

**ORDINANCE #26-05**  
**AN ORDINANCE TO AMEND MARQUETTE CITY CODE**  
**CHAPTER 46 – TRAFFIC AND VEHICLES**

**INTENT:**

To clarify which types of vehicles may be used on the multi-use path and City sidewalks and to provide a law enforcement framework under which reckless riding, including excessive speed, can be prohibited.

**The City of Marquette Ordains:**

**SECTION 1. That the title of Chapter 46, Article IV is hereby amended to read:**  
***Article IV. – Designated Paths and Related Traffic***

**SECTION 2. That a new Section 46-92 is hereby created and added to read as follows:**

**Sec. 46-92. – Definitions.**

For the purposes of this article, the term mobility device shall refer to a vehicle in one of the following categories:

- (a) Human-powered mobility device: A wheeled device designed to transport one or more persons and propelled solely by human power.
- (b) Electric mobility device:
  - (1) An electric bicycle, as defined by MCL 257.13e.
  - (2) An electric skateboard, as defined by MCL 257.13f.
  - (3) An electric personal assistive mobility device, as defined by MCL 257.13c.
  - (4) Any other wheeled device powered solely by human power and an electric motor not greater than 750 watts.

**SECTION 3. That Section 46-93 is hereby amended in its entirety to read as follows:**

**Sec. 46-93. – Multi-use paths.**

- (a) The city may designate, at the discretion of the chief of police and the director of the community services department, and by the erection of appropriate signs, certain areas as multi-use paths.
- (b) Persons traveling on a designated multi-use path may utilize mobility devices, as defined in Section 46-92.
- (c) All motorized vehicles not meeting the definition of a mobility device are prohibited from traveling on such designated multi-use paths.

**SECTION 4. That a new Section 46-93.5 is hereby created and added to read as follows:**

**Sec. 46-93.5. – Reckless activity prohibited.**

- (a) No person shall travel on the multi-use path at a speed greater than what is reasonable and prudent under the conditions and having regard for actual and potential hazards. In every event, speed shall be controlled as may be necessary to avoid colliding with others who are complying with the law and using reasonable care.
- (b) No person shall fail to exercise full control over the mobility device they are using on any street, parking lot, sidewalk, or designated multi-use path.
- (c) Every person using the multi-use path shall stay as near to the right side of the path as is safe. When traveling on a designated multi-use path, no individual or group of users, including their animals and mobility devices, shall occupy more than one-half of the path as measured from the right side, and shall in no way impede the normal and reasonable movement of other users.
- (d) When traveling on a designated multi-use path, any person overtaking another person proceeding in the same direction shall pass to the left of such overtaken user at a safe distance and shall stay to the left until safely clear of the overtaken user.
- (e) Any person entering or crossing a designated multi-use path at an uncontrolled point shall yield to traffic on the path.
- (f) Every person shall obey the instructions of any official traffic control device applicable thereto unless otherwise directed by a designated city official.
- (g) No device shall be used to carry more persons at one time than the number for which it is designed and equipped.

**SECTION 5. That Section 46-94 be amended to read as follows:**

**Sec. 46-94. – Mobility device use on sidewalks.**

No person shall ride a mobility device on a sidewalk in the following locations: Washington Street between Lakeshore Boulevard and Seventh Street; Third Street between Fair Avenue and Baraga Avenue; and Front Street between Ridge Street and Baraga Avenue.

**SECTION 6. That a new Section 46-94.5 is hereby created and added to read as follows:**

**Sec. 46-94.5. – Temporary restrictions on mobility devices.**

The Chief of Police or City Manager may temporarily designate locations and times at and during which mobility devices may not be operated. These restrictions shall be posted on signs within the designated area.

**SECTION 7. That Section 46-97 and 46-98 are hereby repealed in their entirety.**

**SECTION 8. Effective Date.**

This ordinance shall become effective immediately upon adoption.

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Paul Schloegel, Mayor

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Kyle Whitney, City Clerk

Date Adopted: \_\_\_\_\_

Date Published: \_\_\_\_\_