

ORDINANCE NO 2022-1168

AN ORDINANCE OF THE CITY OF WISNER, NEBRASKA; PROHIBITING THE USE OF MOTORIZED VEHICLES ON, AND ESTABLISHING OTHER REGULATIONS FOR THE USE OF, THE DONALD E. NIELSEN LOOP AND LOUIS AND ABBY FAYE DINKLAGE TRAIL AND OTHER TRAILS; PROVIDING A PENALTY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WISNER, NEBRASKA:

“ARTICLE I. CITY RECREATION TRAILS”

SECTION 1. PURPOSE. The purpose of this article is to provide for the use of City Recreation Trails in such manner and such a means as will maximize their use and enjoyment by the public, while conserving the scenery, natural and historical objects and wildlife therein.

SECTION 2. DEFINITIONS. The following words or terms as used in this article shall have the meanings given to them in this section.

“At large” means not under the control of a person either by leash, cord, or chain.

“Trail” means any City trail constructed for travel and designated as a City Trail, including, but not limited to, the “Donald E. Nielsen Loop and Louis and Abby Faye Dinklage Trail.”

“Motorized vehicle” means any motorized conveyance including, but not limited to: cars, trucks, motorcycles, tractors, farm machinery, four by four’s, golf carts, snowmobiles, minibikes, dune buggies, UTV’s, or ATV’s. This definition shall not include motorized wheelchairs, electric-assist bicycles, vehicles operated by city employees who are assigned to work on such trails, or police or fire vehicles operated by city employees.

“Non-motorized vehicles” means any non-motorized conveyance including: bicycles, unicycles, roller blades, roller skates, wheelchairs, wagons, and bicycle trailers. This definition shall include motorized wheelchairs and electric-assist bicycles.

SECTION 3. ANIMALS. Pets shall be permitted on the trail. It shall be unlawful for any person to allow or permit any dog or other pet to run at large upon any trail. Such pets shall not be permitted to deprive or disrupt the enjoyment or use of any trail by another person. Pet owners are responsible for cleaning up any droppings left by their pet on any trail.

It shall be unlawful for any person to drive, ride, or lead any horse upon a trail.

SECTION 4. TRAFFIC CONTROL.

(a) Trail signs shall be obeyed by all trail users.

(b) When on a trail, all trail users must stay on the right half of the trail when meeting or being passed by another trail user. Roller skaters who use poles must have a protective tip on the pole that will not penetrate the trail surface.

(c) It shall be unlawful for any person to use or operate any motorized vehicle upon a trail. It shall be unlawful for any person to operate any non-motorized vehicle upon a trail carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any property or any person, including the driver.

(d) Any person who shall violate the provisions of Sections Three (3) and Four (4) shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed five hundred dollars (\$500.00).

SECTION 5. REPEAL OF ORDINANCES. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect and be in full force from and after its passage approval and publication in pamphlet form as required by law. Ordinance No. 2022-1168 shall be maintained in the permanent records of the City of Wisner.

PASSED AND APPROVED this 16th day of May, 2022.

Mayor

ATTEST:

City Clerk/Treasurer

(SEAL)