

ORDINANCE NO. ORD-21-27

First Reading: September 7, 2021  
Public Hearing: September 20, 2021

Approved: September 20, 2021  
Published: September 23, 2021  
Effective: October 3, 2021

CHAPTER 126 (TRAFFIC)

AN ORDINANCE TO AMEND SECTIONS 10:1c, 10.90, 10:97, 10:146 AND 10:147 AND TO DELETE SECTION 10:149 OF CHAPTER 126 OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR.

The City of Ann Arbor ordains:

Section 1. That Section 10:1c of Article I of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor be amended as follows:

**10:1c. Definitions.**

Words and phrases used in this chapter shall have their usual and customary meaning, provided, however, that all words defined in the Michigan Vehicle Code (MVC, Michigan Compiled Law 257.1 et seq.) shall have the meaning specified therein; provided, further, that the following words and phrases shall have the meanings respectively ascribed to them in this section as follows:

- (1) *Alley*. Any minor thoroughfare, opened to public use, for purposes of ingress and egress to service adjacent buildings.
- (2) *Bus stand*. A fixed area in the roadway parallel and adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.
- (3) *Center or centerline*. A continuous or broken line marked upon the surface of a roadway by paint or otherwise to indicate each portion of the roadway allocated to traffic proceeding in the 2 opposite directions, and if the line is not so painted or otherwise marked, it is an imaginary line in the roadway equally distant from the edges or curbs of the roadway.
- (4) *Curb loading zone*. A space adjacent to a curb for the exclusive use of vehicles licensed as commercial vehicles during the loading or unloading of freight.
- (5) *Holidays*. Where used in this Code or on official signs erected by authorized official agencies shall in addition to Sundays mean the following legal holidays, to wit: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Veterans' Day, Christmas Day and any other holiday excluding Saturdays, when City Hall is officially closed.
- (6) *Local authorities*. The City of Ann Arbor.

- (7) *Michigan Vehicle Code*. Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923 and as subsequently amended. A complete copy of the code is available to the public for inspection in the Office of the Ann Arbor City Clerk.
- (8) *Parking meter zone*. An area adjacent to a parking meter set aside for the exclusive use of vehicles upon the deposit of a coin of United States currency in said parking meter as specified thereon.
- (9) *Residence district*. The territory contiguous to a highway not comprising a business district.
- (10) *Stop*. When required, means complete cessation of movement.
- (11) *Stop, stopping or standing*. When prohibited, means any stopping or standing of a vehicle whether occupied or not, other than the temporary stopping of a passenger vehicle for the purpose of and while actually engaged in picking up and discharging passengers, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.
- (12) *Taxicab*. A motor vehicle licensed under the provisions of Title VII of this Code.
- (13) *Taxicab stand*. A fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers.
- (14) *Time*.
  - (a) *Official time standard*. Whenever certain hours are named herein, they shall mean standard time or daylight saving time, as may be in current use in this city.
  - (b) *Day time*. Time between 30 minutes before sunrise and 30 minutes after sunset.
  - (c) *Night time*. Time between 30 minutes after sunset and 30 minutes before sunrise.

(15) *Personal mobility vehicle includes:*

Any vehicle intended to carry no more than two persons abreast, that is not a motor vehicle or trailer required to be licensed or registered by the state of Michigan, and that is propelled either by the power of a person riding or by the power of a person riding in combination with a single or multiple electric motors.

(Ord. No. 33-71, 6-28-71; Ord. No. 2-87, § 1, 1-20-87; Ord. No. 8-05, § 2, 3-21-05; Ord. No. 12-07, § 3, 4-16-12)

Section 2. That Section 10:90 of Article VIII of Chapter 126 of Chapter X of the Code of the City of Ann Arbor be amended to read as follows:

ARTICLE VIII. - MISCELLANEOUS RULES

**10:90. Vehicles shall not be driven on a sidewalk.**

The driver of a vehicle that is not a personal mobility vehicle shall not drive upon or within any sidewalk area except at a driveway, unless he shall first obtain the written permission of the Chief of Police or the project management engineering unit manager.

(Ord. No. 43-04, § 38, 1-3-05)

Section 3. That Section 10:97 of Article VIII of Chapter 126 of Chapter X of the Code of the City of Ann Arbor be amended to read as follows:

**10:97. Clinging to vehicles.**

No person riding upon any ~~bicycle, motorcycle, motor-driven cycle, personal mobility vehicle, coasting wagon, sled, roller skates~~ or any toy vehicle shall attach the same or himself themselves to any vehicle upon any street or highway.

Section 4. That Article XII of Chapter 126 of Chapter X of the Code of the City of Ann Arbor be amended to read as follows:

**ARTICLE XII. ~~MOTORCYCLES AND MOTOR-DRIVEN CYCLES~~BICYCLE AND PEDESTRIAN INFRASTRUCTURE**

Section 5. That Section 10:146 of Article XII of Chapter 126 of Chapter X of the Code of the City of Ann Arbor be amended to read as follows:

**10:146. Bicycle lanes; bicycle paths.**

(1) As used in this ~~section title~~:

- (a) "Bicycle lane" means a portion of a roadway that is established for the use of persons riding bicycles or personal mobility vehicles.
- (b) "Bicycle path" means a portion of a street or highway that is separated from the roadway by an open, unpaved or paved space or by a barrier and that is established for the use of persons riding bicycles or personal mobility vehicles.

(2) A person shall not operate a vehicle on or across a bicycle path or a bicycle lane, except:

- (a) At the point of turning into or leaving property adjacent to the roadway; or
- (b) At the point of turning onto another public or private roadway at an intersection; or
- (c) At the point of changing lanes on a roadway; or
- (d) If the vehicle is a bus that is taking on or discharging passengers; or
- (e) If the vehicle is being operated for the purpose of providing a city service as an employee or contractor to the City of Ann Arbor and alternate operating options are not available to perform the service; or

(f) If the vehicle is a personal mobility vehicle, as defined in this title.

- (3) A person shall not park a vehicle on a bicycle path or on a bicycle lane, except:
  - (a) Where parking is permitted by official signs; or
  - (b) If the vehicle is a bus that is taking on or discharging passengers; or
  - (c) If the vehicle is being operated for the purpose of providing a city-service as an employee or contractor to the City of Ann Arbor and alternate parking options are not available to perform the service.

(4) Notwithstanding any other provision of this section, a person shall not operate a vehicle that is not a personal mobility vehicle on or across a bicycle lane that is protected by barriers of any kind.

(Ord. No. 10-01, § 13, 2-1-10)

Section 5. That Section 10:147 of Article XII of Chapter 126 of Chapter X of the Code of the City of Ann Arbor be amended to read as follows:

**10:147. ~~Reserved.~~ Safety; sidewalks; pedestrians. Impoundment.**

(1) A person operating a personal mobility vehicle on a sidewalk or a pedestrian crosswalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(2) A person shall not operate a personal mobility vehicle if prohibited by a traffic control device or order.

(3) A person operating a personal mobility vehicle upon a sidewalk or a pedestrian crosswalk has the same rights and responsibilities applicable to a pedestrian using that sidewalk or crosswalk (Per MVC 257.660c).

(4) A person operating a personal mobility vehicle on a sidewalk shall not operate in a careless or negligent manner likely to endanger any persons or property.

(5) Absent a city contract or franchise, and subject to the remainder of this section, a person may park a personal mobility vehicle only in the manner that would be lawful for a bicycle, per MVC.

(6) A person shall not park a personal mobility vehicle in a manner inconsistent with this title or in any manner that would permit its seizure and impoundment, per MVC.

(7) An individual may park a personal mobility vehicle on a highway or street at any location where parking is allowed for motor vehicles, may park at any angle to the curb or the edge of the highway, and may park abreast of another personal mobility vehicle, per MVC.

(8) An individual shall not park a personal mobility vehicle on a highway or street in such a manner as to obstruct the movement of a legally parked motor vehicle, per MVC.

(9) Absent a city contract to the contrary:

(a) Any personal mobility vehicle left or parked in a street, as defined by Chapter 1 section 8 of the City Municipal Code, may be seized and impounded by the city if: (i) it impedes the flow of vehicular, or any other, traffic, (ii) is parked inconsistent with any city ordinance, resolution, sign, traffic control device, or traffic control order, (iii) remains left for more than 72 hours, (iv) is left by a person arrested or otherwise detained by city police, or (v) appears to a reasonable person to be stolen.

(b) Any impounded personal mobility vehicle may be recovered only upon presentation of proof of ownership of the personal mobility vehicle and upon payment of fees set by the City Administrator.

(10) After a personal mobility vehicle is impounded, if the city knows the identity of its owner and the owner's address, the city shall, within a reasonable time, give that owner written notice of the impoundment at their last known address.

(11) The city may sell, or otherwise dispose of, any impounded personal mobility vehicle if such vehicle remains unrecovered more than 6 months after its impoundment. Any sale shall conform to section 1:64, Chapter 4, Title I of the Code of the City of Ann Arbor.

(12) A person operating a personal mobility device, shall not carry any article that impairs or prevents the person's control of the vehicle.

(13) A personal mobility vehicle shall not be operated in such a manner that exceeds the number of persons for which it was designed.

(14) A person riding a personal mobility vehicle on a street or highway shall be granted all of the rights, and shall be subject to all of the duties, applicable to the driver of a vehicle under this code and state law.

(15) The City Council may by resolution designate locations and times at and during which personal mobility vehicles may not be operated. The restrictions contained in any such resolution shall be posted on signs within the area designated by the resolution.

Section 6. That Section 10:149 of Article XII of Chapter 126 of Chapter X of the Code of the City of Ann Arbor is hereby deleted as follows:

**~~10:149. Skateboards.~~**

~~The City Council may by resolution designate locations and times in which skateboards may not be operated on sidewalks or other public property. (See Resolution R-412-7-88). The restrictions contained in any such resolution shall be posted in signs within the area designated by the resolution. No person shall operate a~~

~~skateboard contrary to the terms of the resolution. A police officer apprehending a person for violating this section may impound the skateboard. The skateboard shall be released by the Police Department only after payment of the fine and costs and upon proper identification. Persons 18 years of age or older must produce proof of payment of the fine and costs and proof of proper identification. Persons under the age of 18 must produce proof of payment of the fine and costs and must appear at the Police Department with a parent or guardian; however, if no such parent or guardian resides in the city, the owner of the skateboard must provide a letter from a parent or guardian requesting that it be released.~~

~~(Ord. No. 20-88, § 1, 7-5-88; Ord. No. 30-97, § 12, 6-16-97)~~

Section 7. This ordinance shall take effect 10 days after passage and publication.

### **CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of September 20, 2021.

\_\_\_\_\_  
(Date)

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Jacqueline Beaudry, Ann Arbor City Clerk

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Christopher Taylor, Mayor of the City of Ann Arbor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's webpage on September 23, 2021.

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Jacqueline Beaudry, Ann Arbor City Clerk