

Perry City
ORDINANCE 26-G

CITY TRAILS

**ESTABLISHING RULES, REGULATIONS, AND ENFORCEMENT PROVISIONS
RELATED TO CITY TRAILS**

WHEREAS, Perry City has developed the Kiwanis Gravity Bike Park, the Historic Orchard Pathway, and other trails systems; and,

WHEREAS, These trail systems represent significant public investment, the generous support of the Kiwanis Club of Brigham City, state and county grants, and private donations; and,

WHEREAS, The City Council finds it necessary and appropriate to establish clear rules for the of trails in order to: protect the physical integrity of the infrastructure; ensure the safety of all users, foster a welcoming, family-friendly environment for riders of all skill levels, and provide necessary enforcement provisions;

NOW THEREFORE, be it ordained by the City Council of Perry City, UT as follows:

SECTION 1: Repealer. If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. Section "7.03.055 City Trails" is hereby amended as follows.

Purpose

The purpose of this Section is to:

- 1. Protect the natural landscape and prevent soil erosion.**
- 2. Ensure the safety of all Trail users and the general public.**
- 3. Preserve the integrity of the Perry City Trail System by prohibiting unauthorized alterations to public lands.**
- 4. Authorize Perry City to enforce trail regulations in a manner that is fair, proportional, and consistent.**
- 5. Maintain trails and surrounding properties as a sustainable recreational asset.**

Definitions

Trail. Any path, track, or right of way intended for use by pedestrians, cyclists, or other recreational users made available for public access.

Trail Improvement. Any improvement or facility constructed for recreational use by a Trail user, including but not limited to jumps, ramps, berms, rocks, etc.

Construction/Modification. The clearing, digging, grading, installing, building, placing, or cutting of vegetation to create a Trail Improvement or Trail, or modification to an existing Trail or Trail Improvement.

Downhill Trail. Means any trail designated for one-directional, top-to-bottom travel by users.

E-bike. Specified in Utah Code 41-6a-S102

Motor Vehicle. As defined in Utah Code 13-20-2 or its successor statute.

Muddy Conditions. Means trail surfaces that are wet, saturated, or soft to a degree that riding would cause rutting, erosion, or other physical damage to the trail tread, as determined by visible surface conditions.

Powersport Vehicle. As defined in Utah Code 13-35-102 or its successor statute.

Applicability

This section applies to all Persons using Trails or entering city Property or right of way associated with the city Trail systems. This section does not apply to standard sidewalks unless certain sidewalks are specifically designated on adopted city Trails plans or other transportation plans. This section does apply to the Historic Orchard Pathway (a multi-use asphalt Trail) and the bike and pedestrian Trails at the Kiwanis Gravity Bike Park.

Damage or Unauthorized Construction or Modification

A Person is guilty of damaging a public path, Trail, or Trail Improvement if:

1. The Person, without written authorization from the City damages any public path, Trail, or Trail Improvement.

2. The Person operates an unauthorized vehicle, Powersport Vehicle, E-bike, or bicycle on a public path or Trail facility where such is prohibited, or in a manner that causes any damage to the same, such as creating mud rutting where the tire of any vehicle leaves an impression on the surface greater than one (1) inch.

A Person is guilty of unauthorized Construction or Modification if:

1. The Person Constructs or Modifies any Trail or Trail Improvement without written consent from the city.

A violation of this Section is a Class B Misdemeanor, with a fine not to exceed one thousand (\$1,000) dollars.

Unauthorized Use of Trails

A Person commits unauthorized use of a public path, Trail, or Trail facility if:

1. The Person operates a Class 2 or Class 3 E-bike, Motor Vehicle, or Powersport Vehicle, on or within fifty (50) feet of a public Trail system (excluding legal operation on a public street).

2. The Person accesses or uses a Trail when it has been closed by Perry City.

A violation of this Section is a Class C Misdemeanor, with a fine not to exceed seven hundred fifty (\$750) dollars.

Use of Trails

Pedestrians have the priority right of way on multi-use Trails. Pedestrians are not allowed on Trails where they are prohibited e.g. Downhill Trails, or other Trails designated for bicycle use only.

Trail Rules

When Trails are designated for use by bicycles and Class 1 E-bikes, e.g. the Kiwanis Gravity Bike Park, the following rules shall apply.

1. Helmets are required for all users.

2. Bicycles shall be in good working conditions with sound and functional brakes.

3. Riders must leave at least twenty (20) seconds of separation between riders on one-way downhill Trails.

4. Riders shall not voluntarily stop on one-way Downhill Trails.

5. Riders shall travel only in the designated downhill direction on the designated one-way Downhill Trails.

Walking or riding uphill on the one-way Downhill Trails is prohibited.

6. Riders in the skills development area shall travel in the same direction.

7. Trail users shall stay on established and designated Trails at all times. Shortcutting between Trails or riding off-trail is prohibited.

8. Use of Trails when they are in a Muddy Condition is prohibited. Trail users are responsible for assessing the condition of Trails prior to use.

9. Dogs are prohibited on Trails designated for bicycles.

10. Children eight (8) years of age and younger must be accompanied and supervised by an adult (eighteen years or older) at all times while on Trails or in the bike park area.

The Bitner Orthodontics Walking Trail at the Kiwanis Gravity Bike Park is designated for pedestrian use only. Bicycles are prohibited on this Trail and other Trails designated for pedestrians only. Dogs must be kept on a leash at all times.

All Trail and park users shall be respectful and courteous to other riders and visitors. Intimidation, harassment, or aggressive conduct is prohibited. Riders shall review features before attempting them and remain in control of their bicycle and be aware of other riders at all times. Riders are encouraged to ride within their ability level.

Excessive Speed

A Person is guilty of excessive speed on a public path, Trail, or Trail facility if:

1. The Person operates a bicycle, E-bike, or other vehicle in excess of the posted speed limit, or in excess of twenty (20) miles per hour where no speed limit has been posted.

A violation of this section shall be an infraction, with a fine not to exceed one hundred (\$100) dollars.

Negligent Collision

A Person is guilty of a negligent collision on a public path, Trail, or Trail facility if:

1. The Person operates a bicycle, E-bike, or other vehicle with such lack of due care or in a reckless or negligent manner as to cause a collision with another Person or object.

A violation of this section shall be a class C Misdemeanor, with a fine not to exceed seven hundred fifty (\$750) dollars.

Enforcement

1. Civil Penalty. In addition to any criminal penalties under this Chapter, a Person may also be subject to civil damages and remedies at law and equity, including restitution of any damage caused by a violation of this Chapter.

2. Impoundment. Law enforcement officers may seize any equipment, bicycles, E-bikes, or vehicles used in violation of the provisions of this Chapter, in accordance with applicable policy and subject to this Chapter, as evidence or to prevent additional damage.

Exceptions

A Person operating an electric personal assistive device in accordance with Utah Code 41-6a-1116, or its successor statute, is exempt from the vehicle and access limitations of this Chapter.

SECTION 3: Severability. If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 4: **Effective Date.** This ordinance being necessary for the peace, health, and safety of Perry City, shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the more remote from the date of passage thereof.

****Signatures On Next Page****

PASSED AND ADOPTED by Perry City Council this **28th day of May, 2026.**

KEVIN JEPPSEN, Mayor
Perry City

Attest:

SHANNA JOHNSON, City Recorder
Perry City

City Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Nathan Tueller	<u>X</u>	___	___	___
Toby Wright	<u>X</u>	___	___	___
Blake Ostler	<u>X</u>	___	___	___
Ashley Young	<u>X</u>	___	___	___
Dave Walker	<u>X</u>	___	___	___



RECORDED this 2nd day of June, 2026.
PUBLISHED OR POSTED this 2nd day of June, 2026.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

- 1. City Hall
- 2. Perry City Website
- 3. Utah Public Notice Website

on the above referenced dates.

SHANNA JOHNSON, City Recorder
Perry City