

**ONTWA TOWNSHIP BOARD OF TRUSTEES
CASS COUNTY, MICHIGAN**

Ordinance No. 2022-4-11.1

Resolution

At a regular meeting of the Ontwa Township Board of Trustees held at the Ontwa Township Hall on April 11, 2022, beginning at 7:00 p.m., the following motion to adopt this Resolution was made by Township Board Member Trustee Bolock and was seconded by Township Board Member Trustee Christensen:

**AN ORDINANCE BY THE ONTWA TOWNSHIP BOARD
AUTHORIZING THE USE OF GOLF CARTS ON CERTAIN
STREETS WITHIN ONTWA TOWNSHIP.**

WHEREAS, Public Act 491 of 2014 amended Public Act 300 of 1949, commonly known as the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923; and,

WHEREAS, Public Act 491 of 2014 created a new section to the Michigan Vehicle Code which allows for the limited and regulated use of golf carts on public streets and highways which is found at MCL 257.657a; and,

WHEREAS, under the amended Michigan Vehicle Code, Ontwa Township may allow for the limited and regulated use of golf carts on their streets subject to the terms and conditions specified in MCL 257.657a via the adoption of a resolution to that effect; and,

WHEREAS, Ontwa Township desires to permit the limited use of golf carts on its streets and highways as permitted and regulated by MCL 257.657a.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Under the conditions contained in Michigan Vehicle Code, as amended, being MCL 257.657a, Ontwa Township hereby allows the use of Golf Carts on the streets in the Township, subject to the regulations of Public Act 491 of 2014.

2. No golf cart shall be operated on a non-motorized trail, pathway, or sidewalk in Ontwa Township, as such trails, pathways, and sidewalks are not designated for use by golf carts.
3. Ontwa Township reserves the right to rescind this approval in the future if the Board determines that the limited and regulated use of golf carts on the Township streets has become a safety hazard or is deemed to be a nuisance.

The vote to adopt the above Resolution was as follows:

YEAS: 7

NAYS: 0

ABSENT/ABSTAIN: 0

RESOLUTION DECLARED ADOPTED.

This Ordinance shall take effect 30 days after publication, published April 16, 2022, takes effect May 16, 2022.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Ontwa Township Board at the time, date and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By: Tina M. VanBelle

Tina VanBelle

Ontwa Township Clerk

Golf Carts and ORVs/ATVs on Local Streets

Introduction

Two separate pieces of legislation allow for the use of golf carts and Off-Road Vehicles/RII-Terrain Vehicles (ORVs/RTVs) on municipal streets, and each requires a different municipal action. Under the Michigan Vehicle Code, golf cart use requires a resolution, and under the Natural Resources and Environmental Protection Act (NREPR), an ordinance is required to allow the use of ORVs/RTVs.

Golf Carts-summary of requirements

Public Act 491 of 2014 enables local units of government with a population of 30,000 or less to adopt a resolution to allow the use of golf carts on certain streets within their jurisdiction—streets with a speed limit of 30 MPH or less. The city or village may maintain a recorded list of golf cart operators; if so, they may not charge operators to compile the list.

The local unit of government does not have the ability to modify the requirements or conditions established by the state, with the exception of further prohibiting golf carts on selected streets with a 30 MPH or lower speed limit.

The following conditions are required under the Michigan Vehicle Code:

Operator

- Must be at least 16 and have a valid driver's license.
- Must comply with signal requirements.
- Must ride as far to the right as possible.
- Is not required to wear a helmet.

Golf Carts

- Shall not be operated on sidewalks.
- May not pass between lines of traffic.
- May travel at a maximum speed of 15 MPH.
- May not be operated 1/2 hour before sunset or 1/2 hour after sunrise.
- Are only permitted to operate on streets that are 30 MPH or less.
- By local ordinance may be required to use a path adjacent to a road, over the use of the roadway, if a path adjacent to a road is provided.

*The local unit may by resolution further restrict which streets golf carts are allowed on.

Off the Road Vehicles and All-Terrain Vehicle are not included in this BOT ordinance.

Publisher's Certificate of Publication

STATE OF MICHIGAN COUNTY OF BERRIEN COUNTY OF CASS

Ambrosia Neldon, being duly sworn, says:
That she is Publisher of the Niles Daily Star, a daily newspaper of general circulation, printed and published in Niles, Berrien County, Michigan; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

04/16/22

That said newspaper was regularly issued and circulated on those dates.

The sum charged by the Newspaper for said publication does not exceed the lowest rate paid by commercial customers for an advertisement of similar size and frequency in the same newspaper in which the public notice appeared.

There are no agreements between the Niles Daily Star and the officer or attorney charged with the duty of placing the attached legal advertising notices whereby any advantage, gain or profit accrued to said officer or attorney.

SIGNED:


Ambrosia Neldon, Publisher

Subscribed and sworn to before me this
16th Day of April, 2022


Donna Knight
Notary Public, State of Michigan,
County of Berrien
My commission expires 6/20/2028

Account # 141667
Ad # 1429758

ONTWA TOWNSHIP
PO BOX 209
EDWARDSBURG MI 49112

PUBLIC NOTICE

Ontwa Township, Cass
County Michigan
Ordinance authorizing
the Use of Golf Carts
on Certain Streets within
Ontwa Township
Ordinance No. 2022-4-11.1
Golf Cart-Summary
of Requirements

Public Act 491 of 2014 enables local units of government with a population of 30,000 or less to adopt a resolution to allow the use of golf carts on certain streets within their jurisdiction-streets with a speed limit of 30 MPH or less. The city or village may maintain a recorded list of golf cart operators; if so, they may not charge operators to compile the list.

The local unit of government does not have the ability to modify the requirements or conditions established by the state, with the exception of further prohibiting golf carts on selected streets with a 30 MPH or lower speed limit.

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Niles Daily Star: Apr. 16, 2022
ORD 2022-4-11.1