

ORDINANCE NO. 5-900

AN ORDINANCE PROHIBITING THE OPERATION OF THREE-WHEELERS, FOUR-WHEELERS, ATVS,
DIRT BIKES, MOPEDS, OFF-ROAD VEHICLES (ORV) AND SNOWMOBILES IN CITY PARKS

Section 1. Definitions.

- a) The words used in this Ordinance shall have the same meaning as defined in the Uniform Traffic Code, unless otherwise defined herein.
- b) "City park" shall mean each of the following parks:
 - i. The Al Quaal Recreation Area, as defined and located on the Al Quaal Recreation Area Boundary Map attached hereto;
 - ii. The City Playgrounds, as defined and located on the Playground Boundary Map attached hereto;
 - iii. Lake Bancroft Park, as defined and located on the Lake Bancroft Park Boundary Map attached hereto;
 - iv. Those playlots, parks, and recreation areas identified as sites 1, 2, 4, 5, 7, and 8-13 inclusive on Map 5-1 City of Ishpeming Recreation Sites, attached hereto, and as more fully described in the official City of Ishpeming Recreation Plan.
- c) "ATV" means a 3- or 4-wheeled vehicle designed for off-road use that has low-pressure tires, has a seat designed to be straddled by the rider, and is powered by a 50 cc to 500 cc gasoline engine or an engine of comparable size using other fuels.
- d) "Motorcycle" means every motor vehicle which has a saddle or seat for the use of the rider and which is designed to travel on not more than three wheels in contact with the ground, but excludes a tractor.
- e) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but which is not operated upon rails.
- f) "ORV" means a motor driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV includes, but is not limited to, a multi-track or multi-wheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel, or 4-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft.

- g) "Snowmobile" means any motor-driven vehicle designed for travel primarily on snow or ice of a type that utilizes sled-type runners or skis, an endless belt tread, or any combination of these or other similar means of contact with the surface upon which it is operated, but is not a vehicle that must be registered under the Michigan Vehicle Code, Act No. 300 of the Public Acts of 1949, being Sections 257.1 to 257.923 of the Michigan Compiled Laws.
- (h) "Dirt bike" or "moped" means every motorcycle that is not licensed for use on public highways.

Section 2. It shall be unlawful for any person to operate any ATV, dirt bike, moped, ORV, or snowmobile in any City park at any time.

Section 3. It shall be unlawful for any person to operate a motorcycle or a motor vehicle designed to travel on four wheels, or more, such as a passenger automobile, van, or pickup truck, in any City park, except on designated roads and parking areas and at designated times as posted.

Section 4. Signs shall be erected at conspicuous places at each entrance to every City park giving notice of the above restrictions.

Section 5. The prohibitions contained herein shall not apply to any law enforcement officer, conservation officer, or municipal employee while in the performance of his or her official duties, or to any ambulance or bona fide emergency rescue vehicle.

Section 6. Al Quaal Recreation Area.

It shall be unlawful for any person, except a law enforcement officer, a conservation officer, or an authorized municipal employee to operate a motor vehicle in the Al Quaal Recreation Area between the hours of 10:00 p.m. and 7:00 a.m. Gates shall be erected at the Mather Avenue, Hickory Street, and Prairie Avenue entrances to the Al Quaal Recreation Area, which shall be closed at 10:00 p.m. each night to enforce the prohibition set forth herein.

Section 7. Repealed.

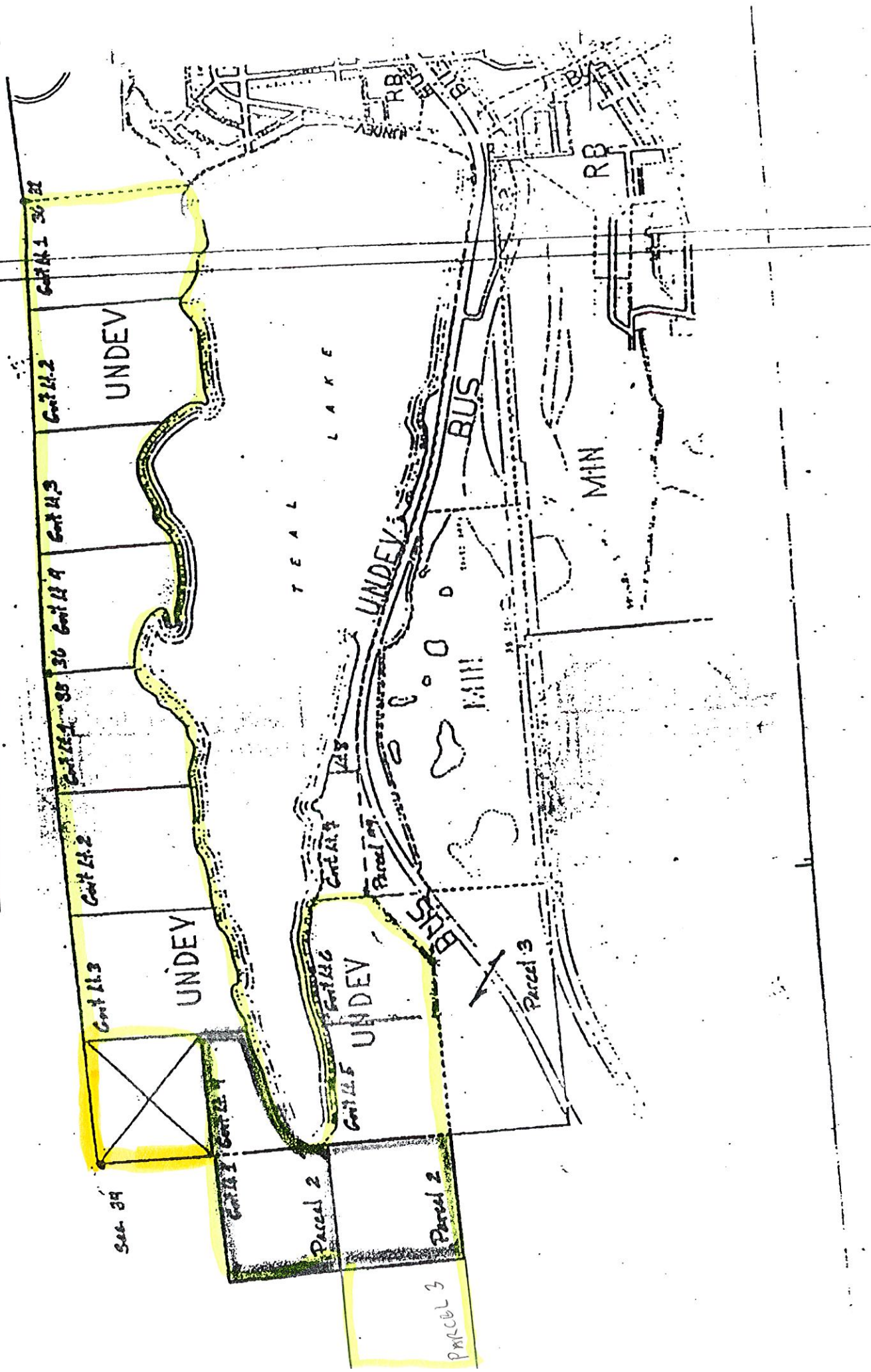
Section 6.29 of the Uniform Traffic Code is hereby repealed.

Section 8. Penalty.

Every person violating any provision of this ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed \$500.00 or by imprisonment in the Marquette County Jail for a period not to exceed 90 days, or both, plus restitution to the City of Ishpeming for any damage caused to any property, habitat, wildlife, real property, trees, flora, fauna, or other improvements, as determined in the discretion of the Court.

Adopted: October 9, 2002

AL QUAAL RECREATION AREA BOUNDARY MAP



PLAYGROUND BOUNDARY MAP

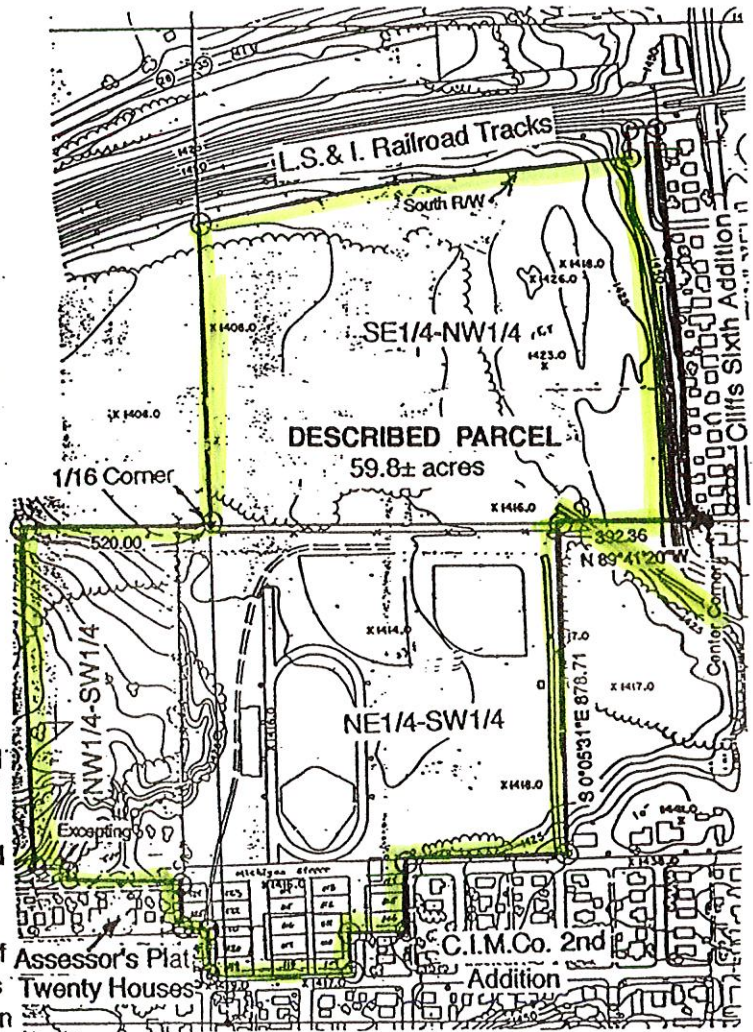
PREPARED FOR: The CLEVELAND-CLIFFS IRON Co.

Parcel In the SW1/4 & NW1/4 of Section 3, T.47N.,R.27 W.

LEGAL DESCRIPTION:

A parcel of land located in the Southeast Quarter of the Northwest Quarter (SE1/4-NW1/4), Northwest Quarter of the Southwest Quarter (NW1/4-SW1/4), and Northeast Quarter of the Southwest Quarter (NE1/4-SW1/4) of Section Three (3), T.47 N., R.27 W., including several Lots in The Cleveland Iron Mining Co.'s, Second Addition in the City of Ishpeming, Marquette County, Michigan, more particularly described as follows:

All that part of said (SE1/4-NW1/4), lying West of The Cliffs Sixth Addition to the City of Ishpeming, and South of the South R/W of the L.S. & I. Railroad Tracks; Also: that part of said (NE1/4-SW1/4) lying North of Michigan Street, and East of the following described line; commencing at the N1/4 Corner of said Section 3; thence S 1°12'19"E 2622.56 feet, (to the Center Corner); thence N 89°41'20"W 392.36 feet, (along the E-W 1/4 Line) to the P.O.B.; thence S 0°05'31"E 878.71 feet, (to the North R/W of Michigan Street and P.O.E.), also including Lots #104, 105, 106, 109 thru 118, and parts of Lots #119 thru 123 in said Plat of C.I.M.Co. 2nd Add.; Also: all that part of the East Five hundred & twenty (520.00) feet of said (NW1/4-SW1/4) lying North of the Assessor's Plat of Twenty Houses, Excepting the (S. 30' of the W. 100' of the E. 520'), also including parts of Lots #119 thru 128 lying East of said Assessor's Plat. Said parcel contains 59.8± acres, as shown on attached map marked Exhibit "B".



By: Larry J. Bussone

Date: November 30, 2001

LEGEND:

- 1) ● = Found Iron
- 2) ○ = No Iron Set
- 3) ▲ = Found Other (as marked)
- 4) □ = Set Conc. Monu.

NOTE:

- 1) All dimensions are in feet
- 2) Bearings reflect those from a solar observation on the sun
- 3) Right-of-ways are included in acreage.
- 4) Parcel fronts on Empire Street



Scale- 1" = 500'

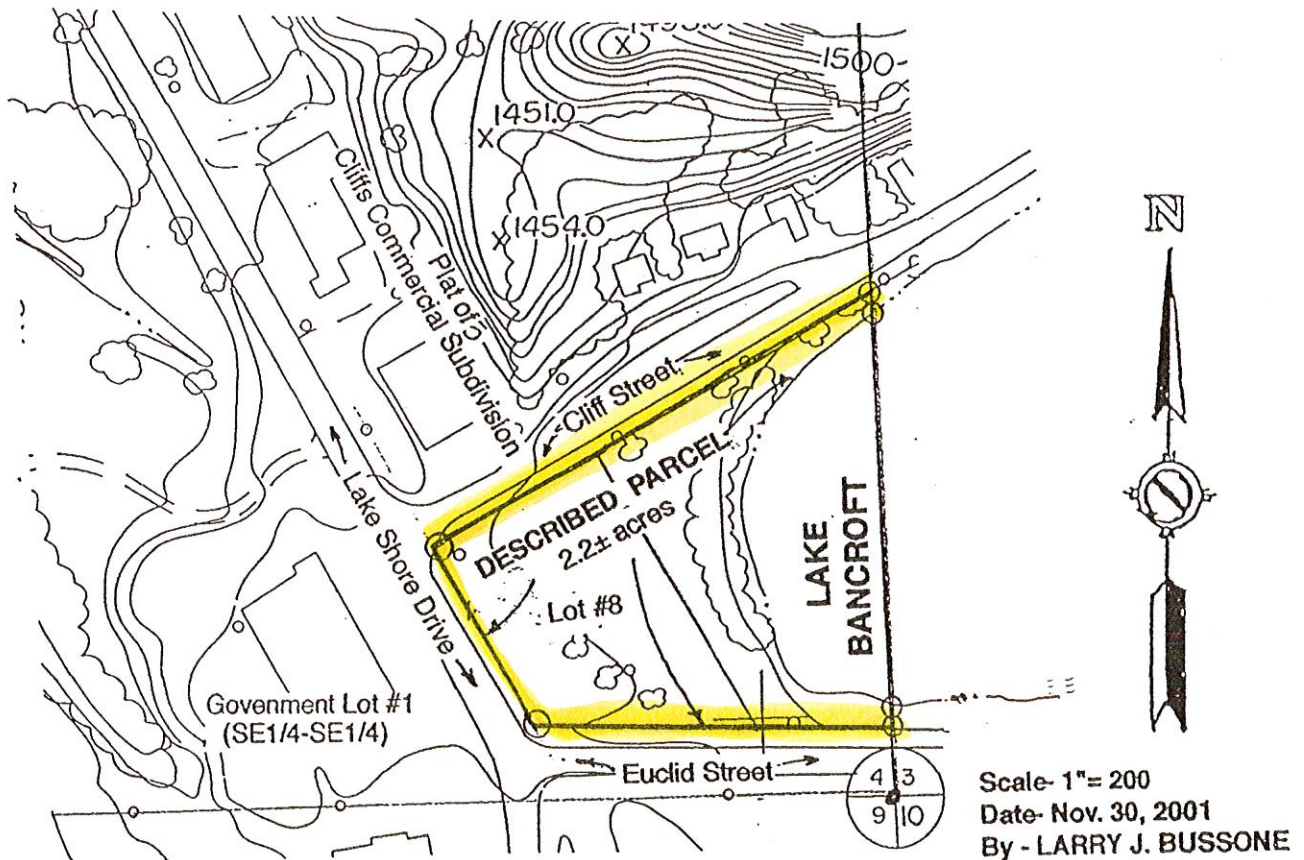
Date- Nov. 30, 2001

By - LARRY J. BUSSONE

LAKE BANCROFT PARK BOUNDARY MAP

PREPARED FOR: The CLEVELAND-CLIFFS IRON Co.

Parcel in the SE1/4-SE1/4 of Section 4, T.47N., R.27 W.



LEGAL DESCRIPTION:

A parcel of land located in Government Lot #1, (SE1/4-SE1/4) of Section Four (4), T.47 N., R.27 W. , including Lot #8 in the Plat of Cliffs Commercial Subdivision in the City of Ishpeming, Marquette County, Michigan, more particularly described as follows:

All that part of said Government Lot #1, lying South of Cliff Street, East of Lake Shore Drive, and North of Euclid Street. Said parcel contains 2.2± acres, as shown on attached map marked Exhibit "C".

By: Larry J. Bussone

Date: November 30, 2001

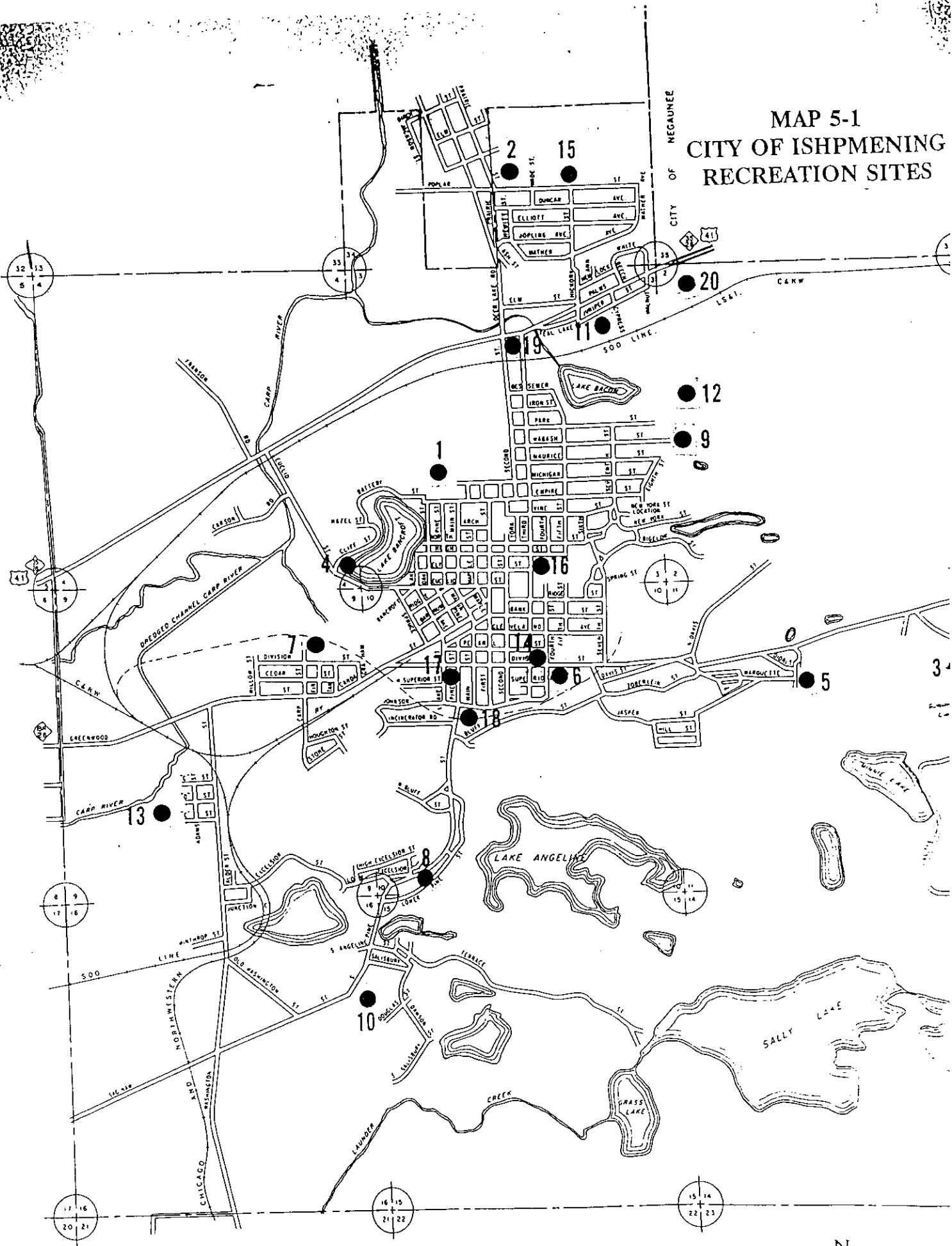
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- 3) ▲ = Found Other (as marked)
- 4) □ = Set Conc. Monu.

NOTE:

- 1) All dimensions are in feet
- 2) Bearings reflect those from a solar observation on the sun
- 3) Right-of-ways are included in acreage.
- 4) Parcel fronts on Cliff Street

MAP 5-1 CITY OF ISHPMENING RECREATION SITES



* Numbers Cited in Text



5.0 Existing Recreational Facilities

From a recreational standpoint, it is important the City provides a broad range of recreational opportunities for its local citizens, as well as tourist. When identifying existing facilities, it helps to understand the types of facilities present. For convenience sake, the different types of facilities, in general are explained below.

Mini-Park: A park of specialized facilities that serve a concentration or limited population or specific group such as tots or the elderly.

Neighborhood Park/Playground: An active recreation site incorporating one or more open space areas designed for field sports and providing play apparatus. The open space areas should be able to serve the needs of both youth and adult.

Community Park: A Recreation area with diverse environmental quality. May include areas suited for intense recreational facilities such as athletic complexes and large swimming pools. May be an area of natural quality for outdoor recreation such as walking, viewing, sitting and picnicking.

Regional Park: An area with natural or ornamental quality for outdoor recreation, such as picnicking, boating, fishing, swimming, camping, and trail use. The park may include play areas. They tend to attract individuals from outside of the community.

The City has a total of 20 recreation facilities including those that are associated with educational complexes (school). These facilities accommodate a variety of opportunities for a wide spectrum of recreational pursuits, for the City's residents.

In January of 1998, an inventory of existing public recreational areas and facilities within the City of Ishpeming was updated with the assistance of City Officials. The result of these surveys are shown in detail on the following pages. Map 5-1 shows the location of each facility.

In addition, an inventory of the nearby recreation sites not located within the City limits but most likely utilized by City residents is provided at the end of this section.

5.1 City Recreation Facilities

1. **City Playground**: A 60 acre community park located along West Empire Street in the north central portion of the City. This area is presently under a twenty-five year lease from the Cleveland Cliffs Mining Company. About 16 acres of the total

acreage is undeveloped. The remaining area provides various types of recreational activities. Facilities at the park include:

City Playground

- | | |
|----------------------------------|-------------------------------------|
| * Lighted Ball Diamonds | * Five Unlighted Ball Diamonds |
| * Two Unlighted Tennis Courts | * Four Lighted Basketball Courts |
| * Four Lighted Basketball Courts | * Restroom/Locker Room |
| * Warming Shelter & Restrooms | * Natural Ice Rink |
| * Stadium (2,600 seating) | * Twelve Sets of Bleachers |
| * Paved Track | * Three Paved Field Event Areas |
| * Lighted Football Area | * Concession Area |
| * Storage Building & Restrooms | * Four Horseshoe Courts |
| * Pavilion/Concession Area | * Two Little League Baseball Fields |

Playground Inventory

- | | |
|--------------------------------|------------------------------|
| * Four Swing Sets | * Merry-go-Round |
| * Four Teeter Totters | * Seven Tennis Courts |
| * Slide | * Four Backstops |
| * Climber | * 12 Bleachers |
| * Six Fields | * Eight Dugouts |
| * 16 Benches | * Two Bike Racks |
| * Four Picnic Tables | * Two Electric Scoreboard |
| * Two Flagpoles | * Three Football Goals Posts |
| * Four Paved Basketball Courts | |

Totlot Inventory

- | | |
|-------------------------|---------------------|
| * Saddlemate Swing | * Swinging Gate |
| * Snyder-the-Spider | * Buck-a-Bout |
| * Springmate w/Handrail | * Four Saddle Mates |
| * Mini-Dale | * Eagle Whirl |
| * Dome Climber | * Sandbox |
| * Two Picnic Tables | |

2. **Al Quaal:** This regional recreation site is a 600 acre parcel of land located in the northern portion of the City along Poplar Street. This is the largest recreation area within the City corporate limit. Most of the land that currently makes up the recreation area was leased by the City since 1939. The site is utilized year round, with tennis, basketball, baseball, horseshoes, volleyball, mountain biking, hiking, swimming, picnicking, boating, and fishing occurring in the summer months, and skiing, sledding, tobogganing, ice fishing, and snowmobiling occurring in winter months.

Facilities at this site include:

City Playgrounds

- * Ball Diamond
- * Restroom Building
- * Ski ticket & Patrol Shelter
- * Two Basketball Courts
- * Picnic Area
- * 12 Picnic Grills
- * Two Maypoles
- * Gym Set
- * Backstop
- * 16 Horseshoe Courts
- * Three Cross-Country Trails
- * Lighted Sledding Area
- * Mountain Bike Trail System (Includes Section of CC Ski Trails)
- * Toboggan House & Slide (1,500' Toboggan Run with Water Lines & Lighting)
- * Clubhouse (Restrooms, Concession Area, and Kitchen Facilities)
- * Pavilion
- * Ski Warming Shelter
- * Three Ski Tow Buildings
- * Two Tennis Courts
- * 40 Picnic Tables
- * Seven Swing Sets
- * Two Merry-go-Rounds
- * Two Slides
- * Flagpole
- * Three Downhill Ski Slopes
- * Snowmobile Trail & Tubing

Teal Beach (New Beach Area)

- * Portable Docks
- * New Log Cabin/Change House Area
- * Set Boundary Buoys
- * Two Lifeguard Stands
- * Lifeguard Boat

3. **Superior Nordic Training Recreation Complex (SUNTRAC):** A 260 acre regional park (formally called Suicide Bowl) that is located in the eastern portion of the City and the western portion of the City of Negaunee, just south of Business M-28. This joint community recreation area is operated and maintained by the Ishpeming Ski Club. The site is currently being used for cross-country skiing, ski jumping, mountain biking, and hiking. In 1994, a development committee was established to formulate a comprehensive plan for this recreation area that would promote the development of the area into a year-round recreational and elite skiing complex. A development plan was completed and adopted by the committee for the proposed complex in 1996. A copy of the entire plan is located at the end of the Recreation Plan in Appendix B. Facilities at the park include:

- * Five Jumping Hills (10, 20, 40, 60, & 90 meters)
- * Five Kilometer Lighted Cross Country Ski Trail
- * 25 Kilometer Unlighted Cross-Country Ski Trails
- * Concession and Storage Area - New Heated Pole Building

Superior Nordic Training Recreation Complex (SUNTRAC):

- * Mountain Bike Trail System (Includes Sections of CC Ski Trails)
- * Parking Area
- * Kids Area/Ski Skills Hill

4. **Lake Bancroft Park:** This three acre parcel is a community park located between Cliff Street and the west shore of Lake Bancroft. The City was granted a non-termination 25 year lease for this property. This property was originally developed by a local Jaycee group. The setting of the park makes it one of the most attractive areas in the City. Facilities at the recreational site include:

- | | |
|----------------------------|---------------------------|
| * 16 Picnic Tables | * Eight Picnic Grills |
| * Five Dusk-to-Dawn Lights | * Shelter |
| * Flagpole and Marker | * State Historical Marker |
| * Paved Walking Path | * Rustic Sign |
| * Paved Parking Area | * New Gazebo |
| * New Brick Path Memorial | * Restrooms/Storage Area |

5. **Marquette Street Playlot:** A one acre neighborhood recreation site that is located in the east central portion of the City, just south of Business M-28. Facilities at this site include:

- | | |
|-----------------------|---------|
| * Three Swing Sets | * Slide |
| * Basketball Standard | |

6. **Nebraska Playlot:** This neighborhood park is a one acre parcel of land in the central portion of the City, along Division Street. Facilities at the park include:

- | | |
|--------------------|----------------------------|
| * Three Swing Sets | * Slide |
| * Merry-go-Round | * Two Basketball Standards |
| * Picnic Table | |

7. **Barnum (Seventh Addition) Playlot:** This eleven acre neighborhood park is located off of Carp Street in the west central portion of the City. Facilities at the site include:

- | | |
|-----------------------|----------------|
| * Three Swing Sets | * Slide |
| * Merry-go-Round | * Backstop |
| * Basketball Standard | * Picnic Grill |
| * Picnic Table | |

8. **Lake Angeline Playlot:** This neighborhood park is located on a one acre parcel of land along Lower Pine Street, just west of Lake Angeline. The boulevard at the site was formerly an old trolley route. The park has the following facilities:
- * Three Swing Sets
 - * Merry-go-Round
 - * Picnic Table
 - * Slide
 - * Three Molded Animals
9. **Wabash Heights Playlot:** This one acre neighborhood recreation site is located along Wabash Street, just south of Mather "A" Ballfield. Facilities at the site include:
- * Buck-a-Bout
 - * 10' Whirl Merry-go-Round
 - * Two Paved Basketball Courts
 - * Tree House Slide
 - * Four Saddle Mates
 - * Three Swings
10. **Salisbury Playlot:** This neighborhood park is a one acre parcel of land located in southern portion of the City, east of South Pine Street. Facilities at this site include:
- * Picnic Grill
 - * Slide
 - * Backstop
 - * Climbing Arch
 - * Two Molded Animals
 - * Three Swing Sets
 - * Merry-go-Round
 - * Picnic Table
 - * Three Nursery Swing Sets
11. **Palms Area Playlot:** A one acre neighborhood recreation area located in northern portion of the City, along Juniper Street. Facilities at this park include:
- * Three Swing Sets
 - * Merry-go-Rounds
 - * Slide
 - * Basketball Standard
12. **Mather "A" Ballfield:** A one acre community recreation site located at the inactive Mather "A" mine site in the north western portion of the City. The site was acquired in 1984 by the City as an additional auxiliary ballfield to compliment expansion of recreation leagues. It was built by the Cleveland Cliffs Iron Company (CCI) originally to service their own employee softball league. Because of scheduling and maintenance problems, CCI requested the City to take over this area. This ballfield is now used on a daily basis during the summer months because of the current demand for ballfield facilities. Facilities at the site include:

Mather “A” Ballfield:

- * Backstop
- * Two Benches
- * Five Bases
- * Two Bleachers
- * Port-a-John

13. **Holmes Playlot:** This recently established one acre neighborhood park is located in the western portion of the City between D Street and E Street, off of Washington Street. The playlot has a new play center.

5.2 Public and Private School Recreation Facilities

Within the City of Ishpeming, there are three school sites with some form of recreation opportunities and space to the public.

14. **Ishpeming High School/Central School:** These two schools occupy the same structure which is located on a five acre parcel of land in the central portion of the City, along Division Street. Facilities provided at the site include:

- * Pool
- * Gymnasium
- * Playground Equipment
- * Whirlpool
- * Two Paved Basketball Standards

15. **Birchview Elementary School:** This neighborhood recreation site is located on a two acre parcel of land in the northern portion of the City along Popular Street. Facilities at the school include:

- * Gymnasium
- * Two Swing Sets
- * Merry-go-Round
- * Two Basketball Standards
- * Complete Play Center
- * Cafeteria
- * Slide
- * Two Tennis Courts
- * Climbing Tower

16. **C.L. Phelps Intermediate School:** Phelps School occupies a one acre parcel of land in the central portion of the City, along North 3rd Street. Recreation facilities at the site include:

- * Gymnasium
- * Wrestling Equipment
- * Complete Playcenter
- * Six Paved Basketball Courts
- * Weight Lifting Room
- * Cafeteria
- * Picnic Table