

**CITY COUNCIL
CITY OF GREENVILLE
Montcalm County, Michigan**

Councilmember Lehman, supported by Councilmember Johnson, moved the adoption of the following ordinance:

ORDINANCE NO. 24-02

**AN ORDINANCE TO ADD A NEW SECTION 42-7 TO ARTICLE I, CHAPTER 42, OF THE
CODE OF THE CITY OF GREENVILLE IN ORDER TO PROHIBIT THE USE OF
MOTORIZED VEHICLES ON DESIGNATED TRAILS AND DECLARE VIOLATIONS AS
MUNICIPAL CIVIL INFRACTIONS.**

THE CITY OF GREENVILLE ORDAINS:

Section 1. New Section. Section 42-7 of Article 1, "In General," Chapter 42, "Traffic and Vehicles," of the Code of Ordinances, City of Greenville, Michigan, is hereby added to read as follows:

Sec. 42-7. - Prohibition on Use of Motorized Vehicles on Designated Trails.

- (a) The City Council finds and declares that the interests of the public health, safety, and welfare of the public require regulation and control of the operation, methods, and modes of travel used by individuals traveling on non-motorized trailways and walkways in the City.
- (b) The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Bicycle means a device propelled solely by human power under which a person may ride, having either two or three wheels in tandem or tricycle arrangement.

Class 1 Electric Bicycle means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 20 miles per hour.

Class 2 Electric Bicycle means an electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

Electric Bicycle means a device upon which an individual may ride equipped with (a) a seat or saddle for use by the rider; (b) fully operable pedals for human propulsion, and (c) an electric motor of not greater than 750 watts.

Motor vehicle means any vehicle designed or intended to be operated as a self-propelled vehicle, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks, including, but not limited to, cars, electric bicycles, snowmobiles, and electric scooters.

Wheelchair means a mobility aid, usable indoors, and designed for and used by individuals with mobility impairments, whether operated manually or motorized.

- (c) The City may designate, by resolution of City Council and the erection of appropriate signage, certain trails within the City, or parts thereof, as a non-motorized trail for which the use of motorized vehicles is prohibited.
- (d) It shall be unlawful for any individual to use a motor vehicle on a trail or walkway designated as a “non-motorized trail.” This section shall not be construed to prohibit the use of any wheelchair, whether operated manually, by electric motor, or any other method, by a person with a disability requiring mobility assistance.
- (e) It shall be unlawful for every person traveling on any trail or walkway, designated a non-motorized trail, to use a bicycle, or any other vehicle, at a rate of speed exceeding 20 miles per hour. All bicycles operated on non-motorized trails shall comply with all regulations governing the operation of bicycles in the City as set forth in Article IV, Chapter 42 of the City Code and the Uniform Traffic Code, Part 6.
- (f) This section does not apply to the following motor vehicles:
 - (i) City-owned vehicles and any independent contractors hired by the City for property maintenance.
 - (ii) Law enforcement, emergency vehicles, and City-owned vehicles.
 - (iii) Motorized wheelchairs operated by persons requiring the same.
 - (iv) Class 1 electric bicycles
 - (v) Class 2 electric bicycles
- (g) Any person who violates the provisions of this section shall be responsible for a municipal civil infraction punishable by a fine of not less than \$100.00, costs, and such other relief that may be imposed by a court for such conduct, which shall also be considered a nuisance per se.

Section 2. Conflict and Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. Publication and Effective Date. This Ordinance shall be published in a newspaper of general circulation in the City within 10 days of its adoption, and shall be effective 15 days after its adoption provided it has been published.

YEAS: (7) Councilperson Scoby, Lehman, Johnson, Moss, Cunliffe, Barrus and Linton.

NAYS: (0) None

ABSTAIN: (0) None

ABSENT: (0) None

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

As the duly appointed and acting City Clerk, I certify that this is a true and complete copy of an ordinance adopted by the City Council of the City of Greenville, Montcalm County, Michigan, at a regular meeting held on March 5, 2024.

Krissi Brott, City Clerk

Introduced: February 2, 2024

Adopted: March 5, 2024

Published: March 11, 2024

Effective: March 20, 2024