

1 **BOARD BILL NO. 449** **INTRODUCED BY: ALDERWOMAN LYDA KREWSON**

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An ordinance authorizing the Director of Parks, Recreation and Forestry to issue permits for the use of Electronic Personal Assistive Mobility Devices (EPAMDs), as herein defined, on the sidewalks of Forest Park or on the Forest Park Bike Path, subject to regulations to be issued by such Director, with definitions of terms and a penalty provision.

BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:

Section One. As used herein:

“Director” means the Director of Parks, Recreation and Forestry of the City of St. Louis.

“Electronic Personal Assistive Mobility Device” (“EPAMD”) , sometimes referred to as a “Segway”, means a self-balancing, two nontandem wheeled device, designed to transport only one person, with an electric propulsion system with an average power of 750 watts (1 hp) whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs 170 pounds is less than 20 miles per hour.

“EPAMD Operator” means i) a member of the public who is operating an EPAMD owned by the operator under a permit issued by the Director at the office of the Department of Parks, Recreation and Forestry or ii) a member of the public who is operating an EPMAD which is

1 rented or provided by a EPAMD Provider, on sidewalks of Forest Park or on the Forest Park
2 Bike Path.

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4 “EPAMD Provider” means an institution or entity which, as of the effective date hereof,
5 lawfully occupies a permanent structure in Forest Park and which rents or provides EPAMDs to
6 members of the public for their use pursuant to a permit from the Director of Parks, Recreation
7 and Forestry (the “Director”) pursuant to Section Two of this Ordinance.

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9 “Forest Park Bike Path” means the paved bicycle/pedestrian right-of-way and path generally
10 running adjacent to the southern, western and northern boundaries of Forest Park and generally
11 running north and south between the planetarium building and Round Lake.

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13 Section Two. The provisions of Chapter 17.37 and Section 17.16.040 of the City Code to the
14 contrary notwithstanding, the Director is authorized and directed, in his sole discretion, to issue
15 regulations for the use and number of EPAMDs upon the sidewalks of Forest Park and the
16 Forest Park Bike Path, and for designating authorized EPAMD Providers. Such regulations
17 shall be consistent with the safe use of the sidewalks and Forest Park Bike Path by bicyclists,
18 pedestrians and other park users, may provide for a permit fee, which may be prorated for daily
19 users, of not to exceed Three Hundred Dollars per year per EPAMD unit, and shall be
20 maintained on file in the Director’s office and with the Register.

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1 Section Three. No person other than a EPAMD Operator may operate an EPAMD upon the
2 sidewalks of Forest Park or the Forest Park Bike Path at any time.

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4 Section Four. All EPAMD Providers must agree, in form approved by the Director, to indemnify
5 and hold harmless the City and its officers, agents and employees, from any and all loss to the
6 extent caused by any EPAMD Operator authorized by such EPAMD Provider, and must
7 maintain insurance as required by the Director . All EPAMD Providers must obtain a signed
8 release of the City, in form approved by the Director, from any and all liability, from every
9 person desiring to be an EPAMD Operator prior to delivering an EPAMD to such person. All
10 EPAMD Operators using their own EPAMD must sign a release of the City, in form approved by
11 the Director, from any and all liability, before the issuance of their permit. Every EPAMD
12 Operator must wear a prominent identification placard of a form prescribed by the Director
13 while operating an EPAMD on the sidewalks of Forest Park or on the Forest Park Bike Path.

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15 Section Five. Any person who violates any provision hereof shall be punishable by a fine of not
16 less than \$100 and not more than \$500.00 or a term of imprisonment of not more than Ninety
17 (90) days or by both a fine and imprisonment..

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19 Section Six. The permit of any EPAMD Provider which permits a person to operate an EPAMD
20 on the sidewalks or Forest Park Bike Path in violation of this ordinance or of any regulation of
21 the Director issued hereunder, or which EPAMD Provider violates any provision of this

1 ordinance or of any regulation of the Director issued hereunder, shall be permanently revoked.

Date: January 18, 2008

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Board Bill No. 449 Sponsor: Alderwoman Lyda Krewson