

**BARTON HILLS VILLAGE
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 25

[AN ORDINANCE FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE UNDER THE AUTHORITY OF PUBLIC ACT 278 OF THE PUBLIC ACTS OF 1909, AS AMENDED, THE HOME RULE VILLAGE ACT (MCL 78.1 ET SEQ.), PUBLIC ACT 300 OF THE PUBLIC ACTS OF 1949, AS AMENDED, THE MICHIGAN VEHICLE CODE (MCL 257.1 ET SEQ.) AND PUBLIC ACT 62 OF THE PUBLIC ACTS OF 1956, AS AMENDED, UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS AND VILLAGES (MCL 257.951 ET SEQ.); PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND THE EFFECTIVE DATE HEREOF]

BARTON HILLS VILLAGE ORDAINS:

SECTION 1 - TITLE

This Ordinance shall hereafter be known as the Barton Hills Village Private Road Trespass Ordinance.

SECTION 2 – DEFINITIONS

“STREET OR HIGHWAY” means the entire width between boundary lines of every way publicly maintained and also means all private roads and drives within Barton Hills Village when leased to the Village for travel by persons residing in or owning property with the Village when such way is publicly maintained.

“VILLAGE” means Barton Hills Village, Washtenaw County, Michigan.

SECTION 3 – TRESPASS ON PRIVATE STREETS

The private streets and roads located in the Village shall be marked as such with signs in accordance with the provisions of the Uniform Traffic Code, Public Act 62 of the Public Acts of 1956, as amended (MCL 257.951 et seq.). Such private streets and roads shall not be used, occupied or traveled upon by any person who is not a resident of Barton Hills Village, or an owner of real property therein, or a guest or invitee, express or implied, of a resident or landowner in the Village. Any person not entitled to use, occupy or travel upon any private street or road who shall be found thereon, may be directed by any police officer of the Village, or by any person lawfully exercising the powers of a peace officer within said Village, to immediately leave said private street or road and go to the nearest public street or highway by the most direct route.

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SECTION 4 - PENALTY

Any person who shall have been lawfully directed to leave a private street or road, as herein provided, who shall fail or neglect to do so, is responsible for a civil infraction.

SECTION 5 - REPEAL

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

SECTION 6 - SAVINGS CLAUSE

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, on any right established, occurring prior to the effective date hereof.

SECTION 7 - SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection of this Ordinance are declared void or inoperable for any reason by any court, it shall not affect any other part or portion of this Ordinance except the part declared void or inoperable.

SECTION 8 - PUBLICATION AND EFFECTIVE DATE

The Deputy Village Clerk shall cause this Ordinance to be published once in the Ann Arbor News, a newspaper of general circulation in the Village. This Ordinance shall be effective upon its publication.

Forrest Butterwick, Clerk
Adele P. Laporte, President

Adopted October 15, 2007
Published October 19, 2007
Effective October 19, 2007