

**RESOLUTION TO REQUEST AUTHORIZATION TO ADOPT
AN OFF ROAD VEHICLE(ORV) ORDINANCE**

This Resolution is required by the Michigan Department of Transportation (MDOT) for a legislative body of a local unit of government to request the Michigan Department of Transportation to authorize the local unit of government to adopt an ordinance authorizing the operation of ORVs on a highway, located within the local unit of government, in accordance with the Natural Resources and Environmental Protection Act, as amended, Part 811, being MCL 324.81101 and 324.81131.

RESOLVED WHEREAS, the _____
(city, village, township, county, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," does hereby request the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," to authorize the GOVERNMENTAL AGENCY to adopt an ordinance authorizing the operation of ORVs on a highway, located within the GOVERNMENTAL AGENCY's jurisdictional limits.

WHEREAS this request for authorization meets the requirements of Public Act 451 of 1997, Section 324.81131, subsection (7), _____ as listed below:

(a), (b), (c), (d)

- “(7) The state transportation department shall authorize operation of an ORV under subsection (6) only on a highway that is not an interstate highway and that meets 1 or more of the following requirements:
- (a) Serves as a connector between ORV areas, routes, or trails designated by the Michigan Department of Natural Resources (MDNR) or an ORV user group.
 - (b) Provides access to tourist attractions, food service establishments, fuel, motels, or other services.
 - (c) Serves as a connector between 2 segments of the same county road that run along discontinuous town lines and on which ORV use is authorized pursuant to subsection (2) or (3).
 - (d) Includes a bridge or culvert that allows an ORV to cross a river, stream, wetland, or gully that is not crossed by a county road or street on which ORVs are authorized to operate under subsection (2), (3), or (5).”

WHEREAS the GOVERNMENTAL AGENCY, or the Michigan Department of Natural Resources (MDNR), shall submit permit application(s) to the DEPARTMENT, and shall attach a signed copy of this resolution to each permit submitted; as adopted by the GOVERNMENTAL AGENCY. The GOVERNMENT AGENCY shall be the Permit Applicant, unless the proposed ORV connector will be an official MDNR designated ORV route; in which case the MDNR shall be the Permit Applicant.

WHEREAS the DEPARTMENT shall grant a permit, in whole or in part, or deny the request within 60 days of receiving a complete permit application package.

WHEREAS if the DEPARTMENT issues a permit, said permit is subject to the Special Conditions for Authorized ORV Connector Routes on State Trunkline Highways (MDOT Form 3764A).

WHEREAS if the DEPARTMENT issues a permit authorizing the use of property as an ORV Connector Route, such joint planning does not subject the property to Section 4(f) requirements per 23 CFR 774.11 (h).

NOW THEREFORE, in consideration of, and upon the DEPARTMENT granting authorization by approval and issuance of such permit, the GOVERNMENTAL AGENCY agrees to adopt an ordinance authorizing the operation of ORVs on the highway that is the subject of each permit issued by the DEPARTMENT.

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the _____
(Name of Board, etc.)

of the _____ of _____
(Name of GOVERNMENTAL AGENCY) (County)

at a _____ meeting held on the _____ day

of _____ A.D. _____.

Signed _____ Title _____

(Print or Type Name)