

**VILLAGE OF LAKEWOOD CLUB  
COUNTY OF MUSKEGON  
STATE OF MICHIGAN**

Ordinance No. 41

SHORT TITLE: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE VILLAGE OF LAKEWOOD CLUB TO INCLUDE REGULATIONS PERTAINING TO VILLAGE ROADWAYS.

THE VILLAGE OF LAKEWOOD CLUB HEREBY ORDAINS:

**Section 1. Purpose.**

It is the purpose of this Amendment to amend the Code of Ordinances for the Village of Lakewood Club to include regulations governing and reducing the damage inflicted upon village roadways so as to preserve the health, safety and welfare of the residents and guests of the Village.

**Section 2.** That the Code of Ordinances shall be amended as follows:

Sec. 1. Definitions.

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

*Person* includes any natural person, association, partnership, organization or corporation. *Person* shall not include the state or a political subdivision of the state, or an employee of the state or a political subdivision of the state operating within the scope of his duties.

*Roadway* means that portion of a Village roadway, unpaved, or paved, improved, designed, or ordinarily used for vehicular travel.

*Street or highway* means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

*Damage* means to erode, strip, leave vehicle hash marks, spray gravel due to excessive speed, cut into or in any way utilize the road in such a manner as to exceed

the normal wear and tear of a roadway.

Sec. 2. Damage prohibited.

Except as permitted by the Village Council no person shall make any excavation in or cause any damage to any roadway in the Village that exceeds the normal wear and tear of the public roadway.

Sec. 3. Penalty for violation of article.

Any person violating any of the provisions of this article shall be deemed responsible for committing a misdemeanor punishable by up to 90 days in jail and/or up to a \$500 fine. A violator shall be responsible for a \$100 police enforcement fee. Such person may also be required to pay restitution for any damage caused to the roadway, including the cost of labor, supplies and equipment rental.

**Section 3. Severability.**

The provisions of this Ordinance are declared to be severable, and the holding of any court of competent jurisdiction that any section hereof is invalid shall not impair or invalidate any other section.

**Section 4. Repeal of Conflicting Ordinances.**

All Ordinances, or any section thereof, in conflict with this Ordinance to the extent of such conflict are hereby repealed.

**Section 5. Effective Date.**

This Ordinance will become effective immediately upon publication.

Wendy Bloem  
Village Clerk

- Introduced: August 5, 2008
- Adopted: September 22, 2008
- Published: October 5, 2008
- Effective: October 5, 2008
- Amended: March 1, 2009

