

ORDINANCE NO.: 4869

AN ORDINANCE to amend Section 34-68, to create Section 2-2(24) and to create Section 44-200 of the Code of Ordinances of the City of La Crosse regarding the operation of electric personal assistive mobility devices or Segways.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 34-68 is hereby amended to read as follows:

Sec. 34-68. - Use of off-the-road vehicles, electric personal assistive mobility devices, motorcycles, trail bikes or mountain bikes prohibited.

(a) Off-the-road vehicles, motorcycles, trail bikes or mountain bikes. No person shall operate any off-the-road vehicle, motorcycle, trail bike, all-terrain vehicle, truck or other motorized vehicle in any park, playground, boulevard, or other public ground where pathways or trails have been developed and/or designated for walking, hiking, jogging, running, cross-country skiing, sledding or other pedestrian use. No person(s) shall operate any trail bike, mountain bike or bicycle on any trail utilized by pedestrians or on any undeveloped land in Hixon Forest. Any trail designated for use by any trail bike, mountain bike or bicycle shall have appropriate signage allowing such use. All motorized vehicles are limited to use of roadways specifically for their use and according to other restrictions in this Code.

(b) Electric personal assistive mobility devices (EPAMD).

- (1) An Electric Personal Assistive Mobile Device (EPAMD) has the same definition as Wis. Stat. § 340.01(15pm).
- (2) Prohibitions.
 - a. No person shall operate an EPAMD on any sidewalk on the following locations: Riverside Park International Gardens and Granddad's Park.
 - b. No person shall operate an EPAMD on any bicycle path at the following locations Upper Hixon Forest and Lower Hixon Forest parks and Forest Hills Golf Course.
 - c. No person shall operate an EPAMD on any pedestrian path at the following locations Grandads Mezzanine, Riverside Park levee and Riverside Park boardwalk.
 - d. No person shall operate an EPAMD on any city owned Stewardship property under Department of Natural Resources contract or Mississippi Valley Conservancy easement
 - e. No person shall operate an EPAMD on fishing pier or boat dock.

- f. No person shall operate an EPAMD on park property under a rental agreement or lease agreement.
- g. No person shall operate an EPAMD on any play field, open grass area or sports field on any property under the jurisdiction of the Board of Park Commissioners
- (3) The prohibitions in Sections 34-68(b)(2) shall not apply to persons using an EPAMD due to a disability in accordance with the Americans with Disabilities Act.

SECTION III: Section 44-200 is hereby created to read as follows:

44-200 Electric personal assistive mobility devices (EPAMD).

- (a) An Electric Personal Assistive Mobile Device (EPAMD) hereinafter referred to as EPAMD has the same meaning as Wis. Stat. § 340.01(15pm).
- (b) It shall be unlawful for an owner of an EPAMD to allow another person to use the EPAMD in consideration of anything of value without procuring and maintaining insurance coverage as provided in Section 2-2(24) of this Code.
- (c) Violations of this section are a Class B offense as provided in Section 1-7.

SECTION III: Section 2-2(24) is hereby created to read as follows:

- (24) An owner of an Electric Personal Assistive Mobile Device (EPAMD) who allows another person to use the EPAMD in consideration of anything of value shall procure and maintain at all times during the use insurance coverage not less than the following: (1) general liability insurance of two million dollars (\$2,000,000.00) per occurrence for bodily injury, personal injury and property damage. The City, its elected and appointed officials, officers, employees, authorized representatives and volunteers are to be given additional insured status. Each insurance policy shall state, or be endorsed to state, that coverage shall not be cancelled by the insurance carrier, except after 30 days (10 days for non-payment) prior written notice to the City. The owner shall provide proof of insurance to the City Clerk on or before January 1 on an annual basis.

SECTION IV: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION V: This ordinance shall take effect and be in force from and after its passage and publication.

/s/
Timothy Kabat, Mayor

 /s/
Teri Lehrke, City Clerk

Passed: 5/14/15
Approved: 5/18/15
Published: ~~5/23/15~~ 5/24/15