5:00 p.m. These time restrictions do not apply during an emergency or while traveling to and from a permanent

residence or hunting camp that is otherwise inaccessible by conventional wheeled vehicle (From Michigan Dept. of Natural Resources Rules and Regulations).

Section 4. CURFEW

No snowmobile shall be operated within 100 feet of an occupied dwelling between the hours of 12:00 a.m. (Midnight) and 6:00 a.m. EDT (Eastern Daylight Time) at a speed greater than the minimum required to maintain forward movement of the snowmobile, and under no circumstances, excepting return to residence from local establishment, leaving or returning to town, shall any snowmobile be operated within the boundaries of the Snowmobile Control Area.

Section 5. Boundaries of the Snowmobile Control Area (SCA)

Those boundaries being the East end (Coast Guard Point) of Coast Guard Point Rd. up to the corner of Coast Guard Point, Lake Avenue and Grand Marais Avenue, turning left onto Grand Marais Avenue, following and to include the shoreline East on H-58 to Cemetery Hill Rd., turning right onto Cemetery Hill Rd. traveling south to Webb Rd. turn right onto Webb Rd. to Ellen Street, left to Ellen Street to Airport Rd., turn right going west on Airport Rd., crossing M-77 to Lowder Rd. down to William Hill Road, turning right and traveling north on William Hill Road onto H-58 west to Chisholm Avenue, left onto Chisholm Avenue north into Woodland Park to the Recreation Center, down Brazel Street to the corner of Grand Marais Avenue/Coast Guard Point Rd./Brazel/Lake Avenue, North point ending at Lake Superior.

Section 6. Street Crossings

All snowmobiles shall come to a complete stop before proceeding, at right angles, across any public sidewalk, street, or intersection. All snowmobiles shall yield the right-of-way to motor vehicles attempting to enter highway/street motor vehicle and pedestrian traffic. Towing of sleds, toboggans, or other such devices occupied by people is prohibited while crossing a public street.

Section 7. Stock Mufflers, Lights, Helmet

All snowmobiles must be equipped with stock mufflers in good operating condition, except for special events authorized by special proclamation of the Burt Township Board. All snowmobiles shall be operated within the township with headlights and taillights "ON" and working, and all operators and passengers shall wear helmets during operation.

Section 8. Noise

No person snowmobiling within the SCA, as shown in section 4 of this ordinance, shall cause excessive noise, beyond the NORMAL range, of stock equipped snowmobiles and consistent with those decibel levels associated with a stock snowmobile traveling at a speed no greater than 10 mph. No snowmobiler shall participate in activities likely to cause a disturbance to the neighborhood tranquility, annoy or disturb the quiet, comfort, or repose of persons residing within the SCA, as covered in the Burt Township Noise Ordinance #13 between the hours of 11:00 p.m. and 7:00 a.m.

Section 9. Responsibility

The operator of a snowmobile involved in any accident resulting in any property damage, personal injury, or death, shall report such accident to the local police immediately.

Section 10. Parental Responsibility

Any parent or guardian who knowingly permits or allows any minor to operate a snowmobile in violation of any provision of this ordinance shall be in violation of this ordinance.

Section 11. Impoundment of Snowmobiles

A law enforcement officer may impound any snowmobile used or operated in violation in any of the provisions of this ordinance for a period not to exceed thirty (30) days, and the owner or operator of the snowmobile shall be responsible to pay for all costs involved in the storage and/or

removal of the impounded snowmobile. If the operator of the impounded snowmobile is not the owner, the law enforcement officer shall notify the owner of such impoundment by telephone, letter or personal contact as soon as practical, but within 24 hours. The snowmobile used by any unqualified operator may be impounded by order of the law enforcement officer handling the complaint, for a period not to exceed thirty (30) days and, in addition, the unqualified operator shall also be subject to the same penalties set forth here and above.

Section 12. Penalty – Civil Infraction / Misdemeanor

A person found responsible for a violation involving a snowmobile shall be guilty of a civil infraction as defined in RJA Section 113, MCLA 600.113, punishable by civil fine according to the following schedule:

1 st Offence within one year	\$ 50.00
2 nd Offence within one year	\$100.00

Any person who commits three or more snowmobile related violations shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than \$500.00, and / or imprisoned for not more than ninety (90) days.

For purposes of computing the one year period, time shall run from the date the first ticket was issued.

Section 13.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed as separate, distinct, and independent provisions, and such holdings shall not affect the validity of the remaining portion.

Section 14. Notice to be Published

The township clerk shall publish this ordinance in the manner required by law.

Section 15. When Effective.

This ordinance shall be in full force and effect in this governmental unit ten (10) days after the date of publication.

Date Adopted: November 21, 1997

Date Effective: December 28, 1997

Township Supervisor, Robert L. Gardner
Township Clerk, Victoria Petruske