

BEAR LAKE TOWNSHIP
Ordinance No. 9-05 of 2005

**AN ORDINANCE AMENDING THE BEAR LAKE TOWNSHIP LAKE ACCESS
ORDINANCE TO PROHIBIT THE OPERATION OF ORVs ON ROAD ENDINGS AND
PUBLIC ACCESS SITES**

THE TOWNSHIP OF BEAR LAKE ORDAINS:

Section 1. Amendment of Section 3.

Section 3 of the Bear Lake Township Lake Access Ordinance is hereby amended to add the following definitions in their appropriate alphabetical locations:

- (i-1) "Operate" means to ride in or on, and be in actual physical control of the operation of an ORV.
- (i-2) "ORV" means a motor driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV includes, but is not limited to, a multitrack or multiwheel drive vehicle, an ATV, a motorcycle or related 2-wheeled, 3-wheeled, or 4-wheeled vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property where it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.

Section 2. Amendment of Section 4.

Section 4 of the Bear Lake Township Lake Access Ordinance is hereby amended to add a new subsection (i) which shall read in its entirety as follows:

- (i) Operate an ORV on a road ending or public access site.

Section 3. Effective Date.

This Ordinance shall become effective the day after being published in a newspaper of general circulation within the Township.

TOWNSHIP OF BEAR LAKE

By: 
William F. Jackson, Supervisor

By: 
Carol A. Rosenberg, Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Bear Lake Township Board, Kalkaska County, held in the Bear Lake Township Hall, located at 198 E. Bear Lake Road NE, Kalkaska, Michigan, on September
6, 2005, at 7:00 P.M.

PRESENT: Jackson, Ridky, Rosenberg, Koski and Dorrance

ABSENT: None

It was moved by Dorrance and supported by Koski that the following Ordinance be adopted:

(See attached BEAR LAKE TOWNSHIP ORDINANCE)

YES: Dorrance, Koski, Jackson, Ridky and Rosenberg

NO: None

ORDINANCE DECLARED ADOPTED.

BEAR LAKE TOWNSHIP

By: William F. Jackson
William F. Jackson, Supervisor

I, the undersigned, the Clerk of the Township of Bear Lake, Kalkaska County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Bear Lake Township Board of said County at its regular meeting held on 9/6, 2005, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Kalkaska Leader on 9/14, 2005 and was filed with the County Clerk on 9/7, 2005.

Dated: 9/7/05

Carol A. Rosenberg
Carol A. Rosenberg, Clerk

Note: The Ordinance and this Ordinance Certification should be filed with the County Clerk within one (1) week of publication and the Ordinance should be placed in the Township Ordinance Book.

Affidavit of Publication

STATE OF MICHIGAN } SS.
County of Kalkaska }

Al Frattura

being duly sworn, deposes and says that he is publisher of the _____
Leader and Kalkaskian

a newspaper printed, published and circulated in said county and
otherwise qualified according to Supreme Court Rule; that
annexed hereto is a printed copy of a notice which was published
in said newspaper on the following date or dates, to wit:

September 28, 2005
_____, 20____
_____, 20____
_____, 20____
_____, 20____
_____, 20____
_____, 20____

Subscribed and sworn to before me the 28th day of
September, 2005.

Linda Kunkel

Notary Public

LINDA KUNKEL
NOTARY PUBLIC MONTCALM CO., MI
MY COMMISSION EXPIRES Dec 21, 2005
ACTING IN ISABELLA COUNTY, MI

My commission expires _____

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