

COUNCIL ACTION FORM

SUBJECT: ELIMINATING PROHIBITION ON BIKE RIDING ON HARD-SURFACED PATHWAYS IN BROOKSIDE PARK

BACKGROUND:

At the March 27, 2018, City Council meeting, City staff provided a list of ordinances that would need temporary modification to accommodate the arrival of the RAGBRAI bike ride on July 24. In reviewing the *Municipal Code*, staff discovered a section (Sec. 19.12) that among other areas prohibits the riding of bicycles on the hard-surfaced paths of Brookside Park. Brookside Park is a proposed campground area for RAGBRAI.

As staff reviewed this existing ordinance, it was not entirely clear why such a prohibition was in effect for these hard surfaced pathways in Brookside Park. It does not appear that this section has been enforced for some time, nor is this ban well-known to the public. Staff surmises that the ban on bike riding on these paths was put into effect when there was no wide shared-use path paved in the park. City staff cannot identify a rationale for continuing to prohibit bicycle riding on these particular paved trails. **The City Council has, therefore, directed that an ordinance be prepared to permanently remove the hard-surfaced paths in Brookside Park from the list of locations where bicycle riding is prohibited.**

The existing Code section also prohibits bike riding in Munn Woods, East River Valley Park, and on the Audubon Trail in Brookside Park (an unpaved trail through forested portions of Brookside Park). These prohibitions would remain in effect under the proposed ordinance change. Because Brookside Park is on property leased from Iowa State University, City staff has consulted with ISU regarding this proposed change, and ISU has indicated its approval.

It should be noted that the Mayor and City Council plan to host a community bike ride on May 12. A portion of that route involves riding bicycles through Brookside Park. Because a permanent ordinance change to allow bicycle riding on these paths in Brookside Park will require three readings (and would, therefore, not be in effect until sometime in June), **staff is also requesting that the City Council suspend enforcement of this ordinance with respect only to the hard surfaced paths in Brookside Park beginning May 9th.**

ALTERNATIVES:

1. a. Approve first reading of the attached ordinance to remove the hard surfaced pathways of Brookside Park from the list of locations where bicycling is prohibited under Sec. 19.12 of *Municipal Code*
- b. Suspend enforcement of Sec. 19.12 with respect only to the hard surfaced pathways in Brookside Park effective May 9, 2018.
2. Do not approve a permanent ordinance change, and direct staff to plan an alternative route for the Mayor and Council's Bike Ride on May 12th.

CITY MANAGER'S RECOMMENDED ACTION:

It appears the existing prohibition on bike riding on these particular paved trails in Brookside Park is a remnant from prior to them being paved. It does not appear that removing this prohibition will have a detrimental effect to the park. These trails are a valuable recreational and transportation amenity to bicycle riders in the community.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative # 1a and 1b as described above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING CHAPTER 19, SECTION 19.12 THEREOF, FOR THE PURPOSE OF PROHIBITING BIKE RIDING IN CERTAIN PARKS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Chapter 19, Section 19.12 as follows:

**“CHAPTER 19
PARKS AND RECREATION**

...

Sec. 19.12. BIKE RIDING PROHIBITED IN CERTAIN PARKS.

Bike riding is prohibited in Munn Woods; East River Valley Park; and in Brookside Park on the Audubon Trail. See also 19.14.
(*Ord. No. 3439, Sec. 1, 9-9-97*)

...”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor