



Legislation Text

File #: Ord. 1029, **Version:** 1

City Council Meeting Date: January 18, 2022

To: Mayor and City Council
City Administrator

From: Lynette Peterson, City Clerk
David Bennett, City Engineer/Public Works Director
Mark Elliott, Police Chief

Consideration of Second Reading of Ordinance Amending Northfield City Code, Chapter 50 - Offenses and Miscellaneous Provision, Section 50-57 - Climbing On or Jumping Off Bridges Prohibited.

Action Requested:

The Northfield City Council approves the second reading of Ordinance Amending Northfield City Code, Chapter 50 - Offenses and Miscellaneous Provision, Section 50-57 - Climbing On or Jumping Off Bridges Prohibited.

Summary Report:

The City Council unanimously approved the first reading of this ordinance at the January 4, 2022 City Council Meeting.

City Staff has observed and received complaints in the late summer of 2021 related to children and youth climbing on and jumping off the Peggy Prowe Bridge in Northfield (near Sechler Park North Entrance). The police department routinely receives complaint calls from citizens who observe people jumping from bridges into the river. The callers are concerned for the safety of those who are jumping. Jumping from bridges into lake, pond, or river water poses a safety threat to jumpers due to uncertain water depth and objects floating in the water below the surface. The Cannon River poses an almost constant safety threat due to fluctuating water levels and a significant amount of down trees that float down the river, often under the surface and not visible from above. Additionally, climbing onto a bridge structure poses a safety threat to climbers and others that use the bridge as well. When complaints are received, the Police rectify the situation by requesting the individual or individuals to discontinue climbing on the bridge which they get voluntary compliance.

Upon review of City Ordinances and State Law there is nothing specifically that prohibits climbing on or jumping off any bridges in Northfield. City Clerk Peterson consulted with the League of Minnesota Cities Insurance Trust, Police Chief Mark Elliott, Director of Public Works/City Engineer Bennett on the public safety risks and potential liability risks of this issue. Based on the review, there was general consensus that it would be appropriate to recommend creating a city ordinance that would prohibit climbing or jumping off bridges due to potential risk to serious injury for children and youth. Additionally, there would be likely financial liability to the City if there were an injury.

Upon request by City Administrator Martig, City Attorney Hood has drafted Ordinance No. 1029 for Council

consideration on the issue. The Ordinance amends Northfield Code, Chapter 50 - Offenses and Miscellaneous Provisions, Article III - Offenses Involving Public Safety adding a new Section 50-57 - Climbing on or jumping off bridges prohibited.

The Ordinance includes the following language:

Sec. 50-57. - Climbing on or jumping off bridges prohibited.

- (a) It shall be unlawful for any person to climb on or jump or dive off or from any bridge, overpass, roadway, or other structure over or into any channel or narrow passageway of any public water within the City.
- (b) *Exceptions.* This section shall not apply to:
- (1) *Authorized work.* Employees, inspectors, contractors or agents authorized by a governmental unit or agency to perform work on any bridge, overpass, roadway, or other structure shall be exempt from this section.
 - (2) *Public safety.* Any person or law enforcement officer or other public safety personnel in an emergency situation as necessary to perform a rescue or otherwise provide aid or assistance in an emergency involving an imminent threat to the life or safety of one or more persons shall be exempt from this section.
 - (3) *Government sponsored permitted or licensed activities.* Certain government, and/or government permitted or licensed public or private activities related to public entertainment, including but not limited to community events, shall be exempt from this section.
- (c) *Penalty.* Any person violating this section shall be guilty of a petty misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$300.00.

Sec. 50-58-50-85. - Reserved.

SECTION 2: This Ordinance shall take effect thirty days after its publication.

This ordinance would relate to all facilities defined. However, the intent would be to only sign the Peggy Prowe Bridge with language since that has been the location that has been problematic. The added ordinance and penalties would give added enforcement tools for the police department. Additionally, the new law and enforcement would also likely be beneficial in financial liability protection for the City should there be an accident and claim in the future.

Alternative Options:

The City Council could delay the second reading for further discussion, amend the ordinance or not adopt the ordinance.

Financial Impacts:

Any person violating the ordinance shall be guilty of a petty misdemeanor and, upon conviction thereof, shall be punished with a fine of not more than \$300.

Tentative Timelines:

City Council Review & Public Hearing/1st Reading: January 4, 2022

2nd Reading: January 18, 2022

Publish Summary Ordinance: January 26, 2022 and then adopted 30 days following publication.