

CITY OF MASON

ORDINANCE NO. 236

AN ORDINANCE AMENDING CHAPTER 78 – TRAFFIC AND VEHICLES – ARTICLE I – IN GENERAL – SECTION 78-7 – SKATEBOARDS AND CHAPTER 2 – ADMINISTRATION – ARTICLE I – IN GENERAL – SECTION 2-8 - SCHEDULE OF CIVIL FINES RELATED TO CHAPTER 78 – TRAFFIC AND VEHICLES - SKATEBOARDS AND CHAPTER 14 – CEMETERIES – ARTICLE II – CITY CEMETERIES – SECTIONS 14-36 – HOURS OF OPERATION

June 7, 2021

THE CITY OF MASON ORDAINS:

Section 78-7, 2-8 AND 14-36 of the Code of Ordinances of the City of Mason is hereby amended to read as follows:

Sec. 78-7. Skateboards.

(a) *Use limited.* No person shall use a skateboard in the following places:

(1) On any roadway within the city, except while crossing a highway or street on a crosswalk, and then only in the manner specified by Section 28.1204 of the Uniform Traffic Code for Cities, Townships and Villages, as adopted and amended by the city.

(2) On any of the lands leased or owned by the public, including public easements and rights-of-way, or on the private property of another, within that area of the city bounded by the Michigan Central Railroad right-of-way, Oak Street, Barnes Street, and the alley located between Maple Street and Sycamore Street, including an extension of the lateral line of the alley west to the Michigan Central Railroad right-of-way on Monday through Saturday from the hours of 8:00 a.m. to 8:00 p.m. and at such other times as declared by the chief of police.

(3) On any of the paved or non-paved lands dedicated to the use of the Maple Grove Cemetery except for those lands dedicated to the Hayhoe Riverwalk Trail

(b) *Manner of use.* No person shall use a skateboard:

(1) Upon a sidewalk, walkway or other surface or facility used or intended for pedestrians without yielding at all times the right-of-way to pedestrians.

(2) Upon a public or private parking lot or facility open to the public without yielding the right-of-way at all times to pedestrians and vehicles and so as to not interfere with the parking of vehicles.

(3) In a reckless or careless manner, or in any manner likely to result in injury or damage to the person or property of another, including monuments and markers within Maple Grove Cemetery.

(4) At a speed greater than a walking speed when crossing within a crosswalk or crossing a roadway where no crosswalk is provided.

(5) By placing portable ramps or similar devices or structures upon public property.

(c) *Posting of signs.* The department of public works shall erect appropriate signs which designate where skateboards are prohibited by this section.

(d) *Penalty.* Any person who violates any provision of this section shall be responsible for a civil infraction and subject to a civil fine of not more than \$100.00. A police officer witnessing a violation of this section may stop

the person, detain the person temporarily for purposes of making a record and prepare and subscribe a complaint for a civil infraction in the manner provided by Section 28.1110a of the Uniform Traffic Code for Cities, Townships and Villages, as adopted and amended by the city.

Sec. 2-8. Schedule of civil fines.

(a) A schedule of civil fines, payable to the bureau for admissions of responsibility by persons served with municipal ordinance violation notices, is established. The municipal civil infraction fines for the violations listed below shall be as follows. Repeat violations are those violations that are committed within one year of a previous violation of the same provision and, if a property violation, on the same property. The violation notice shall specify whether the violation is charged as a repeat violation and the number of prior violations of the same provision within the previous year.

Chapter 78 Traffic & Vehicles – Skateboards

Code Section	Description	First Violation	First Repeat Violation	Second or Subsequent Repeat Violation
78-7 (a) (1)	Skateboarding on road	\$25.00	\$50.00	\$75.00
78-7 (a) (2)	Skateboarding in downtown area	\$25.00	\$50.00	\$75.00
78-7 (a) (3)	Skateboarding on paved and non-paved lands at Maple Grove Cemetery except lands dedicated to the Hayhoe Riverwalk Trail	\$25.00	\$50.00	\$75.00
78-7 (b) (1)	Fail to yield to pedestrian on sidewalk	\$25.00	\$50.00	\$75.00
78-7 (b) (2)	Fail to yield to pedestrian or carparking lot	\$25.00	\$50.00	\$75.00
78-7 (b) (3)	Reckless or careless skateboarding	\$50.00	\$75.00	\$100.00
78-7 (b) (4)	Skateboarding in X walk > walking speed	\$25.00	\$50.00	\$75.00
78-7 (b) (5)	Skateboarding on ramps on public property	\$25.00	\$50.00	\$75.00

Sec. 14-36. Hours of operation.

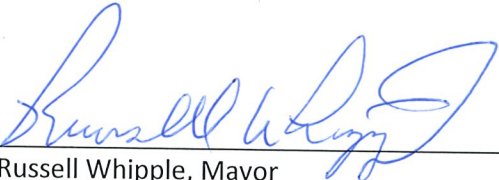
(a) The city cemeteries shall be opened daily to the public between the hours of 8:00 a.m. to one-half hour after sunset, with the exception of the hours of operation for authorized traffic utilizing the designated route of the Hayhoe Riverwalk shall be from 6:00 a.m. to 10:00 p.m. It shall be unlawful for any person (other than city personnel conducting city business) to occupy or be present in any city cemetery during any hours in which the park is not open to the public.

(b) Any section or part of the city cemeteries may be declared closed to the public by the director of public works/superintendent at any time and for any interval of time, either temporarily or at regular or stated intervals.

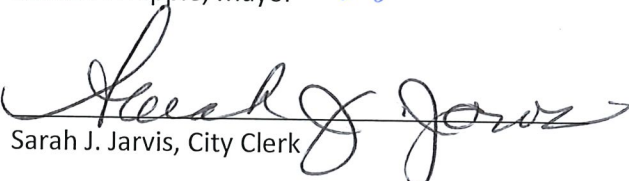
(c) For the purpose of subsection (a), authorized traffic shall mean walkers, runners, bicyclers, skaters, skateboarders, and those required to use devices to assist the disabled.

Effective Date. This ordinance shall become effective 20 days after adoption and upon publication and shall expire 365 days after becoming effective.

The foregoing Ordinance was moved for adoption by Councilmember Clark and supported by Councilmember Ferris, with a vote thereon being: YES (6) NO (1), at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the 21st day of June, 2021. Ordinance No. 236 declared adopted this 21st day of June, 2021.



Russell Whipple, Mayor



Sarah J. Jarvis, City Clerk