

**VILLAGE OF AKRON**  
**OFF ROAD VEHICLE (ORV) & GOLF CART ORDINANCE**  
**ORDINANCE #1301 & #1302 WILL NOW BE #1303**

An ordinance adopted for the purpose of authorizing and regulating the operating of off-road vehicles (ORV's and Golf Carts) on roads in Tuscola County, for the purpose of providing penalties for the violation thereof, and for the distribution of public funds resulting from those penalties pursuant to 2011 PA 107, MCL 324.81131.

THE VILLAGE OF AKRON ORDAINS:

**Section 1.** As used in this ordinance, the following definitions shall apply:

- a) "Village" means Village of Akron
  
- b) "Driver license" means an operator's or chauffeur's license or permit issued to an individual by the Secretary of State under chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether conditions are attached to the license or permit.
  
- c) "Operate" be in actual physical control of the operation of either an ORV or Golf Cart.
  
- d) "Operator" means a person who operates or is in actual physical control of the operation of either an ORV or Golf Cart.
  
- e) "ORV" means a motor driven off road recreational vehicle capable of cross-country travel without benefit of a road or trail, on land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes, but is not limited to, a multitrack or multi-wheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel, or 4-wheel 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 or vehicle does not include a registered or unregistered snowmobile. 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 over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.

- f) "Road" means a local road as described in Section 5 of 1951 PA 1951, MCL 247.655.
- g) "Road Commission" means the Board of County Road Commissioners for the County of Tuscola.
- h) "Safety certificate" means a certificate issued pursuant to 1994 PA 451 as amended, MCL 324.81129, or a comparable ORV safety certificate issued under the authority of another state or a province of Canada.
- i) "Street" means a City or Village major street or village local street as described in Section 9 of 1951 PA 51, MCL 247.659.
- j) "Township" means an individual township within the County of Tuscola.
- k) "Visual supervision" means the direct observation of the operator with the unaided or normally corrected eye, where the observer can come to the immediate aid of the operator.

**Section 2.** An ORV or Golf Cart may be operated on the far right of the maintained portion of a road within the Village with these exceptions:

- a) Provided however, that if either the Road Commission has CLOSED, or in the event a Township or the Village of Akron has adopted an Ordinance or Resolution which CLOSED, certain road(s) to ORV and/or Golf Cart use, pursuant to MCL 324.81131(4), operation permitted under this Ordinance shall not be considered authorized, with respect to such closed road(s).
- b) This Ordinance is not intended to authorize the operation of an ORV or Golf Cart on a street or highway, which is under the jurisdiction of a municipality, nor upon a State Trunkline Highway.

**Section 3.** The Road Commission may close no more than 30% of the total linear miles of roads in the County to protect the environment or if the operation of ORV's and Golf Carts poses a particular and demonstrable threat to public safety. The Road Commission may not close a municipal street to ORV's, or Golf Carts opened under MCL 324.81131 subsection 5.

**Section 4.** An ORV and/or Golf Cart may not be operated on the road surface, roadway, shoulder or right-of-way of any state or federal highway in the County.

**Section 5.** Except as set forth herein or otherwise provided by law, an ORV and/or Golf Cart meeting may be operated on a road or street within the County, Township or Village:

- a) At a speed of no more than 25 miles per hour or lower posted ORV and/or Golf Cart speed limit.
- b) By a person not less than 16 years of age.
- c) With the flow of traffic.
- d) In a manner which does not interfere with traffic on the road or street.
- e) Traveling single file except when overtaking and passing another ORV or Golf Cart.
- f) When visibility is not substantially reduced due to weather conditions.
- g) While displaying a lighted headlight and lighted taillight at all hours.
- h) While the operator and each passenger is wearing a crash helmet and protective eyewear approved by the United States Department of Transportation unless the vehicle is equipped with a roof that meets or exceeds standards for crash helmet and the operator and each passenger is wearing a properly adjusted and fastened seat belt.
- i) With a throttle so designed that when the pressure is used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- j) While the ORV and Golf Carts is equipped with a spark arrester type United States Forest Service approved muffler in good working order and in constant operation.
- k) Pursuant to noise emission standards defined by law.

**Section 6.** A child less than 16 years of age shall not operate an ORV and Golf Cart on a road in the County, Township or Village unless the child is in possession of a valid driver license or under the direct visual supervision of a parent or guardian and the child has in him or her immediate possession a Michigan issued ORV and/or Golf Cart safety certificate or a comparable ORV or Golf Cart safety certificate under the authority of another state or a province of Canada.

**Section 7.** Unless a person possesses a valid driver's license, a person shall not operate an ORV or Golf Cart on a Road or Street in the County, Township or Village if the ORV is registered as a motor vehicle and is either more than 60 inches wide or has three wheels.

**Section 8.** The Road Commission, the County Board of Commissioners, and the County, Township and Village are immune from tort liability. For injuries or damage sustained by any person arising in any way out of the operation or use of an ORV and/or Golf Cart on maintained or unmaintained roads, streets, shoulders, and right-of-way over which the Road Commission, County Board of Commissioners, or the Village Council has jurisdiction.

**Section 9.** In a court action in this state, if competent evidence demonstrates that a vehicle is permitted to operate on a road or street pursuant to the code with a collision with an ORV and/or Golf Cart required to be operated on the far right of the maintained portion of a road or street pursuant to this ordinance, the operator of the ORV shall be considered prima facie negligent.

**Section 10.** Any person who violates this Ordinance is guilty of a municipal civil infraction and may be ordered to pay a civil fine:

1st Offense - \$100

2nd Offense - \$250

3rd Offense - \$500 + court and law involved.

All fines and fees will be deposited in the fines and fees account.

**Section 11.** In addition to the penalties under Section 10 of this Ordinance, a court may order a person who causes damage to the environment, a road or other property because of the operation of an ORV or Golf Cart to pay full restitution for that damage above and beyond the penalties paid for civil fines.

**Section 12.** An ORV and/or Golf Cart may only be operated on roads and streets between 5:00 a.m. and 10:00 p.m. unless posted.

**Section 13.** Should a portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

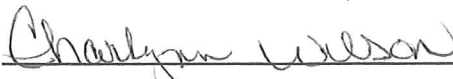
**Section 14.** This Ordinance becomes effective after publication and expiration of the time prescribed by law.

This Ordinance is adopted by action of the Village Council of the Village of Akron this 17 day  
of March, 2026

  
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Roxanne Huizar, Akron Village President

**CERTIFICATION**

I, Charlynn Wilson, Clerk of the Akron Village Council, do hereby certify that this is a true  
and correct copy of the Ordinance duly adopted by the Village of Akron Council on 17 day  
of March, 2026

  
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Charlynn Wilson, Akron Village Clerk

