

Heath Township  
Resolution #85

**Whereas,** On July 23, 2020, at the request of interested citizens, the Allegan County Board of Commissioners (County Board) discussed the concept of a county-wide, Off-Road Vehicle (ORV) Ordinance.

**Whereas,** A county-wide ORV Ordinance was considered in 2014 resulting in the decision of the County Board to take no action regarding the development of an ordinance to allow ORVs to travel on county roads.

**Whereas,** The County Board believes an ORV Ordinance remains best considered at the local level considering the geographical, roadway and philosophical differences that may exist across the County.

**Whereas,** Creating a patchwork of interconnecting local ORV ordinances presents challenges with consistency and uniformity of enforcement.

**Whereas,** the County has indicated that the Allegan County Road Commission, Sheriff, and Prosecutor's office are offering assistance to any local unit or group of local units that may consider developing an ORV ordinance.

**Whereas,** historically local units bear the burden of enforcing, ticketing, and prosecuting the local unit's ordinances.

**Whereas,** questions remain as to who the County Board, the Sheriff, and Prosecutor's office intends to write tickets, prosecute ordinance violators, and divide ticket revenue.

**Whereas,** According to the County Board's own approved communique of August 13, 2020, During the July 23 Meeting, the County Board reaffirmed the 2014 decision *\*largely due to the absence of a unified position being represented by all, or even the majority of, local units in the County.* \*emphasis added

**Therefore, be it resolved,** that The Board of the Township of Heath expresses its support of an Allegan County-wide, ORV ordinance.

**Therefore, be it further resolved,** that the creation of a County-Wide ORV ordinance is the best way to ensure that there is consistency from local unit to local unit and uniform enforcement.

Motion by Harvey supported by Boerman

Roll Call:

Ayes 5

Nays 0

CERTIFICATE

I hereby certify that the foregoing resolution was adopted at a regular meeting of the Heath Township Board held at the Township Hall on October 12, 2020 that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act of Michigan; that a quorum of the Board was present and voted in favor of the resolution; and that the minutes of the meeting were kept and will be or have been made available as required by the Open Meetings Act.

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Sheila Meiste, Clerk  
Heath Township

RESOLUTION TO SUPPORT ALLEGAN COUNTY-WIDE ORV ORDINANCE

WHEREAS, On July 23, 2020, at the request of interested citizens, the Allegan County Board of Commissioners (County Board) discussed the concept of a county-wide, Off-Road Vehicle (ORV) Ordinance.

WHEREAS, A county-wide ORV Ordinance was considered in 2014 resulting in the decision of the County Board to take no action regarding the development of an ordinance to allow ORV's to travel on county roads.

WHEREAS, The County Board believes an ORV Ordinance remains best considered at the local level considering the geographical, roadway and philosophical differences that may exist across the County.

WHEREAS, Creating a patchwork of interconnecting local ORV ordinances presents challenges with consistency and uniformity of enforcement.

WHEREAS, the County has indicated that the Allegan County Road Commission, Sheriff, and Prosecutor's office are offering assistance to any local unit or group of local units that may consider developing an ORV ordinance.

WHEREAS, historically local units bear the burden of enforcing, ticketing, and prosecuting the local unit's ordinances.

WHEREAS, questions remain as to who the County Board, the Sheriff, and Prosecutor's office intends to write tickets, prosecute ordinance violators, and divide ticket revenue.

WHEREAS, According to the County Board's own approved communiqué of August 13, 2020, during the July23 meeting, the County Board reaffirmed the 2014 decision *\*largely due to the absence of a unified position being represented by all, or even the majority of, local units in the County.* \*emphasis added

NOW, THEREFORE, BE IT RESOLVED that The Board of the Township of Valley expresses its support of an Allegan County-wide, ORV ordinance.

NOW, BE IT FURTHER RESOLVED, that the creation of a County-Wide ORV ordinance is the best way to ensure that there is consistency from local unit to local unit and uniform enforcement.

Motion made by: Mike Kracatovich Supported by: Tim Batchelor

Upon roll call vote, the following voted, "aye": Christi Foster, Ron Remington, Tim Batchelor, Mike Kracatovich,

and Brandee Ellis

"nay": None

The Supervisor declared the resolution adopted.



Brandee Ellis, Clerk

CERTIFICATE

I, Brandee Ellis, the duly elected and acting Clerk of Valley Township, hereby certify that the foregoing resolution was adopted by a roll call vote at a regular meeting of the Board held on September 8, 2020, at which meeting a quorum was present; and that this resolution was ordered to take immediate effect.

Brandee Ellis, Clerk

Received 10/13/2020