

## **OPERATION OF MOTOR VEHICLES**

### **§ 97.74 DEFINITIONS.**

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

***ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.*** A single passenger, self-balancing mode of transport with a maximum speed of 15 mph.

***FORT WAYNE TRAILS NETWORK.*** The designated, active, non-motorized transportation system in Fort Wayne, Indiana consisting of trails, paths, multi-use trails, shared-use paths, greenways and rails-to-trails maintained by the Board of Park Commissioners and the Board of Public Works including such parts of the Network that are located within the limits of the City of Fort Wayne but maintained by other jurisdictions.

(Ord. G-1-11, passed 1-11-11)

### **§ 97.75 TYPES OF VEHICLES ALLOWED.**

The Department shall be empowered to designate the kind of vehicles or other modes of transportation and the load thereon that may not be used or hauled in all or any of the parks, parkways, boulevards, paths, streets and roadways, including the Fort Wayne Trails Network; and, it shall be unlawful for any person to use any vehicle or other mode of transportation contrary to the provisions of any such departmental order.

(B) The following vehicles or other modes of transportation are allowed on all designated paths, trails and greenways, including the Fort Wayne Trails Network: public safety vehicles, service or maintenance vehicles including public utilities, wheelchairs (standard or motorized), electric personal assistive mobility devices, non-motorized bicycles and skating devices.

(C) The following vehicles or other modes of transportation are prohibited on the Fort Wayne Trails Network: any standard motorized vehicle powered by gas, diesel, electric or hybrid motors, including, but not limited to, golf carts enclosed or open, motorized bikes, motorcycles, mopeds, scooters, ATVs, go carts, swamp buggy, snowmobiles or any other off-road or air-cushioned type vehicle, unless authorized by the Chief of Police or his or her designee.

(Ord. G-21-04, passed 9-14-04; Am. Ord. G-1-11, passed 1-11-11) Penalty, see § 97.99

### **§ 97.76 RIDING OR DRIVING REGULATIONS.**

(A) No person shall operate any vehicle or other mode of transportation within any park except on the avenues and roads at a speed not to exceed 25 miles per hour, or as otherwise posted.

(B) Vehicle parking is permitted only in the designated areas and not on the grass. Parking of vehicles in any park area between the hours of 11:00 p.m. and 6:00 a.m. shall be prohibited except for activities sponsored and notice issued by the Department.

(C) Bicycles must be walked through a playground area.

(D) Horses and horseback riders are not permitted in parks, on pathways, boulevards, paths, streets or roadways within the Fort Wayne parks system including the Fort Wayne Trails Network.

(Ord. G-21-04, passed 9-14-04; Am. Ord. G-1-11, passed 1-11-11) Penalty, see § 97.99

### **§ 97.77 SNOWMOBILES.**

No person shall operate a snowmobile, as defined in I.C. 14-16-2-1 *et seq.*, within any park, playground, boulevard strip or any other park grounds without the approval of the Department.

(Ord. G-21-04, passed 9-14-04) Penalty, see § 97.99

### **§ 97.78 OPERATION OF NON-REGISTERED MOTOR VEHICLES.**

No person shall operate a go cart, all terrain vehicle, swamp buggy, race car or any other type of motor vehicle which is not registered with the Department of Motor Vehicles of the state in any park, playground, boulevard, strip or any other park grounds including the Fort Wayne Trails Network, except in areas which may be designated by the Department for such usage. Motorized bicycles, as defined in I.C. 9-21-11-12 *et seq.*, are permissible while operated on roadways designated for motor vehicle traffic.

(Ord. G-21-04, passed 9-14-04; Am. Ord. G-1-11, passed 1-11-11) Penalty, see § 97.99

**§ 97.79 ENFORCING AUTHORITY.**

The authority for enforcing this subchapter will be the Fort Wayne Police Department and the Ordinance Violations Bureau.

(Ord. G-1-11, passed 1-11-11)

**PENALTY****§ 97.99 PENALTY FOR VIOLATIONS.**

(A) Whoever violates any of the provisions of this chapter, for which no specific penalty is otherwise provided, shall, upon conviction thereof, pay a fine of not more than \$2,500. Each day any violation of this code or of any ordinance shall continue shall constitute a separate offense. In all cases where the same offense may be made punishable, or may be created by different clauses or sections of the ordinances of the city, the City Attorney may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense.

(B) Any violation of any of the provisions of § 97.21 by any person shall be punishable by a fine in a sum of not less than \$25 not more than \$200 for each offense.

(C) Violation of § 97.48 shall subject the violator to a fine not to exceed \$50 per violation. First time offenders shall be fined not more than \$15.

(D) Any violation of any of the provisions of § 97.60 by any person shall be punishable by a fine not less than \$50 not more than \$1,000 for each offense.

(Ord. G-21-04, passed 9-14-04)

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