

## ORDINANCE NO. 317

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BESSEMER BY REPEALING CHAPTER 128 OF TITLE X AND REPLACING THE SAME WITH A NEW CHAPTER 128, TITLE X OF THE CODE.

THE CITY OF BESSEMER HEREBY ORDAINS:

The Present Chapter 128 of Title X of the City Code of the City of Bessemer is hereby repealed and replaced with a new Chapter 128, Title X as follows:

10.51 SHORT TITLE. This Ordinance and Chapter Heading shall be known and may be cited and referred to as the City of Bessemer Ordinance providing for the regulation of Snowmobiles within the City of Bessemer.

10.52 PURPOSE. This Ordinance enables the City of Bessemer to better control the operation of Snowmobiles within the Bessemer City Limits.

10.53 DEFINITIONS. In the interpretation of this Chapter the following definitions shall apply:

- (1) "Operator" means any person who operates or is in actual physical control of a snowmobile.
- (2) "Owner" means any person, other than a lienholder, having the property in or title to a snowmobile and is entitled to the use or possession thereof.
- (3) "Operate" means to ride in or on and to control the operation of a snowmobile.
- (4) "Snowmobile" means any of various automotive vehicles designed for the travel on snow.
- (5) "Highway" or "Street" means the entire width between the boundary lines of every right-of-way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (6) "Roadway" means that portion of a highway improved, designated, or ordinarily used for vehicular travel.

10.54 REGISTRATION. No snowmobile shall be operated within the City of Bessemer without a certificate of registration and/or a registration decal. **Exemption:** No registration is required for a snowmobile operated exclusively on lands owned or under the

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*control of the snowmobile owner.*

10.55 REGISTRATION DECAL. No snowmobile shall be operated within the City of Bessemer if the owner of said snowmobile failed to attach to each side of the forward half of the machine the registration decal assigned to that snowmobile.

10.56 TRAIL PERMIT. No snowmobile shall be operated within the City of Bessemer without a current, valid Trail Permit. **Exception:** *The same exception applies as stated in Section 10.54.*

10.57 STREETS DESIGNATED FOR SNOWMOBILES. Pursuant to MSA 9.3200(12), being MCLA 257.1512, as amended, the City of Bessemer designates the following streets as official snowmobile routes within the City:

Route No. 1. North Moore Street from the City/Township boundary South to Gold Street, then East to N. Clayberg Street, then South again to U.S.-2 where you cross said highway and intersect the East/West Trail located within the Citgo Quik Mart Parking Lot.

Route No. 2. Approaching Bessemer from the West, follow the former Chicago & Northwestern Right-of Way Eastward until you intersect with S. Sophie Street, then travel South on Sophie Street for one-third of a block to Mary Street, then East on Mary Street for one block to S. Case Street, then North on Case to the Citgo Quik Mart, then follow the Railroad Right-of Way and travel Eastward till you leave the City Limits.

Route No. 3. Plywood Access Road South from Route No. 2 to Florence Street, then South to Eli Avenue, then East to Hadley Street.

Route No. 4. Case Street South from Route No. 2 to alley of 400 Block, then West to Sophie Street.

Route No. 5. South from Route No. 2 at Spur Station Lot across Mary Street to private parking lot.

Route No. 6. North on Cedar Street from Route No. 2 to Silver Street.

Route No. 7. Tamarack Street North from Route No. 2 to Evergreen Square.

Route No. 8. City maintained alley East from the Access Road for a distance of one-half block.

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Travel on other Public Streets is **only** permitted to **access** one of the above listed trails from your home, motel, or other place where you might be staying or to proceed **to and from** a snowmobile rental, sales or repair business.

10.58 RULES FOR THE OPERATION OF SNOWMOBILES WITHIN THE CITY LIMITS.

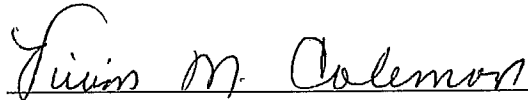
- (1) Snowmobiles shall be operated at a safe speed for the conditions existing at the time of operation; **provided**, however, in no case shall the speed exceed **20 miles per hour** in residential, business or school areas.
- (2) Snowmobile Operators will be cited if their machine creates a noise level greater than State Statute Limitations or, if in the opinion of the law enforcement officer, their operation of the machine is being done in a manner to create excessive noise levels.
- (3) Snowmobile Operators will be cited for operating a snowmobile in a careless or reckless manner which would include traveling at an excessive speed within the City of Bessemer.
- (4) Snowmobile Operators shall observe and obey all City and State traffic laws. All cross streets shall be considered "stop" streets for snowmobiles.
- (5) Snowmobiles shall yield and give way to all vehicles and pedestrians, including snowplows, and shall come to a complete stop for pedestrians, ambulances and other emergency vehicles.
- (6) No more than two (2) persons shall be permitted on a snowmobile.
- (7) All snowmobiles shall travel in single file and must be operated on the **right** hand side of any street, road, alley or thoroughfare.
- (8) Snowmobile Operators will be cited for operating a snowmobile while under the influence of alcohol, narcotic drugs, barbitol, or any derivative of barbitol.
- (9) Snowmobiles are prohibited from being operated in Hillcrest Cemetery and Bluff Valley Park.

10.59 PENALTIES. Any violation of the above will be considered a misdemeanor and the operator will be subject to a \$50.00 fine and/or 90 days in jail.


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Adopted and approved by the Common Council for the City of Bessemer, Michigan, this 17th day of August, 1998.

  
VIVIAN COLEMAN MAYOR

ATTEST:

  
BRUCE CARLSON CLERK

Published in accordance with provisions of Section 6.4, entitled "Publication of Ordinances" of Chapter 6 of the Charter for the City of Bessemer, Michigan, on this 21st day of August, 1998.