

ORDINANCE NO. 922

An Ordinance Establishing Chapter 12, Multi-Use Trail Regulations, of Title 8, Public Ways and Public Property, of the Red Lodge Municipal Code

WHEREAS, various regulations are established under Title 8 of the Red Lodge Municipal Code for the occupation of right-of-way for any City sidewalk, City alley or City street, and

WHEREAS, there are multiple existing trails and two recently constructed multi-use paved paths within the City of Red Lodge in public rights-of-way, and

WHEREAS, current regulations do not address the use of multi-use trails on public property within the City of Red Lodge,

NOW, THEREFORE, Chapter 12, Title 8, is hereby adopted as follows:

Title 8, Public Ways and Public Property

Multi-Use Trails Regulations

Section:

8-12-1: Short Title

8-12-2: Purpose

8-12-3: Definitions

8-12-1: Short Title.

This Chapter shall be known and cited as **MULTI-USE TRAILS REGULATIONS OF THE CITY OF RED LODGE, IN THE COUNTY OF CARBON, STATE OF MONTANA.**

8-12-2: Purpose.

It is the purpose of these regulations to recognize that the multi-use trails in Red Lodge, Montana are for the use and enjoyment of the public and that it is in the public's interest that laws be promulgated to protect the safety and welfare of those using these trails.

8-12-3: Definitions.

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section.

- A. Bicycle:** A vehicle propelled solely by human power on which any person may ride, irrespective of the number of wheels, except scooters, wheelchairs, and similar devices. The term includes an electrically assisted bicycle. MCA 61-8-102

- B. Electrically Assisted Bicycle:** A vehicle on which a person may ride that has two tandem wheels and an electric motor capable of propelling the vehicle and a rider who weighs 170 pounds no faster than 20 miles an hour on a paved, level surface. MCA 61-8-102
- C. Multi-Use Trail:** A soft or hard surfaced trail physically separated from motorized vehicular traffic located within a public right of way for use as recreation or transportation for a range of users that may include, dependent upon the specific named trail, persons traveling by foot, bicycle, horse, ski, in-line skate, roller blade, skateboard, wheelchair or by other non-motorized means.
- D. Motorized Vehicle:** Any motorized conveyance including, but not limited to cars, trucks, motorcycles, tractors, farm machinery, golf carts, mopeds with an independent power source, motorized scooters, snowmobiles or all terrain vehicles. This shall not include motorized wheelchairs or other devices that are necessary to facilitate movement due to a disability.
- E. Pedestrian:** Any person on foot or any person in a manually or mechanically propelled wheelchair or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person. 61-8-102

8-12-4: Applicable Trails.

A. Existing Trails: These regulations apply for existing trails identified as:

1. Airport Trail and McGillan Trail Connector.
2. Rock Creek Trail in the Area of Coal Miner's Park and the Yellowstone Wildlife Sanctuary.
3. Highway 212 Paved Trail from Third Street to Beartooth Lane.
4. Highway 78 Paved Trail from Lazy M Street to Willow Creek Road.

B. Future Trails: Trails developed in the future on public rights-of-way identified by the Red Lodge Parks Board shall be subject to use regulations developed by the Red Lodge Parks Board and confirmed by the Council.

8-12-5: Regulations For The Use Of Applicable Trails.

1. No person, other than authorized maintenance and public safety officials including those authorized by the Public Works Director to plow snow, water plants or sweep along a trail, shall operate any motorized vehicle, as defined in 8-12-3-D, on any applicable trail as defined in 8-12-4.
2. Pets shall be kept on leashes. All animal refuse, with the exception of horse refuse on the Airport Trail and McGillan Trail Connector, shall be placed in designated trash receptacles.
3. No person shall disturb flora or fauna along a trail.

4. No person shall park a vehicle, except as stated in 8-12-5-1, place any object or pile snow on any portion of a trail.
5. Eligible users for all trails include persons traveling by foot, bicycle, horse, ski, in-line skate, roller blade, skateboard, wheelchair or by other non-motorized means. Horses are permitted only on the Airport Trail and McGillan Trail Connector.
6. All users should keep to the right side of the trail, except when passing, and allow faster trail users to pass safely.
7. Bicyclists and skaters must yield to pedestrians.
8. The consumption of alcoholic beverages on any trail is prohibited.
9. Throwing or depositing any glass, cans, garbage, waste or refuse of any kind on any trail or the lands adjacent thereto is unlawful. All trash or litter shall be placed in designated trash receptacles.
10. Special, organized events on any trail shall be subject to the approval by the City under Title 8, Chapter 8.

8-12-6: Penalties.

Any person violating any provision of this Title and Chapter shall, upon complaint and conviction thereof, be guilty of a misdemeanor, and be punished by a fine not to exceed two hundred fifty dollars (\$250.00). The penalty under this section is in addition to the City's recovery of contracted costs.

Effective Date:

This Ordinance shall be effective 30 days after approval of a second reading by the Red Lodge City Council.

Be it ordained by the Council members of the City of Red Lodge.

First reading by the Council on the _____ day of _____ 2016.

Second reading by the Council on the _____ day of _____ 2016.

PASSED AND APPROVED BY NO LESS THAN FOUR MEMBERS OF THE RED LODGE CITY COUNCIL THIS _____ day of _____ 2016.

The City of Red Lodge

By: _____
Ed Williams, Mayor

Attest: _____
Loni Hanson, City Clerk