

ORDINANCE 2019-1

TOWN OF UPLAND TRAIL REGULATIONS

Whereas, it is in the best interest of the Citizens of Upland, Indiana and all other persons who may use the Upland Trail to establish rules and regulations for the safety of patrons utilizing said trail;

Whereas, it is the duty of the Upland Town Council to establish regulations to protect the improvements to the trail and protect the adjoining land owners;

Whereas, the Upland Trail System in Upland is considered a part of the overall Park System for the Town of Upland;

Now therefore be it ordained and established by the Town Council of the City of Upland that this ordinance establishing regulations for the use of the Upland Trail be included in the ordinances for the Town of Upland, as follows, to-wit:

1. The following regulations shall be in full force and effect with respect to the portion of Upland Trail beginning at the Trail Head immediately south of the train tracks on the southeast side of Main Street and extending east, then south within the limits of the incorporated Town of Upland, Indiana as follows, to-wit:

- A. Parking is only permitted at the Trail Head in designated parking areas and no parking is allowed along streets, highways and roadways.
- B. Trail hours are from daily sunrise to sunset seven (7) days a week and the use of the trail outside of these hours is prohibited.
- C. That users of the trail do so at their own risk.
- D. No person on the trail shall be in possession of or under the influence of alcoholic beverages or illegal substances.
- E. That users of the trail will remain on the trail and shall not wander onto adjacent private property (which is only 10 feet off the trail).
- F. Those using the trail must stop at all crossroads and must obey all signage.
- G. The only animals allowed on the trail are pets that are kept on a leash. Pets must be kept off of private property, owners must clean up after their pets, must not throw animal waste or other trash onto adjoining landowner's property, and the user must remove all trash and waste from the trail and the property of adjoining landowners.
- H. All motorized vehicles, except where noted elsewhere in this ordinance are expressly prohibited on the trail. These include but are not limited to: Cars, snow mobiles, all-terrain vehicles, golf-carts, scooters and go-karts or other similar motorized vehicles are prohibited on the trail.
- I. E-bikes and peddle assisted bikes are allowed on the trail as long as they do not exceed a speed of fifteen (15) miles per hour.
- J. Electric personal assistive mobility devises which are single passenger, self-balancing mode of transport with a maximum speed of fifteen (15) miles per hour are permitted on the trail.
- K. No campfires or overnight camping are allowed on the trail or in parking areas.
- L. Due to the hazard for creating fires, smoking is prohibited on the trail.
- M. No firearms, explosive or destructive devices or fireworks are permitted on the trail and hunting is prohibited.
- N. Vandalizing and intentional destruction or damage to the trail and to any improvements located along the trail is a crime which shall be referred to the Grant County Prosecutor and the City of Upland will pursue recovery of the cost of the repair and replacement from the offender.
- O. All other Town of Upland park ordinances, rules and/or regulations are in effect along with these rules (see ordinance 9-1988 for park rules and regulations).

2. Penalty for Violations:

Violation of any of the provisions of this ordinance shall be punishable by a fine in the sum of Fifty Dollars (\$50.00) for the first violation and One Hundred Dollars (\$100.00) for each additional violation. Each day any violation of this ordinance shall continue shall constitute a separate offense.

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

DULY PASSED, ORDAINED AND ADOPTED this 22nd day of January, 2019, by Town Council of the Town of Upland, Grant County, Indiana, by a vote of 4 in favor and 0 opposed.

	YEAS	NAYS
Mr. John Bonham	_____	_____
Mr. Heath Crouch	_X_	_____
Mr. Health Slain	_X_	_____
Mr. Warren Ross	_X_	_____
Mr. Ron Sutherland	_X_	_____

ATTEST:  
Francene Sizemore, Clerk-Treasurer  
TNH 1/30