

# **KINROSS TOWNSHIP ORDINANCE NO. 23**

## **AN ORDINANCE TO REGULATE THE OPERATION OF SNOWMOBILES WITHIN THE PERIMETER OF THE FORMER KINCHELOE AIR FORCE BASE, TOWNSHIP OF KINROSS, CHIPPEWA COUNTY, MICHIGAN**

Adopted: January 5, 1981.

Published: January 12, 1981

Effective: January 22, 1981

THE TOWNSHIP OF KINROSS, CHIPPEWA COUNTY, MICHIGAN, ORDAINS:

### **Section 1. Location of Operation**

Snowmobiles must be properly registered with the State of Michigan as required by law, and shall not operate upon streets or alleys, excepting as follows:

- a.** Snowmobiles may cross streets or alleys if such crossing can be made in safety, and does not interfere with pedestrian and vehicular traffic on such street or alley. Snowmobiles crossing streets and alleys shall do so only as a necessary means of reaching the ultimate destination of the operator, and no unnecessary, indiscriminate crossing of streets and alleys shall be made for the purpose of going repeatedly from one point to another across the streets or alleys; it being the purpose of this provision to prohibit repeated crossing and re-crossing of streets and alleys to go back and forth from one point to another by using the streets and alleys as a part of the operating area of snowmobiles.
- b.** Snowmobiles may be operated upon streets and alleys, which are not maintained for winter vehicular traffic by the removal of snow.
- c.** Snowmobiles may be operated on a street or alley, or highway, during a period of emergency when so declared by a police agency having jurisdiction, and when travel by conventional automotive equipment is not possible.
- d.** Snowmobiles may be operated on a street, alley, or highway, for a special event of limited duration, which is conducted according to a prearranged schedule under permit from the Kinross Township Board.
- e.** Whenever it is impractical to gain immediate access to an area where a snowmobile is to be operated, which is adjacent to a street or alley, the snowmobile may be operated adjacent and parallel to the street or alley for the purpose of gaining access to the area of operation. This section shall only apply to the operation of a snowmobile from the point where it is unloaded from a conveyance to and from the area where the snowmobile is to be operated, when loading or unloading cannot be effected in the immediate vicinity of the area of operation without causing a hazard to vehicular traffic approaching from either direction on the street. Loading and unloading shall

be accomplished with due regard to safety at the nearest point to the area of operation.

- f. Snowmobiles may be operated in alleys at a speed not to exceed 10 miles per hour when the purpose of operation is to go and return from the place the snowmobile is normally kept, to the area to be used for the operation of the snowmobile.

## **Section 2. Machine Condition**

No snowmobile shall be operated unless it has at least one headlight, tail light, and adequate brakes capable of producing deceleration of fourteen feet a second on level ground at a speed of twenty miles per hour.

## **Section 3. Prohibition**

No person shall operate a snowmobile:

- a. At a rate of speed greater than is reasonable and proper, having due regard to persons and property and conditions then existing.
- b. While under the influence of intoxicants, liquor or narcotic drugs, barbitol, or any derivative of barbitol.
- c. During the hours from one half hour after sunset, to one half hour before sunrise, without displaying a lighted headlight and lighted taillight.
- d. In any nursery, planting area, or natural area of forest reproduction, and where growing stock may be damaged.
- e. On the private yard of another person contiguous to that person's home, where growing trees, shrubs, plants, and lawns, may be damaged.
- f. Unless it is equipped with a muffler in good working condition, and in constant operation to prevent excessive or unusual noise and annoying smoke.
- g. While transporting thereon a bow or firearm unless the same is securely encased.

## **Section 4. Accidents**

The operator of a snowmobile involved in an accident resulting in injuries or death of any person, or property damage in an estimated amount of \$100.00 or more, or some person acting for him, or the owner of the snowmobile, having knowledge of the accident, shall immediately, by the quickest means of communications possible, notify the Public Safety Department.

## **Section 5. Traffic Regulations**

Snowmobiles, when allowed to operate on streets and alleys, shall adhere to all speed limits, and traffic regulations, and shall yield right of way to pedestrians and vehicular traffic.

**Section 6. Airport Property**

Snowmobiles shall not be operated on any airport within the Township of Kinross limits, except upon designated snowmobile trails or other permitted areas. The crossing of runways and taxiways is prohibited at all times.

**Section 7. Unattended Machine**

A snowmobile shall not be left unattended with the engine running or the key in the ignition.

**Section 8. Endangerment**

Snowmobiles shall not be operated in a reckless, careless, or negligent manner, or at a speed so as to be likely to endanger persons or property.

**Section 9. Restricted Areas**

Snowmobiles shall not be operated in cemeteries, except by cemetery officials; on sidewalks, or upon school grounds, excepting upon the designated snowmobile trails on said school grounds; nor on playgrounds during those times when children are playing on said playgrounds.

**Section 10. Under Aged Operator**

No person under the age of 14 years shall operate a snowmobile within the perimeter of the former Kincheloe Air Force Base in Michigan, unless the operator is accompanied by an adult, who is actually occupying a seat on the vehicle.

**Section 11. Permission of Violation**

No person shall knowingly authorize, or permit a snowmobile, owned by him, or under his control to be driven by any person in violation of any of the provisions of this ordinance.

**Section 12. Severability**

If any section or part of this ordinance is declared inoperative and void by any court of competent jurisdiction, such declaration or decision of said court shall not affect the remainder of the ordinance, but such remaining sections shall be held valid for the intent and purposes herein set forth.

**Section 13. Misdemeanor**

Any person who violates this ordinance or any section thereof shall be guilty of a misdemeanor and liable for fine not to exceed One Hundred Dollars (\$100) and/or Ninety (90) Days in jail.

**Section 14. Effective Date**

This Ordinance shall take effect ten (10) days after its passage and publication.