

Greenway Technical Committee (GTC) meeting
10 AM - Tuesday, July 19, 2022
Icon Sports Center, 1060 47th Ave South, Blue Line Club Meeting room
Grand Forks, ND
Meeting Notes

Reid Huttunen, chair
Catherine Johnson, MN DNR
Matt Aarivig, City of GF

Chad Cutshaw, GF Fire
Kim Greendahl, City of GF
Theresa Flitter, City of GF

I. Old Business

- A. Motorized vehicles on trails:** This is an ongoing problem for the entire greenway on both sides of the river. At their working group meeting last week, the EGF City Council discussed detaining the vehicle and making the owner, usually a parent, pay a fee for the release of the vehicle. This discussion was initiated because of complaints from residents about people, typically minors, speeding down roads when driving special-use vehicles. The current city ordinance doesn't allow for these vehicles to be operated by someone who does not have a valid driver's license and is younger than 16. Detaining the vehicle would allow law enforcement to educate the parent and rider about the rules for ATV and UTV use.

The current East Grand Forks city code states that ATVs and golf carts are only supposed to be on the road for specific reasons. The intent was to allow these vehicles on the street to carry out specific work, such as lawn care and construction. That has not been the case for most of the traffic.

A public education campaign might help get ahead of the problem. Kim will work with staff to draft some public service announcements on the topic.

II. New Business

- A. Update on fishing access/docks & platforms:** The high water through spring and June made installing the docks hard. The EGF downtown dock has been installed. The river needs to be at 19' or lower to access the inground bolts to anchor the dock. That is about the same for GF. The dock on the Red Lake River was installed a while back but went underwater when the river came up again. The north boat ramp in GF was installed earlier but has had to be moved back and forth several times to accommodate changing river levels.
- B. Invasive species:** The work to remove the cucumber vines in downtown EGF and Lincoln Drive Park in GF seems to have paid off. There are a few small patches of vines in the work areas, but most did not come back this season. Leafy spurge is starting to bloom but both cities have been spraying to keep it from spreading.

III. Bicycle, Pedestrian & Greenway, Advisory Group update

- A.** The group will be meeting on Tuesday beginning in August. Stephanie Halford has taken the MPO Executive Director job and will no longer be chairing the group. Kim will resume those duties.

IV. Other

- A. **Sinkholes:** Kim is working with the engineering department to repair and fill sinkholes created by stormwater pipes separating. EGF has a similar issue with a sinkhole that was probably related to an old fire hydrant.
- B. **Lemonade stand request:** Kim received a request from a parent looking to erect a lemonade stand near Lincoln Drive Park. No ordinance addresses food sales to the public, but the Public Health Department enforces that. There is no existing ordinance that specifically addresses this issue. Kim approved the stand with the caveats that the seller does not physically detain people using the greenway and that all related refuse be removed from the area.
- C. **Fishing area near Desiree Drive in GF – Kim**
- D. **Snowmobile club:** Two representatives from the Red River Snowmobile Club have contacted Kim. They want to build a better relationship with the governing agencies and be more team-oriented. They would like to start discussions with the new board of directors who takes over in September. Kim will encourage them to participate in the Bicycle, Pedestrian and Greenway Advisory group so they can meet other greenway users.

V. Agency updates

- A. **City of EGF:** Cats Incredible fishing tournament is next weekend, so staff is trying to get the area around the boat ramp prepared. The annual motorcycle ride is next month.
- B. **GF Park District:** Both dog parks are open again after closing for spring flooding. The berm outside the fenced area has been seeded. Wood chips were added to the dirt areas inside the fence. There was no damage to the fence during the spring flooding. Riverside Pool is open, with operations like 2021. Rick Ziegelmann retired in June, and Steve Hell will take his place.
- C. **City of GF:** None.
- D. **Minnesota DNR:** Staff has encountered several unpaid campsites in the wooded areas. They have been referring these campers to the Northlands Rescue Mission for assistance. Campership is up now that it is easier for Canadians to get through the border crossing station.
- E. **Other agencies:**
 - i. **GF Street Department:** Some of the slats in the park benches need to be replaced but parts may not be available. Most of the benches are 25 years old now. EGF would like to discuss buying metal benches instead of the current recycled plastic slats style. *New bench styles will be on a future agenda. The "Dam Warning" sign has been reinstalled near Riverside Dam.
 - ii. **GF Fire:** There seems to be more calls to the river than usual. Several people have jumped in the river this season, either to escape law enforcement or try to do themselves harm.

VI. **Next meeting date:** Greenway Technical Committee 9 AM Tuesday, September 20, Icon Sport Center, 1060 47th Ave South, Blue Line Club meeting room.

Support documents: GF ordinance 8-1201. - Use of recreational motor vehicles

EGF ordinance 71.04 Recreational Motor Vehicle Regulations
EGF ordinances Chapter 77 – Special Use Vehicles
Greenway policy on Other Power-Driven Mobility Devices dated March 2013

City of Grand Forks

ARTICLE 12. - RECREATIONAL MOTOR VEHICLES; MOTORIZED BICYCLES

8-1201. - Use of recreational motor vehicles.

It shall be unlawful for any person to operate a recreational motor vehicle, except as otherwise provided by this article, within the corporate limits of the City of Grand Forks, as follows:

- (1) On the private property of another without lawful authority or consent of the owner or the occupant, express or implied.
- (2) On public sidewalks, walkways or trails provided or used for pedestrian travel.
- (3) On or across any publicly owned lands, including but not limited to dikes, levees, parks, ice skating rinks, school grounds, recreational areas and playgrounds, unless a permit has been obtained from the proper public authorities, or unless such areas have been specifically designated for such use, nor shall such vehicles park on such areas unless a permit has been obtained from the proper public authorities.
- (4) At any place while under the influence of intoxicating liquor or narcotics or habit forming drugs in violation of section 8-0202.
- (5) In such a manner as to create or cause unnecessary engine noise or tire squeal, or that causes the tires to spin or slide upon the acceleration or stopping of said vehicle, or that causes the vehicle to unnecessarily turn abruptly or sway from side to side, or to operate said vehicle in such a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
- (6) In any cemetery.
- (7) On any golf course, with the exception of any vehicle authorized by the park board.
- (8) In any planting or tree nursery in a manner which damages or destroys growing stock.
- (9) Unless equipped with a standard muffler or mufflers which are properly attached and which reduce the noise of operation of such vehicle to a noise level which shall not be a disturbance to residents of the area of operation and no person shall use a muffler cut-out, by-pass or similar device on said vehicle.
- (10) The provisions of this section shall not apply to the use of any recreational motor vehicle by, or at the direction of, a law enforcement agency.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3833, § I, 1-3-2000)

8-1202. - Use of other motor vehicles.

It shall be unlawful for any person to operate any other motor vehicle in violation of the provisions of section 8-1201.

(Ord. No. 3557, § 6, 1-2-96)

8-1203. - Snowmobile; routes, restrictions and regulations.

- (1) The use of snowmobiles within the corporate limits of the City of Grand Forks on officially designated routes shall be allowed from December 1 through April 1. At all other times the use of snowmobiles

City of Grand Forks

within the corporate limits is prohibited unless otherwise provided by law. The chief of police may alter or suspend the use of the officially designated routes due to weather or other conditions that temporarily cause the officially designated routes to be impassable or impracticable to snowmobile traffic.

- (2) The officially designated routes for use of snowmobiles within the corporate limits of the City of Grand Forks shall be determined by the chief of police annually.
- (3) By public proclamation, the mayor may suspend, in whole or in part, the restrictions of this section if, in the judgment of the mayor, emergency weather conditions make the use of other means of transportation impractical or hazardous. The proclamation shall be communicated in the manner most practical under the circumstances including broadcasting on television and radio, and shall be for a period of time not to exceed seventy-two (72) hours.
- (4) No person shall operate a snowmobile within the corporate limits of the city between the hours of 11:00 p.m. and 8:00 a.m.
- (5) All persons operating a snowmobile upon officially designated routes shall operate such snowmobile as follows:
 - (A) A snowmobile may make a direct crossing of a street or highway provided:
 1. The crossing is made at an angle approximately ninety (90) degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing;
 2. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way of the highway;
 3. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard; and
 4. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway;
 5. Any person operating a snowmobile must comply with all traffic control devices, signals and/or signs.
 - (B) It is unlawful for any person to drive or operate any snowmobile in the following ways which are declared to be unsafe and a public nuisance:
 1. At a rate of speed in excess of fifteen (15) miles per hour;
 2. In a careless, reckless, or negligent manner so as to endanger the person or property of another or to cause injury or damage to such person or property;
 3. While under the influence of intoxicating liquor or a controlled substance;
 4. Without a manufacturer-installed or equivalent muffler in good working order and connected to the snowmobile exhaust system; and
 5. Other than in single file along officially designated routes.
 - (C) It is unlawful for any person to operate a snowmobile on private property without the express permission of the owner of such property.
 - (D) No snowmobile may be operated on publicly owned land, including school property, park property, playgrounds, recreation areas, and flood control dikes unless otherwise specifically designated.
 - (E) No snowmobile may be operated at any time along officially designated routes or along any right of way of any highway while towing a sled, skid, or other vehicle, unless the sled, skid, or other vehicle is connected to the snowmobile by a hinged swivel and secure hitch.

City of Grand Forks

(F) Any person operating a snowmobile upon officially designated routes shall yield to any pedestrians, snow removal equipment, salt and sand equipment, or trail groomers.

- (6) Except as provided by Section 39-24-04 of the North Dakota Century Code, no person may operate any snowmobile within the corporate limits of the city unless the snowmobile has been duly registered and signed a registration number by the state in which the owner resides. The registration number must be at least two (2) inches (5.08 centimeters) in height and of a reflectorized material, and must be securely affixed on each side of the forward half of the snowmobile in such position as to provide clear legibility for identification.

(Ord. No. 3557, § 6, 1-2-96; Ord. No. 3562, § 1, 2-5-96; Ord. No. 3923, § I, 5-6-02)

8-1204. - Qualifications of operator-motorized bicycle.

No person shall operate a motorized bicycle within the City of Grand Forks unless such person is a holder of a valid North Dakota driver's license or a holder of a permit to operate a motorized bicycle pursuant to Section 39-06-14 of the North Dakota Century Code.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1205. - Traffic laws applicable to motorized bicycle operator.

- (1) Every person operating a motorized bicycle shall be granted all the rights and shall be subject to all of the traffic regulations applicable to the driver of any motor vehicle and special regulations as set forth in this chapter and the North Dakota Century Code.
- (2) Motorized bicycles shall not be operated on sidewalks and/or bike paths.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1206. - Riding on motorized bicycles.

A person operating a motorized bicycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any person nor shall any other person ride on a motorized bicycle unless such motorized bicycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the motorized bicycle at the rear of the operator.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1207. - Footrests required.

- (1) Any motorized bicycle carrying a passenger shall be equipped with footrests for such passenger.
- (2) A person shall ride upon a motorized bicycle only while sitting astride the seat facing forward, with one (1) leg on each side of the motorized bicycle.
- (3) No person shall operate a motorized bicycle while carrying any package, bundle, or other article, which prevents the operator from keeping both hands on the handlebars.
- (4) No person shall ride a motorized bicycle more than two (2) abreast in a single traffic lane.

City of Grand Forks

- (5) No person riding upon a motorized bicycle shall attach himself or herself to another motorized bicycle or a motor vehicle.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1208. - Lamp and equipment required.

- (1) Every motorized bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet (one hundred fifty-two and four tenths (152.4) meters) to the front and with a lamp emitting a red light visible from a distance of five hundred (500) feet (one hundred fifty-two and four tenths (152.4) meters) to the rear.
- (2) Every motorized bicycle shall be equipped with brakes which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1209. - Helmets required.

No person under the age of eighteen (18) years shall operate or ride upon a motorized bicycle unless protective headgear, which complies with standards for protective headgear required of motorcycle riders established by the motor vehicle department of the State of North Dakota, is being worn on the head of the operator and rider, except when participating in a lawful parade. If the operator of the motorized bicycle is required to wear protective headgear, any passenger must also wear protective headgear regardless of the age of the passenger.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1210. - License required.

No person shall ride upon any street, alley, or public place, in the corporate city limits unless the motorized bicycle shall be licensed and registered as required by state law.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1211. - Permitting unauthorized person to drive.

It shall be unlawful for any parent, guardian, or other person having legal custody of any minor child to allow or permit such child to operate a motorized bicycle within the City of Grand Forks unless such child shall be holder of a valid North Dakota driver's license or the holder of a valid permit to operate a motorized bicycle pursuant to Section 39-06-14 of the North Dakota Century Code.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

§ 71.03 EXHIBITION DRIVING.

(A) *Prima facie evidence.* It is prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause tires to squeal, gears to grind, soil to be thrown, engine backfire, fishtailing or skidding, or, as to 2-wheeled or 3-wheeled motor vehicles, the front wheel to lose contact with the ground or roadway surface.

(B) *Unlawful act.* It is unlawful for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property; provided, that this section shall not apply to driving on a racetrack. For purposes of this section, a **RACETRACK** means any track or premises whereon motorized vehicles, horses, dogs, or other animals or fowl legally compete in a race or timed contest for an audience, the members of which have directly or indirectly paid a consideration for admission. (1981 Code, § 7.09) (Ord. 7, 3rd Series, eff. 6-6-1981) Penalty, see § 70.99

§ 71.04 RECREATIONAL MOTOR VEHICLE REGULATIONS.

(A) *Definition of recreational motor vehicle.* A **RECREATIONAL MOTOR VEHICLE** is any self-propelled vehicle and any vehicle drawn, pushed or otherwise propelled by a self-propelled vehicle and designed for use for recreational purposes, including, but not limited to, motorcycles, motor scooters, trail bikes, other all terrain vehicles, 4-wheel drive motor vehicles, or any other motor vehicle licensed or unlicensed and used for recreational purposes. Snowmobiles being the subject of regulation pursuant to Ch. 73 are specifically excluded from the provisions of this section.

(B) *Use of recreational motor vehicles.* It is a misdemeanor for any person to operate a recreational motor vehicle as follows:

(1) On the private property of another without lawful authority or consent of the owner or occupant, express or implied;

(2) On public sidewalks, walkways or trails provided or used for pedestrian travel;

(3) On or across any publicly-owned lands, including but not limited to dikes, levees, parks, ice skating rinks, school grounds, recreation areas and playgrounds, unless a permit has been obtained from the proper public authorities, or unless such areas have been specially designated for such use, nor shall the vehicles park on the areas unless a permit has been obtained from the proper public authorities;

(4) At any place while under the influence of intoxicating liquor or narcotics or habit forming drugs;

(5) In such a manner as to create or cause unnecessary engine noise or tire squeal or causes the tires to spin or slide upon the acceleration or stopping of the vehicle or that causes the vehicle to unnecessarily turn abruptly or sway from side to side, or to operate the vehicle in such a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;

(6) In any cemetery;

(7) In any golf course;

(8) In any planting or tree nursery in a manner which damages or destroys growing stock;

(9) Unless equipped with a standard muffler or mufflers which are properly attached and which reduce the noise of operation of the vehicle to a noise level which shall not be a disturbance to residences of the area of operation, and no person shall use a muffler cut out, by pass or similar device on the vehicle.

(C) *Definition of other motor vehicles.* **OTHER MOTOR VEHICLES** are any self-propelled vehicles not included in the definition in division (A) of this section, except devices moved by human power or used exclusively upon stationary rails or tracks.

(D) *Use of other motor vehicles.* It is a misdemeanor for any person to operate any other motor vehicle in violation of the provisions of subsections (B)(1), (2), (3), (6), (7), or (8). (1981 Code, § 7.10) (Ord. 127, 2nd Series, eff. 7-17-1976) Penalty, see § 70.99

§ 71.05 U-TURNS.

It is unlawful for any person to operate a motor vehicle by turning so as to proceed in the opposite direction upon any street except at a street intersection, and then only if the street intersection is not sign posted prohibiting a U-turn or otherwise controlled by a traffic signal, provided, that any person making a permitted U-turn shall yield the right-of-way to all other vehicles. (1981 Code, § 7.11) Penalty, see § 70.99

§ 71.06 LEFT TURNS PROHIBITED.

The Chief of Police may, in his or her discretion, and with the consent of the Council, prohibit left turns entirely, or during specified hours, at certain intersections. It is unlawful for any person to make a left turn at any intersection sign posted prohibiting the same, or make a left turn during the hours of such sign posted prohibition. (1981 Code, § 7.12) (Ord. 7, 3rd Series, eff. 6-6-1981) Penalty, see § 70.99

CHAPTER 77: SPECIAL USE VEHICLES

Section

- 77.01 Definitions
- 77.02 Operation
- 77.03 Permits
- 77.04 Application
- 77.05 Permit fee
- 77.06 Term of permit
- 77.07 Condition of permit
- 77.08 Permit issuance and display and vehicle marking
- 77.09 Insurance required
- 77.10 Mechanical condition
- 77.11 Occupants
- 77.12 Times and operation
- 77.13 Application of traffic laws
- 77.14 Slow moving vehicle emblem
- 77.15 Required equipment
- 77.16 Suspension and revocation of permits

- 77.99 Penalty

§ 77.01 DEFINITIONS.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DRIVER. The person driving and having physical control over the motorized golf cart and being the permit holder.

SPECIAL USE VEHICLE. Any motorized golf cart for passenger conveyance being driven with 4 wheels with four 4 low pressure tires that is limited in engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds.
(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.02 OPERATION.

The operation of a special use vehicle by permit is hereby authorized on the roadways of all streets within the City of East Grand Forks, except on federal or state trunk highways except to cross at designated intersections and are totally prohibited from operation on Central Avenue, Demers Avenue, Gateway Drive (Highway 2), Business Highway 2, Highway 220 and are totally prohibited from entering or crossing the intersection of Highway 2 and Highway 220 North in the City of East Grand Forks for public safety reasons. It is unlawful for any person to operate a special use vehicle on streets in the city without first obtaining a permit as provided herein. Persons who obtain a permit as required below are the persons authorized to operate a special use vehicle on designated roadways or portions thereof within the city.

(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.03 PERMITS.

Authorization to operate a special use vehicle on city streets is by permit only. Permits shall be issued by the Police Chief only to physically disabled persons, as defined in M.S. § 169.345, who have supplied the information required by § 77.04.

(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.04 APPLICATION.

(A) Every application for a permit shall be made on a form supplied by the city and shall contain the following information:

- (1) The name and address of the applicant;
- (2) Make, model name, year and serial number of the special use vehicle;
- (3) Current driver's license or reason for not having a current license;
- (4) Such other information as the city may require.

(B) In addition, each permit application, whether for an initial permit or a renewal, shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a special use vehicle on the roadway or streets designated in the permit application and should be granted a permit based upon mobility impairments.

(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.05 PERMIT FEE.

An annual permit fee shall be establishing from time to time by resolution of the City Council. The permit fee shall be \$10 unless adjusted by resolution by the East Grand Forks City Council.
(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.06 TERM OF PERMIT.

Permits shall be granted for a period of 1 year and may be renewed annually, January 1, to December 31.
(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.07 CONDITION OF PERMIT.

No permit shall be granted or renewed unless the following conditions are met:

(A) The applicant must demonstrate that they currently hold a valid driver's license or have a certificate signed by a physician stating that the applicant doctor's order verifying that they are capable to safely operate a motorized golf cart.

(B) The applicant must provide evidence of insurance in compliance with the provision of Minnesota Statutes concerning insurance coverage for a motorized golf cart.

(C) The applicant has not had his/her driver's license revoked as a result of criminal proceedings.

(D) If the applicant has provided a certificate as indicated in division (A) of this section then the applicant must have successfully passed a driving test to the satisfaction of the East Grand Forks Police Department.

(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.08 PERMIT ISSUANCE AND DISPLAY AND VEHICLE MARKING.

All permits shall be issued for a specific special use vehicle and individual, except as otherwise herein provided permit tags, including number and year for which issued, shall be plainly visible from the front and back of the special use vehicle.

(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.09 INSURANCE REQUIRED.

Before a special use vehicle permit is issued by the city, and at all times effective during such permit period, the permit holder shall have and maintain public liability and bodily injury insurance in the amount established by Minnesota Statutes.

(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.10 MECHANICAL CONDITION.

The special use vehicle must be in good mechanical condition and thoroughly safe for transportation of passengers.

(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.11 OCCUPANTS.

The number of occupants in the special use vehicle may not exceed the design occupant load.

(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.12 TIMES AND OPERATION.

Special use vehicles may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet. Additionally, they may only be operated between April 15 and October 31 each year.

(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.13 APPLICATION OF TRAFFIC LAWS.

Every person operating a special use vehicle under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of any ordinance of the city or M.S. Chapter 169, except when these provisions cannot reasonably be applied to special use vehicles and except as otherwise specifically provided in M.S. § 169.045, Subd 7.

(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.14 SLOW MOVING VEHICLE EMBLEM.

Special use vehicles shall display the slow moving vehicle emblem provided for in M.S. § 169.522 when operated on designated roadways.
(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.15 REQUIRED EQUIPMENT.

Special use vehicles shall be equipped with a rear view mirror to provide the driver with adequate vision from behind and the following equipment:

- (A) Head lights;
- (B) Tail lights;
- (C) Brake lights;
- (D) Turn signals;
- (E) Seatbelts; and
- (F) Horn.

(Ord. 301, 3rd Series, passed 8-21-2007) Penalty, see § 77.99

§ 77.16 SUSPENSION OR REVOCATION OF PERMITS.

A permit may be revoked or modified at any time by the Police Chief if there is evidence that the permit holder cannot safely operate a motorized golf cart on the roadway of streets within the city or upon a finding that the holder thereof has violated any statutory provisions of this chapter or M.S. Chapter 169.

(Ord. 301, 3rd Series, passed 8-21-2007)

§ 77.99 PENALTY.

In addition to the revocation or suspension of the permit, any person violating any of the provisions of this chapter shall be guilty of a petty misdemeanor.

(Ord. 301, 3rd Series, passed 8-21-2007)

Mobility Device Policy

In accordance with the US Department of Justice (DOJ), Americans with Disabilities Act (ADA), revised regulations for Titles II and III, the 2010 ADA Standards for Accessible Design of 15 November, 2010, the cities of Grand Forks and East Grand Forks adopt the following policies concerning individuals with mobility impairments.

To accommodate mobility disabled persons, wheelchairs and similar devices built specifically for mobility disabilities are allowed.

Other Power-Driven Mobility Devices (OPDMD), not specifically designed for disabilities may be used on the trail, provided the device is no more than 36" wide, Internal combustion devices including, but not limited to, all-terrain vehicles (ATV), golf carts or dirt bikes are not allowed except on trails designated for that purpose.

Rationale for Policy:

The paved trail system throughout Greater Grand Forks is designed and constructed primarily for bicycling, walking, inline skating and skateboard related activities. The popularity of the Greenway trail is verified by the heavy volume of local and regional visitors using the trail on a regular basis. The Greenway provides a valuable connection for trails throughout the community, increasing access and connectivity throughout the two communities. It is the goal of this policy to provide persons with mobility disabilities the ability the opportunity to experience what others have found to be an exceptional asset to the two communities.

The staff of the managing agencies of the Greenway Technical Committee developed the OPDMD policy based on the following criteria supplied by the Department of Justice:

- I. The type, size, weight, dimensions, and speed of the device;
 - a. Rationale: With the exception of the trails located within the Greenway, most trails are eight (8) feet wide. This width makes it difficult for users to pass safely on foot or bicycle. Allowing OPDMD greater than 36" wide would compound that problem. Driving off the trail for passing raised concerns for tipping from ridges between the trail and ground.
- II. The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
 - a. Rationale: Trail usage has been increasing, especially within the Greenway, and the flow of traffic at peak times has made trail navigation between users difficult. Adding OPDMD over 36" increases the potential for navigation issues.
- III. The design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user)
 - a. Not applicable.
- IV. Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility
 - a. Rationale: See items i and ii.
- V. Whether the use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

Validation of Mobility Disability:

Persons with a mobility disability may show a valid, State-issued, disability parking placard or card, or other State-issued proof of disability that has been issued to them, or they may state that they are using the mobility device due to a mobility disability. Representatives of the Cities of Grand Forks and East Grand Forks law enforcement may not ask about the nature and extent of the individual's disability.

Department of Justice ADA regulations also add that the claim of a mobility disability must be considered valid as long as it is not contradicted by observable fact.

Questions concerning this policy should be directed to 701-738-8746.