

ORDINANCE 2135

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ANKENY, IOWA, BY AMENDING PROVISIONS PERTAINING TO MULTI-USE RECREATIONAL TRAILS

BE IT ENACTED by the City Council of the City of Ankeny, Iowa:

SECTION 1. SECTION MODIFIED: That Section 82.02 PERMITTED USES of the Code of Ordinances of the City of Ankeny, Iowa, is repealed and the following adopted in lieu thereof:

82.02 PERMITTED USES. Except as otherwise provided, the following uses are permitted on multi-use recreational trails:

1. Persons walking, jogging or running;
2. Persons utilizing or operating a non-motorized device, such as a bicycle, skateboard, inline skates or wheelchair;
3. Persons utilizing or operating a device as defined and allowed in Chapter 76 of the Code of Ordinances, such as a low-speed electric bicycle, electric scooter, or personal transportation device;
4. Persons with mobility disabilities using manually operated or power-driven wheelchairs and manually powered mobility aids for the purpose of locomotion;
5. Persons with mobility disabilities using an other power-driven mobility device for the purpose of locomotion, as provided in 28 CFR 35;
6. Official emergency vehicles and authorized maintenance vehicles as necessary to perform the duties of the operator.

SECTION 2. SECTION MODIFIED: That Section 82.03 USES NOT PERMITTED of the Code of Ordinances of the City of Ankeny, Iowa, is repealed and the following adopted in lieu thereof:

82.03 USES NOT PERMITTED. Except as otherwise provided, the following uses are not permitted on multi-use recreational trails:

1. Motorized vehicles, except where the trail utilizes an existing road, street or highway or specifically defined or allowed otherwise in Chapter 76 of this Code of Ordinances;
2. Equestrian uses;
3. Skateboards are not permitted on the portions of trails that utilize an existing road, street or highway.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED at Ankeny, Iowa, this 20th day of March, 2023.

Mark E. Holm, Mayor

ATTEST:

Michelle Yuska, City Clerk

**PUBLISHED IN THE
DES MOINES REGISTER
ON THE 24TH DAY OF MARCH, 2023**

**1st Con 2/20/23
2nd Con 3/06/23
3rd Con 3/20/23**