

THE CITY OF WILLARD

NON-MOTORIZED MULTI-USE PATHWAY ORDINANCE

SECTION 1. PURPOSE.

The purpose of this ordinance is to protect public safety, and prevent environmental damage and pollution caused by vehicular traffic on trails. Such damage and pollution are hereby deemed to be a public nuisance. It is a further purpose of this ordinance to protect trails from damage and obstruction so they remain open for public use and do not add undue financial burden to the community resulting from extra maintenance and law enforcement.

SECTION 2. DEFINITIONS

"Motorized Vehicle" means any motorized or electric-powered conveyance including but not limited to: cars, trucks, motorcycles, go-karts, golf carts, mini-bikes, dune buggies, motor scooters, mopeds, OHV's, or ATV's. This shall not include electric-powered wheelchairs or other power driven mobility devices within the meaning of the Americans with Disability Act, 28 CFR PART 35.104.

"Non-Motorized Vehicle" means any wheeled conveyance including but not limited to: bicycles, scooters, skateboards, rollerblades, and other wheeled devices operated by human power.

2.1 NON- MOTORIZED TRAFFIC

- a. The operation of a motor vehicle is prohibited on trail-ways.
- b. Violations of the ordinance will be counted as an infraction of the law. Multiple violations of the ordinance can result in a class C misdemeanor.
- c. No person shall travel on the trail-way in excess of 15 mph.
- d. Where separate lanes exist, any pedestrian using paved trails must travel only in the lane designated for pedestrians. Wheeled methods of transportation must also stay in their designated lanes.
- e. Walking zones must be observed.
- f. Wheeled mechanisms must pass on the left and announce when they are about to do so.

2.2 Modes of Transportation Allowed on Trail

- a. Multi-Use Trails are designed for the purpose of bicyclists, pedestrians, joggers, people walking dogs, people pushing baby strollers, persons in wheelchairs, skate boarders, and in-line skaters.

SECTION 3. ACTIVITIES PROHIBITED.

3.1 Firearms, Hunting, Shooting

- a. No firearm, bow and arrow, nor any weapon shall be discharged within, into, over, or across the trail at any time.
- b. No manner of animal trap shall be set within the trail.
- c. Any and all hunting and/ or trapping shall be pursuant to the state law. All State wildlife preservation restrictions will apply.

3.2 Drugs and Alcoholic Beverages

- a. Alcoholic beverages and the use of any type of drug on the trail is illegal and not permitted.
- b. No drunk or intoxicated person or individual under the influence of alcohol, drugs, or narcotics will be permitted entry to trail areas, and if discovered therein will be subject to arrest and/or immediate expulsion. The sale or consumption of alcoholic liquors, beer, wine or illegal drugs or narcotics is prohibited.

3.3 Littering and Trash

- a. No person shall burn or dispose of garbage, refuse, litter or trash within a trail right-of-way. If an appropriate receptacle has not been provided, the person who brought the item onto the trail must haul it away for proper disposal.

3.4 Soliciting

- a. It is unlawful for any person to engage in or solicit business of any nature whatsoever within the trail way.
- b. The placing of advertising, decoration, or any other device on the trail is prohibited without authorization from the City.

3.5 Camping. No person shall set up tents, shacks, or any other temporary shelters, or any special vehicle to be used for such purpose: such as a house-trailer, camp-trailer, camp-wagon, or the like, for the purpose of overnight camping.

3.6 Vandalism and Obstructions

- a. No person shall place or cause to be placed an obstruction or encroachment in a trail, so as to hinder or prevent public travel, or to injure or impede persons traveling on the trail.
- b. No person shall willfully injure a trail or any of its components by destroying or removing any part of it.
- c. No person shall injure a trail by obstructing or placing objects on the trail that could cause harm to the trail itself or other people.
- d. No graffiti, forms of writing, or markings of any kind shall be placed on the trail-way or trail signs.
- e. No person shall deposit snow on the trail surface or disturb surface in such a way that it makes it unsafe for its intended purpose.

3.7 Fires. Fires, portable fire grills, stoves, or fire rings are not permitted within or next to the trail.

3.8 Fireworks. fireworks, explosives, compounds, mixtures, or any substance that may explode, discharge, or burn will not be permitted on the trail-way.

3.9 Protection of Natural Resources

- a. No person shall bring into or plant in or upon the trail system any tree, shrub, plant, flora, seeds, or any kind of chemicals unless authorized by the City.
- b. No person shall remove, cut down, burn, or harm any form of vegetation adjacent to the trail-way unless permitted to do so for trail maintenance and abiding by fire codes by the City.

3.10 Monuments and Memorials. No person shall bring into, leave, erect or install any rock, plaque, monument, sign, symbol or object of any kind in or upon the trail-way system without prior approval of the City.

3.11 Games and Sports. No person shall engage in any sport, game, or amusement in the trail-way system.

3.12 Public Assemblies, Meetings, Contests. No person or group of persons shall call or hold any public meeting, exhibition, contest, tournament, or public entertainment of any kind in the trail-way system without first obtaining written permission by the City.

3.13 Begging. No person shall beg or solicit alms in the trail-way system.

3.14 Noise Nuisance. No person or group shall operate or permit the use or operation of any loud speaker, sound amplifier, or other device for the production or reproduction of sound within the trail-way for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment.

SECTION 4. TRAIL REGULATIONS

4.1 Pets - All dogs on paved parkways and trails shall be restrained with a leash. Pet owners are responsible for cleaning up any droppings left by their pet.

4.2 Agricultural Equipment

- a. Persons owning property abutting the trail who, have been found to have a legitimate need to operate machinery on the trail may do so by permission of the City.
- b. Adjacent agricultural land owners may cross in a perpendicular manner across the trail for farming purposes. Tractors, irrigation lines, and other farm equipment may have access across the trail.

4.3 Horses and Livestock - Horses are only allowed on trails and other areas that are signed and designated for horses.

4.4 Parking Regulations

- a. Vehicles using the trail may only park in designated parking areas for the use of the trail-way.
- b. A person shall not park their vehicle in any manner that would block the safe passage in, out, crossing, or intersecting of the trail-way. This includes trail access gates or other areas used by the city for access to the trail-way.

4.5 Trail Access - Except for adjacent property owners, Trail users must stay on the trail surface and shoulders. Entrance to this portion of the trail by non-resident trail users shall be only at the designated trailheads. Trailhead parking will be designated with appropriate signage.

4.6 Trail User Code of Conduct

- a. Trail signs shall be obeyed.
- b. Stay on trails; do not take short-cuts.
- c. A person may not leave the trail-way and enter on private property without permission of the landowner
- d. When on a trail, all trail users must stay on the right half of the trail trail-way, when meeting or being passed by another trail user.
- e. When passing another trail user traveling in the same direction, a trail user must pass on the left half of the trail trail-way and may pass only when such left half is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safety of any trail user.
- f. Any trail user who is about to enter onto or cross a trail shall yield the right of way to any trail user already on the trail to be entered or crossed.
- g. No person shall travel on a trail at a speed greater than 15 MPH.
- h. When stopping, trail users shall move off of the trail.
- i. All trail users, using a trail from one-half hour after sunset to one-half hour before sunrise shall be equipped with lights. Bicyclists shall have a headlight visible from five- hundred feet to the front and a red or amber light visible from five-hundred feet to the rear. Other trail users should have white lights visible from two- hundred fifty feet to the front, and a red or amber light visible from two-hundred fifty feet to the rear.

4.7 Trail Hours

- a. The trail shall be open year round.

SECTION 5. PERMITS

PERMITS FOR WORK WITHIN TRAILS

Permits shall be required for the following activities:

- a. Digging up or excavating a trench in a trail right-of-way for the purpose of installing pipes, wires, or other utilities.

- b. Installing private sewer or water lines in a trail right-of-way.
- c. The Selectboard shall not grant a requested permit unless it determines that the proposed activity will not interfere with public use of the trail or create a condition that poses a threat to the safety of those using the trail. The selectboard may include in any permit reasonable conditions to protect the safe use of the trail by the public. The selectboard may also condition upon approval of a permit on the permittee reimbursing the town city for its reasonable costs in monitoring performance of the work authorized by the permit.

SECTION 6. ENFORCEMENT

- a. Any part of the Trail Corridor may be declared closed to the public or to certain uses at any time, as the City shall find reasonably necessary.

SECTION 7. EFFECTIVE DATE.

These Ordinances shall be effective and in full force after its due passage, approval and publication. Rules or Regulations of Willard City relating to the Trail-way, or parts thereof, in conflict or inconsistent with any provisions of these are hereby repealed. The several parts of the Ordinances are severable, and invalidity of one or more of its provisions shall not affect the validity of the remaining.

Date: _____

Signed by: _____