



CITY OF COEUR D'ALENE

PARKS & RECREATION DEPARTMENT

CITY HALL, 710 E MULLAN AVENUE
COEUR D'ALENE, IDAHO 83814
208-769-2252 FAX: 208-769-2383

Mission Statement

To actively strive to provide a quality park system that offers a diverse range of experiences, preserves local resources, and provides a safe, pleasant, and enjoyable environment.

Parks & Recreation Commission Meeting Community Room - Library

AGENDA

September 15, 2025 – 5:30 pm

- 1) Roll Call
- 2) Pledge of Allegiance
- 3) “Conflict of Interest” Declaration
- 4) Approval of April 14, 2025, Minutes – Action Item
- 5) Staff Comments
- 6) Commissioner Comments
- 7) Public Comments (Comments limited to **3** minutes)
- 8) Pedestrian and Bike Ordinance-Action item
- 9) Fiscal Year 24-25 Wrap-Up – Information Only
- 10) Next Meeting / Adjournment:
 - Monday, October 20, 2025-5:30 pm-Library Community Room

The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact the Parks Department at (208)769-2252 at least 72 hours in advance of the meeting date and time.



CITY OF COEUR D'ALENE

PARKS & RECREATION DEPARTMENT

CITY HALL, 710 E. MULLAN AVENUE
COEUR D'ALENE, IDAHO 83816-3964
208-769-2252 – FAX 208-769-2383

PARKS & RECREATION COMMISSION MINUTES

April 14, 2025 – 5:30 p.m.
COMMUNITY ROOM - LIBRARY

MEMBERS PRESENT:

Scott Cranston, Chair
Bridget Hill
Christie Wood
Mike McDowell
Warren Bakes
Jerren Bailey

STAFF PRESENT:

Bill Greenwood, Parks & Recreation Director
Adam Rouse, Recreation Superintendent
Nick Goodwin, Urban Forester
Melissa Brandt, Transcriptionist

ABSENT:

Jim Lien
Ginny Tate

CALL TO ORDER: Commissioner Cranston called the meeting to order at 5:30 p.m.

1. ROLL CALL

Five members present resulting in a quorum.

2. PLEDGE OF ALLEGIANCE

Commissioner Hill led the Pledge of Allegiance.

3. CONFLICT OF INTEREST

None.

4. APPROVAL OF MINUTES – *Action Item*

Commissioner Bakes made a motion to approve the minutes of February 24, 2025. Commissioner Wood seconded the motion, there being no further discussion and all being in favor, motion passed unanimously.

5. STAFF COMMENTS

Director Greenwood: A bench to honor Scott and Marylou Reed will be installed near the Harbor House at McEuen and the base of Tubbs Hill. There will be a dedication at the McEuen Pavilion on Sun-April 27. The bench sits just before 3rd street entrance. Phippeny swale project hit a snag with installing irrigation, our staff will complete the work. We have finished the irrigation installation at the Police Station, with landscape to follow. We will include in next years' budget some updates to the Veterans Memorial property at Fernan, including developing a disc golf course. Nothing will happen this year. Last week installed 300 yards of playground chips. Next week fertilizing. Vandalism is on a high already, first weekend restrooms opened up, Bluegrass damaged so badly we already had to lock it up. Every weekend it's getting vandalized.

Memorial picnic shelter sustained heavy damage to the roof tongue-in-groove. Also, vandalism at Landings and Memorial Field benches and drainage damaged. North Pines playground also damaged. Seasonal hiring taking place. One full time position still open. Readvertise in June. Bluegrass playground should be open later this week.

Superintendent Rouse: Registrations for swim took place today, 140-160 kids will be enrolled. Soccer kicked off with 600 kids last week. Softball managers meeting for adult softball takes place tonight; we have 80 teams now, may hit 90. Pickleball lessons for adults just about full, multiple time slots and ability levels, roughly 100 signed up. Kids pickleball leagues and lessons may be offered this season. Golf program registration starts in May, we usually fill all spots completely with 200 kids.

Commissioner Cranston: Budget for cameras in regard to vandalism? Greenwood: We have used game cameras. We installed some cameras at Ramsey and are looking at other sites.

6. COMMISSIONER COMMENTS

Commissioner Bailey: On April 22th his school is doing an Earth Day artwork fundraiser, Skyway Elementary, helped revamp their garden. Starts at 2:30 pm, goes until 5:30 pm.

7. PUBLIC COMMENTS

Brian Stevens, 417 Military Drive, in regards to the stormwater plan at Phippeny. What is that project going to be when it's done, is it going to be level? At Riverstone there is that area where it looks like there were going to be fields? What is going on there? Greenwood: Phippeny will have grass planted and hydroseeded. It is a swale, it will not be filled in. The fields are what we call the 'Lacrosse' area where a parking lot has been installed. Plans are to install soccer fields and a pickleball court. That is on hold until we have staffing.

8. NIC OUTDOOR PURSUITS AGREEMENT – Action Item

Commissioner Cranston read the staff report for the record.

Superintendent Rouse: User agreements are being updated and we are growing programs. Outdoor Pursuits has the equipment and staffing, we met with their staff, worked through some logistics easy to do registration online, offer more for the public, helps support their program as well.

Commissioner Wood made a motion the Commission recommend City Council approve a Memorandum of Understanding with North Idaho College Outdoor Pursuits, Commissioner Bakes seconded the motion. There being no further discussion, motion passed unanimously.

9. CDA UMPIRES' ASSOCIATION AGREEMENT – Action Item

Commissioner Cranston read the staff report for the record.

Superintendent Rouse: This is a basic agreement we approve every two years. We keep a shorter timeframe to allow for negotiating.

Commissioner McDowell made a motion that the Commission recommend City Council approve an agreement with Coeur d'Alene Umpires Association, Commissioner Hill seconded the motion. There being no further discussion, motion passed unanimously.

10. CDA LITTLE LEAGUE AGREEMENT – Action Item

Commissioner Cranston read the staff report for the record.

Superintendent Rouse: Follows closely to the others we have brought forward, five-year term, 5% increase each year. The last agreement expired in 2006. They receive a considerable discount to the value of what they are getting. They do a lot of work at Canfield, Sunset and Person field. In-kind donations and services may be credited for work they do on the fields.

Commissioner Wood made a motion the Commission recommend City Council approve an agreement with Coeur d'Alene Little League Association, Commissioner Bakes seconded the motion. There being no further discussion, motion passed unanimously.

11. ARBOR DAY PRESENTATION – Information Item

Urban Forester Goodwin: Arbor Day proclamation will be presented at City Council meeting tomorrow night, April 15. Bonnie Warwick donated a tree that was planted at Atlas Park by students. We are a tree city USA for the 41st year. We planted 324 public trees, removed 82 public trees, and pruned 793 trees. We'll be giving away seedlings. Friday, April 25, between 10 am and 2 pm. The Earth Day celebration will also include cleanup of Tubbs Hill, 8 am-10 am, starting at the Third Street entrance. We will be planting 10 trees at Person Field, specifically at the Ron Edinger Field from 10 am to 12 pm. Tree information, free seedlings, and a raffle at 1 pm for a tree will also take place. NIC Arbor Day 2025 will be Saturday, April 26, at 12-2pm. They are planning a seedling give away, vendor booths, and other demonstrations. Each year, 2,500 seedlings are given out to 4th grade students in North Idaho, 88,000 have been handed out since 1985. Tubbs Hill Fuel Mitigation flagging and tree marking, as well as a prescription and project map have been completed for bidding. A public meeting will be held in the Community Room at the Library at 6 pm on April 22. A press release and Facebook announcement have also been posted. We have \$240,000 contracted for mitigation work. Tentative bid date is May 6, work may start spring/early summer. Work to be completed by winter 2026. We recently installed fencing around American Chestnut trees in City Park. Coeur d'Alene is home to the largest in the world. One hundred twenty years ago all American Chestnut Trees were taken out. Single chain fence to be aware, interpretive signs as to why they are special. We're trying to keep the trees as healthy as we can.

12. "MILLSTONE" NICHE WALL PRICING – Action Item

Commissioner Cranston read the staff report for the record.

Director Greenwood: Dale Young has been working on this concept for a few years; four years ago, he came to us with an idea on a napkin. Turning a millstone into a niche wall. He worked with our cemetery staff regarding how to attach doors and make this work. Street department will help do the concrete. The Millstone Niche walls will face east and west, they are two sided. We'll increase revenue by double for what will have been spent on the two. The walls will bring a nice artistic piece to the cemetery. We do not have a price point for these specific niches, once approved by city council, we'll add this to the city's new fee schedule.

Commissioner Wood made a motion that the Commission recommend City Council approve pricing of \$3,500 for the 10" diameter x 5" deep niches that will hold one urn, and \$6,500 for the 16" diameter x 5" deep niche that will hold up to four (4) urns for the exclusive art piece "Millstone Niche" to be installed at Forest Cemetery, Commissioner McDowell seconded the motion. There being no further discussion, motion passed unanimously.

13. NEXT MEETING / ADJOURNMENT:

Commissioner Cranston announced the next meeting date.

Next meeting date:

- Monday, May 19, 2025: 5:30 p.m., Meeting; Library Community Room

Commissioner Hill made a motion to adjourn the meeting Commissioner McDowell seconded the motion. There being no further discussion, motion passed unanimously. Meeting adjourned at 6:31 pm.

PARKS AND RECREATION COMMISSION STAFF REPORT

DATE: 9/15/2025

FROM: Monte McCully - City of Coeur d'Alene Trails Coordinator

SUBJECT: Adding a new chapter, 4.40, to the municipal code, repealing sections 10.40.010(A) and 10.40.50; amending section 10.40.30; regarding the definition of motorized vehicles and their use on multi-use paths in Coeur d'Alene. (action required)

DECISION POINT: Should the Commission recommend the City Council adopt a new chapter, repeal sections of the existing code, and make amendments to the municipal code to regulate the use of motor vehicles on trails and paths designed for pedestrian and bicycle traffic.

HISTORY: In recent years, technology has advanced to the point that e-powered vehicles are inexpensive and readily available to the public. The electric bicycle has given many people the ability to get outside and exercise, where they could not before. While this is a great benefit to the health of the public, it has also added a dangerous element to our pedestrian and bicycle facilities. The trails have seen a large increase in use, due to e-bikes, and unfortunately, a large increase in other electric vehicles that have proven to be dangerous to the public using these facilities. E-motorcycles, e-scooters, e-skateboards, and many other electric vehicles are also available, and all of them can exceed speeds that are safe for both the operator of these devices and the public using the trails around them. The State of Idaho has passed laws that allow e-bikes to use state trail systems, if they fit within 3 safety categories. The City of Coeur d'Alene is seeking to emulate state law and clean up our current code by locating it in one section, removing contradictions, defining what is allowed and what is not, and adding penalties for violation.

FINANCIAL ANALYSIS: Costs to the City will involve signage, public outreach, and investment in enforcement training.

PERFORMANCE ANALYSIS: The new ordinance will give trail users guidelines for enforceable trail rules for a safer trail system by providing reasonable regulations and a penalty for violations.

DECISION POINT/ RECOMMENDATION: The Commission recommends City Council adopt a new chapter, repeal sections of the existing code, and make amendments to the municipal code to regulate the use of motor vehicles on trails and paths designed for pedestrian and bicycle traffic to prevent harm to the health, safety, and welfare of the public.

ORDINANCE NO. _____
COUNCIL BILL NO. 25-_____

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW CHAPTER, 4.40: TRAILS, BICYCLE PATHS, PEDESTRIAN PATHS, AND MULTI-USE PATHS, TO THE COEUR D'ALENE MUNICIPAL CODE; REPEALING SECTIONS 10.40.010(A) AND 10.40.050 OF THE COEUR D'ALENE MUNICIPAL CODE; AMENDING SECTION 10.40.030 OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon recommendation of the City's Pedestrian and Bicycle Advisory Committee, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said new Chapter be adopted;

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. *That a new Chapter 4.40, Trails, Bicycle Paths, Pedestrian Paths, and Multi-Use Paths, be added to the Coeur d'Alene Municipal Code as follows:*

CHAPTER 4.40
TRAILS, BICYCLE PATHS, PEDESTRIAN PATHS, AND MULTI-USE PATHS

4.40.010: PURPOSE:

The use of Motor Vehicles, including Motorcycles, Motor-Driven Cycles, Motorbikes, Motor Scooters, Mopeds, Electric-Assisted Bicycles, and other electric or gas-powered vehicles on Trails, Bicycle Paths, Pedestrian Paths, and Multi-Use Paths designed for pedestrian and bicycle traffic can result in grave harm to the health, safety, and welfare of the public. This Chapter is intended to remedy the harms caused by such use on Trails, Bicycle Paths, Pedestrian Paths, and Multi-Use Paths by providing reasonable regulations and a penalty for violations.

4.40.020: DEFINITIONS:

- A. BICYCLE. A Vehicle propelled exclusively by human power upon which any person may ride, having two (2) tandem wheels, and except scooters and similar devices.
- B. BICYCLE LANE. An area specifically marked on a right-of-way for use by Bicycles.
- C. BICYCLE PATH. A paved path separated from vehicular rights-of-way set aside for use by Non-Motorized Vehicles. Also referred to as a "Bicycle Trail."

D. **ELECTRIC-ASSISTED BICYCLE.** A Bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts and that meets one (1) of the following requirements:

1. “Class 1 Electric-Assisted Bicycle” means an Electric-Assisted Bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases when the rider stops pedaling or when the Bicycle reaches the speed of twenty (20) miles per hour.
2. “Class 2 Electric-Assisted Bicycle” means an Electric-Assisted Bicycle equipped with pedals and a motor that may be used exclusively to propel the Bicycle, and that is not capable of providing assistance when the Bicycle reaches the speed of twenty (20) miles per hour.
3. “Class 3 Electric-Assisted Bicycle” means an Electric-Assisted Bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases when the rider stops pedaling or when the Bicycle reaches the speed of twenty-eight (28) miles per hour.

E. **ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.** A self-balancing two (2) non-tandem wheeled device designed to transport only one (1) person, with an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour or less.

F. **ELECTRIC VEHICLE.** A Vehicle powered in whole or in part by an electric motor, including, but not limited to, electric unicycles, electric self-balancing boards, electric hoverboards, electric skateboards, electric scooters, and electric mini-bikes.

G. **MOPED.** A limited-speed Motor-Driven Cycle having wheels less than twenty (20) inches in diameter and with:

1. Motorized propulsion that is capable of propelling the Vehicle at speeds up to thirty (30) miles per hour on level ground, whether two (2) or three (3) wheels are in contact with the ground during operation. If an internal combustion engine is used, the displacement shall not exceed fifty (50) cubic centimeters and the Moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged; or
2. Two (2) wheels or three (3) wheels with no pedals, which is powered solely by electrical energy, has an automatic transmission, a motor which produces less than two (2) gross brake horsepower, is capable of propelling the device at a speed of up to thirty (30) miles per hour on level ground and, as originally manufactured, meets federal motor vehicle safety standards for Motor-Driven Cycles.

A vehicle that falls within the definition of Electric-Assisted Bicycle is not a Moped.

H. **MOTORBIKE.** A self-propelled two (2) wheeled Motor Vehicle powered by a gas or electric motor, excluding tractors, designed for or capable of traveling off developed roadways and

highways, and also referred to as a trailbike, enduro bike, motocross bike, or dual purpose motorcycle.

I. **MOTORCYCLE.** Every Motor Vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three (3) wheels in contact with the ground or designed to travel on two (2) wheels in contact with the ground which is modified by the addition of two (2) stabilizing wheels on the rear of the Motor Vehicle, and that meets the federal motor vehicle safety standards as originally designed. This term includes electric motorcycles and converted Motorbikes, but does not include Motor-Driven Cycles, Motorbikes, tractors, Electric-Assisted Bicycles, or Mopeds.

J. **MOTOR-DRIVEN CYCLE.** A Motor Vehicle with a motor that produces five (5) brake horsepower or less as originally manufactured and that meets federal motor vehicle safety standards as originally designed. This term does not include Mopeds or Electric-Assisted Bicycles.

K. **MOTOR SCOOTER.** A Motor Vehicle with an underbone or step-through frame, a seat, a transmission that shifts without the operator having to operate a clutch lever, and a platform for feet, and powered in whole or in part by a gas motor, having an engine with less than one hundred fifty (150) cubic centimeters displacement or with five (5) brake horsepower or less.

L. **MOTOR VEHICLE.** Every Vehicle which is self-propelled, including, but not limited to, Motorcycles, Motorbikes, Motor Scooters, Motor-Driven Cycles, automobiles, trucks, and tractors, but not including Electric Vehicles, Electric-Assisted Bicycles, or Electric Personal Assistive Mobility Devices.

M. **MULTI-USE PATH.** A path physically separated from Motor Vehicle traffic by an open space or barrier, and within either a public right-of-way or easement that accommodates two-way non-motorized travelers including pedestrians, bicyclists, joggers, and skaters.

N. **NON-MOTORIZED VEHICLE.** Any Vehicle that is entirely human-propelled, without gas or electric motor, designed or used to transport persons or property on land.

O. **PEDESTRIAN PATH.** A paved path separated from vehicular rights-of-way set aside for use by pedestrians.

P. **TRAIL.** An area owned and/or maintained by the City and designed for pedestrian, bicycle, or Non-Motorized Vehicle use for travel and recreation, specifically the Atlas Trail, the Prairie Trail, and the Centennial Trail, and any other trail subsequently developed and/or maintained by the City. "Trail" also includes unpaved trails developed for recreational use by pedestrians accessed by trailheads and generally located in natural areas.

Q. **VEHICLE.** Every device in, upon, or by which any person or property is or may be transported or drawn.

4.40.030: GENERAL PROHIBITION:

- A. No person shall drive or operate a Motor Vehicle upon any Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, or other separate right-of-way set aside for use by pedestrians, Bicycles, or Non-Motorized Vehicles.
- B. No person shall drive or operate a Vehicle upon any sidewalk.
- C. No person shall operate a Vehicle on a Pedestrian Path.
- D. Pedestrians are prohibited in Bicycle Lanes.
- E. Exceptions: The prohibitions contained in this Chapter do not apply to:
 - 1. A motorized wheelchair operated by a disabled person;
 - 2. Authorized emergency or maintenance vehicles engaged in the performance of emergency or maintenance services;
 - 3. Public passenger transit services while actively engaged in loading or unloading passengers within a Bicycle Lane;
 - 4. Use of a Motor Vehicle on a portion of a Trail, Bicycle Lane, or Multi-Use Path that lies across or within a road right-of-way when crossing at an intersection, or when entering or leaving a roadway at a driveway, private road or alley; or
 - 5. Use of a Motor Vehicle pursuant to a permit issued by the Parks Department when in compliance with any conditions imposed with the permit.

4.40.040: USE OF TRAIL, BICYCLE LANE, OR MULTI-USE PATH:

- A. Speed Limit. The maximum speed for any Vehicle within a Trail, Bicycle Path, Pedestrian Paths, or Multi-Use Path is fifteen (15) miles per hour.
- B. Rules of the Road. The operator of a Vehicle on a Trail, Bicycle Path, or Multi-Use Path shall ride as near as practicable on the right half of the Trail, Bicycle Path, or Multi-Use Path, except when passing a pedestrian or a slower moving Vehicle. The operators of Vehicles on a Trail, Bicycle Path, or Multi-Use Path shall not ride more than two (2) abreast and, in such case, shall yield to pedestrians and other Vehicles travelling in the opposite direction. The operator of a Vehicle in a Bicycle Lane shall comply with the rules and regulations set out in Chapter 7, Title 49, Idaho Code.
- C. Due Care. Notwithstanding other provisions of this Chapter or the provisions of any other ordinance, operators of Vehicles on a Trail, Bicycle Path, or Multi-Use Path shall use due care to avoid colliding with a pedestrian or another Vehicle. Every operator shall exercise proper precaution upon observing any child or any obviously confused, incapacitated, or intoxicated person. Every operator shall give an audible signal when necessary to avoid colliding with a pedestrian or another Vehicle.

D. Pedestrians Have Right-of-Way. The operator of a Vehicle on a Trail, Bicycle Path, or Multi-Use Path shall yield the right-of-way to any pedestrian on a Trail, Bicycle Path, or Multi-Use Path.

E. Riding on Vehicle. No Vehicle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped. However, an adult operator may carry a child securely attached to his person in a backpack or sling or in a child carrier attached to the Vehicle.

F. Racing. Racing on a Trail, Bicycle Path, or Multi-Use Path is prohibited unless approved by the Parks Department. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators, and other users.

G. Reporting. The operator of a Vehicle involved in an accident resulting in injury to or death of any person, or damage to the property of any one (1) person in excess of five hundred dollars (\$500.00) shall immediately, by the quickest means of communication, give notice of the accident to the Police Department.

H. Stopping. The operator of a Vehicle approaching the intersection of a Trail, Bicycle Path, or Multi-Use Path and a highway shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the operator shall yield the right-of-way to any Motor Vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard.

I. Lights. Every Vehicle in use from sunset to sunrise and at any other time when there is not sufficient light to render clearly discernible persons and Vehicles on the Trail, Bicycle Path, or Multi-Use Path at a distance of five hundred (500) feet ahead, shall be operated with a light emitting device visible from a distance of at least five hundred (500) feet to the front, attached to the Vehicle or the operator, and with a reflector clearly visible from the rear of the Vehicle or the operator.

4.40.050: DAMAGE TO TRAILS, BICYCLE LANES, AND MULTI-USE PATHS:

A. Damage. It is unlawful for any person to carelessly, wantonly or maliciously destroy, mutilate, break, injure, or deface any Trail, Bicycle Path, Bicycle Lane, Pedestrian Path, or Multi-Use Path.

B. Disruption:

1. Debris: Depositing debris on a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, or within the right-of-way of such Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, without first obtaining written approval from the Parks Department is prohibited.

2. Surface Disturbance Or Closure: It is unlawful to alter, modify, paint, cut or destroy the surface of a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, or within the right-of-way of such Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, or to conduct any

activity that prevents its normal use, without first obtaining written permission from the Parks Department. No person shall close any portion of a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, or the right-of-way of such Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, without first obtaining written permission from the Parks Department. An alternate route, approved by the Parks Department, must be provided and appropriately signed before any permitted disturbance or closure of a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path is commenced.

3. Horses: Riding, leading or otherwise permitting horses on a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, or within the right-of-way of such Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path, including those portions located within street right-of-way, is prohibited except as provided in Coeur d'Alene Municipal Code § 6.15.010(D).

C. Restoration Of Surface:

1. Any permitted surface disturbance of a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path must be repaired or restored within twenty-four (24) hours after commencement of the surface disturbance unless additional time is specifically allowed by the authorizing permit. An alternate route, approved by the Parks Department, must be provided and appropriately signed during the entire time of the disturbance.

2. Any repair or restoration not accomplished by the permittee within the specified time will be done by the City or subcontracted by the City with no prior notice to the permittee and at the expense of the permittee. The City will also make any immediate repairs, alterations or additions to any barricades, signs or warnings as deemed necessary for the safety of the public without prior notice to the permittee. The permittee shall reimburse the City for the actual cost of materials, labor, equipment, and overhead.

3. The permittee shall be responsible for the condition of surface repairs or restorations for a minimum period of two (2) years following the repair or restoration of any surface disturbance. During the two (2) year period the permittee shall, upon request from the Parks Department, repair to the City's satisfaction any of the repairs or restorations that have settled, cracked, broken, or are otherwise faulty.

4. Any portion of a Trail, Bicycle Path, Pedestrian Path, or Multi-Use Path within street rights-of-way are subject to all applicable requirements for encroachments, excavations, and other impacts as required by Title 12 of the Coeur d'Alene Municipal Code.

4.40.060: VIOLATIONS:

Any person violating any of the provisions or requirements of this Chapter is guilty of an infraction or misdemeanor as follows:

A. A first violation is subject to a civil citation with a civil penalty of one hundred dollars (\$100.00), except as provided in subsection D.

B. A second or third violation is an infraction subject to a fine of three hundred dollars (\$300.00), except as provided in subsection D.

C. The fourth or subsequent violation is a misdemeanor punishable as provided in section 1.28.010 of the Coeur d'Alene Municipal Code, except as provided in subsection D.

D. A violation of subsection 4.40.040(C) resulting from intentional or criminally negligent conduct, including but not limited to a violation of any other provision or requirement of this Chapter, is a misdemeanor punishable as provided in section 1.28.010 of the Coeur d'Alene Municipal Code.

4.40.070: APPEAL:

A. A person may appeal a civil citation issued for violation of this Chapter by filing a written notice of appeal within ten (10) calendar days of the issuance of the civil citation with the City Clerk.

B. The notice of appeal should include a narrative explaining the reason for the appeal and why the civil citation should be overturned, and any evidence the appellant wants the City to review.

C. The City Administrator or designee shall review the appeal on the record and shall issue a written determination within fifteen (15) days of the filing of the notice of appeal. A civil citation may be upheld in whole or in part, or it may be overturned. The City Administrator or designee's decision is final.

D. If the civil citation is upheld, the appellant shall be required to pay the civil penalty within ten (10) business days of the decision. Any civil penalty which remains unpaid after the conclusion of the appeal shall be subject to collection and any other legal remedy available to the City.

E. If the civil citation is overturned, it shall be deemed void.

SECTION 2. *Section 10.40.010(A) of the Coeur d'Alene Municipal Code is hereby repealed.*

SECTION 3. *Section 10.40.030 of the Coeur d'Alene Municipal Code is hereby amended as follows:*

A. Prohibited Acts: It shall be unlawful for any person:

1. To ride or operate or cause to be operated ~~a bicycle~~any motor vehicle or human powered vehicle, except for a motorized wheelchair operated by a disabled person, on the sidewalk along Sherman Avenue between First Street and Sixth Street. No person shall ride or operate or cause to be operated ~~a bicycle~~any motor vehicle or human powered vehicle, except for a motorized wheelchair operated by a disabled person, on a sidewalk from the south side of the sidewalk right of way on Lakeside Avenue to the

north side of the sidewalk right of way on Front Avenue from First Street to Sixth Street unless to cross such sidewalk into an alleyway, a private drive, or to enter a crosswalk.

2. Bicycles shall not be parked in such a manner as to obstruct or impede the movement of pedestrians, motor vehicles, or other bicycles, or to cause damage to trees, shrubs, other plants, or other property.

3. No person shall ride or operate a skateboard, roller skates, in-line skates, human powered scooter, or other toy vehicle on the streets, highways, or sidewalks in the area set forth in subsection ~~(A)~~(1) of this section.

4. Nothing in this section shall prohibit the mayor and/or city council from allowing bicycle, skateboard, or other exhibits or demonstrations by permit or other ordinance.

5. A violation of any of the above subsections shall constitute an infraction which shall be punished only by a penalty established by state law, Idaho Code section 49-1503.

B. “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn.

C. “Toy vehicle” means, but is not limited to, coasters, scooters, roller skates, or any other non-motorized device with wheels or rollers upon which a person may ride. This section does not apply, so long as they are used for the purposes for which they are intended, to wagons and strollers or other devices designed and used for the purpose of transporting children, infants, invalids or incapacitated persons, or to carts or other devices intended and used for transporting merchandise or materials.

SECTION 4. *Section 10.40.050 of the Coeur d’Alene Municipal Code is hereby repealed.*

SECTION 5. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

SECTION 7. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d’Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on _____, 2025.

APPROVED, ADOPTED and SIGNED this ____ day of _____, 2025.

Woody McEvers, Mayor

ATTEST:

Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. _____
Adding Chapter 4.40 to the Coeur d'Alene Municipal; Repealing
Sections 10.40.010(A) and 10.40.050 of the Coeur d'Alene Municipal Code; and
Amending Section 10.40.030 of the Coeur D'Alene Municipal Code

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW CHAPTER, 4.40: TRAILS, BICYCLE PATHS, PEDESTRIAN PATHS, AND MULTI-USE PATHS, TO THE COEUR D'ALENE MUNICIPAL CODE; REPEALING SECTIONS 10.40.010(A) AND 10.40.050 OF THE COEUR D'ALENE MUNICIPAL CODE; AMENDING SECTION 10.40.030 OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. _____ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

Renata McLeod, City Clerk

STATEMENT OF LEGAL ADVISOR

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. _____, Adding Chapter 4.40, Trails, Bicycle Lanes, and Multi-Use Paths, to the Coeur d'Alene Municipal Code, repealing section 10.40.010(A) and 10.40.050 of the Coeur d'Alene Municipal Code, and amending section 10.40.030 of the Coeur d'Alene Municipal Code, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this _____ day of _____, 2025.

Randall R. Adams, City Attorney