



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1271**

AN ORDINANCE TO AMEND THE YPSILANTI CITY CODE TO ESTABLISH A TRUCK ROUTE AND REGULATE COMMERCIAL VEHICLE TRAFFIC WITHIN THE CITY OF YPSILANTI; TO PROHIBIT TRUCK AND COMMERCIAL VEHICLE TRAFFIC ON OTHER ROADS; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF, PURSUANT TO ITS AUTHORITY UNDER ARTICLE VII, SECTION 29 OF THE MICHIGAN CONSTITUTION OF 1963 AND SECTION 726 OF THE MICHIGAN VEHICLE CODE, ACT 300 of 1949 (MCL 257.1 ET SEQ)

1. THE CITY OF YPSILANTI HEREBY ORDAINS That the Ypsilanti City Code is hereby amended by adding Article VI to Chapter 102, entitled "Commercial Truck Routes and Traffic," and by adding sections, to be numbered 102-250 through 102-290, which sections read as follows:

Article VI – Commercial Truck Routs and Traffic

Section 102-250. Definitions.

The following words, terms and phrases used in this article will have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Axle means the common axis of rotation of one or more wheels whether power driven or freely rotating, and whether in one or more segments and regardless of the number of wheels carried thereon.

Commercial truck means a vehicle, including a truck, truck tractor, semi, or trailer that meets one or more the following:

- (1) Has a gross combination weight rating of 10,000 pounds or more;
- (2) Has gross combination weight of 10,000 pounds or more; or
- (3) Has a gross combination axle count of three or more.

Commercial truck does not include governmentally owned or leased vehicles, public utility vehicles, or a vehicle used exclusively to transport personal possessions or family members for nonbusiness purposes.

Gross combination axle count means the combined number of axles of the power unit and any towed unit or units.

Gross combination weight means the combined weight of the power unit and any towed unit or units without load plus the weight of any load thereon.

Gross combination weight rating means the sum of the gross vehicle weight ratings of the power unit and any towed unit or units.

Gross vehicle weight rating means the maximum operating weight of a vehicle, as specified by the manufacturer, including the vehicles chassis, body, engine, engine fluids, accessories, driver, passengers, and cargo.

Person means an individual, partnership, copartnership, firm, company, corporation, limited liability company, association, joint stock company, trust, estate, or any other legal entity, its legal representatives, agents or assigns.

Road means any street, highway or route within the City of Ypsilanti that is designed or ordinarily used for vehicular travel.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks.

Section 102-251. Truck routes.

The following roads, or portions of roads, in the City of Ypsilanti, to the exclusion of all other roads, are hereby designated as truck routes, and are classified for traffic of commercial trucks (see Truck Route Map):

Interstate 94 (I-94): entire length

U.S. 12

M 17

Any state designated highway or trucking

Harriet Street between Huron and Hamilton

Section 102-252. Regulation of commercial truck traffic.

(a) Travel into or out of city. Commercial trucks shall enter and exit the city on truck routes only.

(b) Travel within the city, exceptions. No person shall operate a commercial truck on any road within the boundaries of the City of Ypsilanti that is not designated as a truck route except as follows:

(1) According to the exceptions provided in sections 102-253 and 102-254 of this article.

(2) The operation of authorized emergency vehicles may occur on any road within the city.

(3) The operation of recreational vehicles, as defined by state law, may use any road within the city.

(4) Road repair, construction, or maintenance vehicles while involved in the repair, construction, or maintenance of roads and utilities, both public and private, pursuant to section 102-253.

(5) Garbage and rubbish service vehicles while involved in the provision of services to residents and businesses within the city, pursuant to section 102-253.

(6) The operation of any commercial vehicle while on any officially recognized and established detour to a designated truck route.

Section 102-253. Pickups, deliveries, and service calls.

Persons operating a commercial truck shall not operate the commercial truck on roads other than a designated truck route except when being used to make pick-ups, deliveries, or service calls within the city. Said persons shall operate the commercial truck in such a manner as to leave the designated truck route and proceed to its destination or destinations in the city by the most direct route. Upon completion of the pick-up, delivery, or service call, the person operating the commercial truck shall return to the nearest designated truck route or leave the city by the most direct route. Persons operating a commercial truck for such purposes shall restrict such travel to a minimum. This section shall not be interpreted as permitting a commercial vehicle otherwise restricted to a truck route from entering or leaving the city by other than a truck route.

Section 102-254. Leaving or returning to home or place of business.

Nothing in this article shall prevent a commercial truck from leaving or returning to its customary storage location or the owner or operator's personal residence, or a commercial or industrial location in the city, provided the most direct route to and from a designated truck route is utilized and the persons operating a commercial truck for such purposes restricts such travel to a minimum. This section shall not be interpreted as permitting a commercial vehicle otherwise restricted to a truck route from entering or leaving the city by other than a truck route.

Section 102-255. Special or emergency permits.

The city manager shall have the authority to grant a written permit in special or emergency situations to temporarily allow exceptions for the operation of commercial trucks that would otherwise be in violation of this article. However, without the approval of City Council, such a permit may

not be given for more than one round trip and shall not be valid for a period of more than 10 days from the date of issue. Said permit shall describe the vehicle, the time and dates of travel, and the route to be taken by the vehicle. Fees for such a permit shall be set by resolution of the city council.

Section 102-256. Signs.

The truck routes designated by this article shall be posted with appropriate signs along said route as required by law. Roads not designated as a truck route by this article may be posted with appropriate signs according to law.

Section 102-257. Municipal civil infraction.

A person who violates any provision of this article is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 70-38. Repeat offenses under this article shall be subject to increased fines as set forth in section 70-38.

Sections 102-258—122-290. – Reserved.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City

Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 20th DAY OF December, 2016.

Andrew Hellenga, Interim City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1271 was published according to Section 11.13 of the City Charter on the 27th day of July, 2016.

Andrew Hellenga, Interim City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 20th day of December, 2016.

Andrew Hellenga, Interim City Clerk

Notice Published: July 27, 2016

First Reading: August 4, 2016

Second Reading: December 20, 2016

Published: December 26, 2016

Effective Date: January 25, 2017