

CITY OF AUBURN HILLS
ORDINANCE NO. 21-926

AN ORDINANCE TO AMEND SECTION 46-173 - PROHIBITION OF SKATEBOARDING AND RELATED ACTIVITIES IN CERTAIN PUBLIC PLACES IN DOWNTOWN AUBURN HILLS, OF ARTICLE VI - OFFENSES AGAINST PUBLIC PEACE, OF CHAPTER 46 - OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE AUBURN HILLS CITY CODE, AS AMENDED, TO PROHIBIT SKATEBOARDING AND RELATED ACTIVITIES IN CIVIC CENTER PARK, AS WELL AS DOWNTOWN AUBURN HILLS.

THE CITY OF AUBURN HILLS ORDAINS:

SECTION 1.

Section 46-173 - Prohibition of skateboarding and related activities in certain public places in downtown Auburn Hills, of Article VI - Offenses Against Public Peace, of Chapter 46 - Offenses and Miscellaneous Provisions, of the Auburn Hills City Code, as amended, is hereby amended to read as follows:

Sec. 46-173. - Prohibition of skateboarding and related activities in certain public places in Downtown Auburn Hills and Civic Center Park.

Push scooters, skateboarding and/or inline-skating is permitted in Downtown Auburn Hills and in the Civic Center Park only for the purposes of transportation and only on sidewalk surfaces or trail-way/pathway surfaces. Push scooters, skateboarding and/or inline-skating that is done anywhere, but on sidewalks and/or trail-way/pathway surfaces, in Downtown Auburn Hills and in the Civic Center Park is prohibited and the use of push scooters, bicycles, skateboards and inline-skating that grind on and/or are used on other items in Downtown Auburn Hills and in the Civic Center Park, including, but not limited to, planter or flower boxes/containers, handrails, benches, stairs, poles, stages and or other elevated items/surfaces is prohibited.

For the purposes of this section, "Downtown Auburn Hills" shall be identified as all public property including, but not limited to: Riverside Park, all public parking lots and public parking garages, sidewalks, planter or flower boxes/containers, handrails, benches, stairs, poles, stages and other elevated items/surfaces, and the following roads and road rights-of-way located in Downtown Auburn Hills, with Downtown Auburn Hills being further defined as the area and bounded by the following:

- (1) Auburn Road between Churchill Road and Cherryland Street
- (2) Squirrel Court (Parkways) between Auburn Road and N. Squirrel
- (3) N. Squirrel Road between Auburn Road and the Clinton River
- (4) S. Squirrel Road between Auburn Road and Primary Street
- (5) Primary Street between S. Squirrel Road and Juniper Street

For purposes of this section, "Civic Center Park" shall be identified as all public property including, but not limited to: Civic Center Park and the Civic Center Campus and all public parking lots, garages,

sidewalks, planters or flower boxes/containers, handrails, benches, stairs, poles, stages and other elevated items/surfaces, roads and rights of way located in the Civic Center Park and Civic Center Campus.

A violation of this section shall be a municipal civil infraction punishable by a civil fine not to exceed \$100.00 and costs of prosecution.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

SECTIONS. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the 7th day of June 2021, and ordered to be given publication in the manner prescribed by the Charter of the City of Auburn Hills.

AYES: 5 (Hawkins, Kittle, Knight, McDaniel, Verbeke)

NAYES: 1 (Marzolf)

ABSTENTIONS: None

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 21-926 adopted by the Auburn Hills City Council on the 7th day of June, 2021 the original of which is in my office.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk