

ORDINANCE NO. 72
CHARTER TOWNSHIP OF HAMPTON
BAY COUNTY, MICHIGAN

Hampton Charter Township is adopting this Ordinance to provide for the health, safety and welfare of persons utilizing walking path and otherwise being in township parks, and in other township areas open to the public to ensure that others using the parks or other open areas will be mindful of the health, safety and welfare of their fellow citizens and avoid conflict by operation of electric or motorized vehicles within said parks.

The Charter Township of Hampton hereby ordains:

Section I. PURPOSE

The purpose of this ordinance is to regulate and promote the health, safety and welfare of people enjoying walking, being in and otherwise partaking of the beauty of township parks and other township areas open to the public within the Charter Township of Hampton, and to protect others within the open areas.

Section II. DEFINITIONS

The following words, terms and phrases, when used herein, shall be deemed to have the meanings set forth below:

- A. “Township” means the Charter Township of Hampton.

- B. “Electric bike or bicycle” means a bicycle with an integrated electric motor which can be used for propulsion. Electric bikes do not include Vespa or moped-like vehicles, motorcycles, dirt bikes, ORVs, gas scooters, or any similar vehicle.

- C. “Electric skateboard” or “electric scooter” means a wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 inches wide, is designed to transport only 1 person at a time, has an electrical propulsion system with power of no more than 2,500 watts, and has a maximum speed on a paved level surface of not more than 25 miles per hour.

- D. “Electric mobility device” includes all vehicles as approved by the Americans with Disabilities Act to assist those with disabilities to have enjoyment of township parks and other areas open to the public but is not considered a means of entertainment for use by others within the open areas.

Section III. PROHIBITION OF THE OPERATION OF MOTORIZED (ELECTRIC OR GAS POWERED) DEVICES WITHIN TOWNSHIP PARKS OR ON TOWNSHIP PROPERTY.

Vehicles, scooters, bicycles, electric bicycles, hover boards, skateboards or other devices propelled by other than muscular power are prohibited from operations in township parks or other township properties that are open to the public.

That any type of assisted transportation device will be prohibited from operation within township parks or other township properties that are open to the public.

This prohibition does not include the Americans with Disabilities mobility devices such as wheelchairs, electric wheelchairs, Amigos and other devices solely intended to assist an individual with disabilities to enjoy the open areas and parks. It is, however, intended that any such operation by people without disabilities shall be prohibited in parks for the preservation of health, safety and welfare of all others within the park or open area.

This does not prohibit non-motorized skateboards, bicycles, tricycles, rollerblades, etc., or other means of entertainment or transportation by children and adults, but is intended to prohibit any propulsion assisted vehicles of any sort or nature whatsoever, including two-wheeled vehicles, which can be classified as e-bikes, motorcycles, motor scooters, mopeds, or three or four wheeled vehicles, such as quads, side-by-sides or any other vehicles that can transport people with the assistance of either gas or electric propulsion.

Section IV. PENALTY

Violation of this ordinance by operating a propulsion assisted device within township parks or in open areas of township property shall constitute a misdemeanor. Said penalty shall be incarceration in the county jail of up to 90 days and/or up to \$500.00 fine.

Section V. CONFLICT

Any ordinance in conflict with this ordinance is hereby repealed to the extent said conflict exists.

Section VI. SEVERABILITY

If any court of competent jurisdiction declares this ordinance to be invalid or unenforceable, it is intended that only those sections declared invalid and unenforceable shall be stricken, and the rest of said ordinance shall be enforceable.

Date of 1st Reading:	CHARTER TOWNSHIP OF HAMPTON, BAY COUNTY, MICHIGAN
Date of 2nd Reading:	Teresa Close, Supervisor
Date of Publication:	Amanda DeWyse, Clerk
Effective Date:	