

Chapter 415 – Prohibition of Commercial Vehicle Traffic on Dirt Roads

Section 415.1 - Purpose and Intent

This ordinance is enacted to promote the safety, preservation, and maintenance of dirt roads within the Township of Lenox by prohibiting the use of commercial vehicles on such roads, with exceptions for package delivery services, individuals who take their work vehicles home with them, individuals who have a business along a dirt road, garbage pickup contracted by the Township, and transportation of agricultural products, farm machinery, and farm supplies in compliance with MCL 257.726(4).

Section 415.2 – Authority

This ordinance derives its authority from Michigan Compiled Laws (MCL) Section 257.726.

Section 415.3 – Definitions

- a. **Commercial Vehicle:** Any motor vehicle used for business, commercial, or industrial purposes, including but not limited to trucks, tractor-trailers, delivery vehicles, and vans, exceeding a specified weight limit to be determined by the Township.
- b. **Dirt Road:** Any road within the Township of Lenox that is primarily composed of dirt, gravel, or similar unpaved surface.
- c. **Package Delivery Service:** A business or service engaged in the delivery of packages, parcels, or mail to residences or businesses.
- d. **Work Vehicle:** A commercial vehicle provided by an employer to an employee for work-related purposes and taken home by the employee.

Section 415.4 – Prohibition of Commercial Vehicle Traffic

Commercial vehicles, as defined in Section 3a, are prohibited from traveling on any dirt road within the Township of Lenox, except as provided for in Section 5.

Section 415.5 – Exceptions

- a. **Emergency Services:** This prohibition shall not apply to commercial vehicles engaged in emergency services, including police, fire, medical, or utility services when responding to emergencies.

- b. Road Maintenance: Commercial vehicles involved in road maintenance or construction authorized by the Township are exempt from this prohibition.
- c. Package Delivery Services: Commercial vehicles operated by package delivery services are exempt from this prohibition, provided that they are conducting deliveries to residences or businesses located on dirt roads.
- d. Work Vehicles: Individuals who take their work vehicles home with them for work-related purposes are exempt from this prohibition when using the dirt roads for commuting to and from their residences.
- e. Business Owners: Individuals who own and operate a business along a dirt road are exempt from this prohibition when using commercial vehicles for business-related purposes directly related to their business located along the dirt road.
- f. Township Garbage Pickup: Commercial vehicles engaged in garbage pickup contracted by the Township are exempt from this prohibition when collecting garbage along dirt roads within the Township.
- g. Agricultural Transportation: Commercial vehicles engaged in the transportation of agricultural products, farm machinery, and farm supplies in compliance with MCL 257.726(4) are exempt from this prohibition.
- h. Rosell Road from Rogan Road to 26 Mile Road shall be exempt from this ordinance.
- i. Pashalk Road from 32 Mile Road to the Harrison Drain shall be exempt from this ordinance.

Section 415.6 – Enforcement and Penalties

- a. The Macomb County Sheriffs Department or designated law enforcement agency shall enforce this ordinance.
- b. Violation of this ordinance shall be guilty of a civil infraction and subject to a fine of not more than one hundred (\$100.00) dollars for each such offense.

Section 415.7 – Severability

If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application of the provisions to other persons or circumstances shall not be affected.

Section 415.8 – Effective Date

This ordinance shall take effect thirty (30) days after publication of this ordinance.