

Ordinance Fact Sheet

TO: CITY COUNCIL DATE: June 30, 2003

FROM: CITY ATTORNEY

REGARDING: ORDINANCE REGULATING USE OF SCOOTERS, SKATEBOARDS,
ROLLER SKATES, AND ELECTRIC PERSONAL ASSISTIVE
MOBILITY DEVICES

TITLE OF PROPOSED ORDINANCE: AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 10.61 OF THE PASADENA MUNICIPAL CODE TO REGULATE THE USE OF SKATEBOARDS, ROLLER SKATES, SCOOTERS AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

PURPOSE OF ORDINANCE: The purpose of the Ordinance is to impose regulations on the use of scooters, roller skates, skateboards and electric personal assistive mobility devices (EPAMD). Such regulations are necessary to ensure the health and safety of those using the City's sidewalks and/or other public areas.

REASON WHY LEGISLATION IS NEEDED: The California Legislature has defined EPAMD as a pedestrian which would allow unrestricted use of such devices on City sidewalks, public malls, public buildings, and the like. The California Legislature has given local entities the authority to enact ordinances to regulate or prohibit EPAMD. An ordinance is therefore needed to regulate EPAMD in Pasadena. Additionally, scooters, roller skates, and skateboards are not regulated by California law. At its May 17, 2003, City Council meeting, the Council directed preparation of an ordinance regulating scooters, skateboards, roller skates and EPAMD throughout the City.

PROGRAMS, DEPARTMENT OR GROUPS AFFECTED: The Police Department will be responsible for enforcing the regulations or prohibitions authorized by this ordinance.

ENVIRONMENTAL: This ordinance is categorically exempt from CEQA under Guideline 15308.

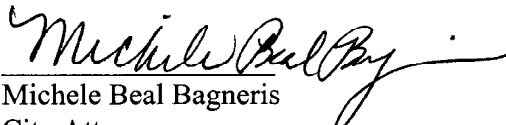
FISCAL IMPLICATIONS: Other than the cost of signs, no new appropriations will be required as enforcement of the regulations authorized by this ordinance would be carried out by existing staff.

MEETING OF 6/30/2003

AGENDA ITEM NO. 10.A.4.

POLICY CHANGES: This ordinance creates a new policy regarding scooters and EPAMDs as they were not previously regulated by the City.

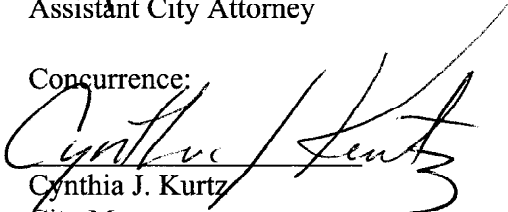
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Frank L. Rhemrev
Assistant City Attorney

Concurrence:


Cynthia J. Kurtz
City Manager

Introduced by _____

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 10.61
OF THE PASADENA MUNICIPAL CODE TO REGULATE THE USE OF
SKATEBOARDS, ROLLER SKATES, SCOOTERS AND
ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES**

WHEREAS, the California Legislature has included electric personal assistive devices (EPAMD) in the definition of "pedestrian"; and

WHEREAS, the California Legislature has provided for local entities to regulate and/or prohibit the use of EPAMD; and

WHEREAS, the City Council of the City of Pasadena wishes to regulate and/or prohibit the use of EPAMD and other such transportation devices on city sidewalks to insure the safety of its citizens; and

WHEREAS, the City Council of the City of Pasadena finds that pedestrian safety would be jeopardized by the use and operation of devices such as roller skates, skateboards, scooters, and EPAMD on sidewalks within certain areas of the City.

NOW THEREFORE, the people of the City of Pasadena ordain as follows:

SECTION 1. The title of Chapter 10.61 is hereby amended to read as follows:

"SKATEBOARDS, ROLLER SKATES, SCOOTERS AND EPAMD"

SECTION 2. Section 10.61.010 is hereby amended by adding subsections "G" and "H" which read as follows:

G. "Scooter" means a human powered mobile device having 2 (two) to 4 (four) wheels, a deck to stand on, and handlebars.

H. "Electric Personnel Assistive Mobility Devices" or "EPAMD" means those devices defined in Section 313 of the California Vehicle Code.

SECTION 3. Section 10.61.020 is hereby amended to read as follows:

10.61.020 Yielding the right-of-way

Any person riding upon or propelling any roller skate, skateboard, scooter or EPAMD shall yield the right-of-way to pedestrians on any sidewalk or crosswalk upon which it is lawful to ride or propel a skateboard, roller skate, scooter or electric personal assistive mobility device.

SECTION 4. Section 10.61.030 is hereby amended to read as follows:

10.61.030 Obeying traffic and pedestrian signals

It is unlawful for any person riding upon or propelling any skateboard, roller skate, scooter, or EPAMD to fail to obey any traffic control signal or pedestrian control signal.

SECTION 5. Section 10.61.040 is hereby amended to read as follows:

10.61.040 Regulation of skateboards, roller skates, scooters and EPAMD

The Chief of Police may regulate and/or prohibit the use of skateboards, roller skates, scooters and EPAMD upon the roadways, sidewalks, business district, pedestrian malls, or public buildings in any part of the City and shall so designate by posting such area wherein their use is regulated and/or prohibited.

EXCEPTION - The regulation and/or prohibition on the use of EPAMD authorized in this section shall not apply to the use of EPAMD by any governmental agency, public utility or the U.S. Postal Service or to any disabled

person (as that term is defined in Vehicle Code Section 295.5 (a) (c)) who displays a State-issued disabled placard.

SECTION 6. Section 10.61.050 is hereby amended to read as follows:

10.61.050 Skateboards, roller skates, scooters and EPAMD prohibited upon handicapped access ramps.

It is unlawful for any person to ride or propel a skateboard, roller skates, scooter or EPAMD upon any ramp or passageway designed or built to afford access to buildings or structures by handicapped or disabled persons.

Exception - the prohibition set forth herein shall not apply to the use of an EPAMD by a disabled person (as that term is defined in Vehicle Code Section 295.5(a)(c)) who displays a State-issued disabled placard.

SECTION 7. Section 10.61.060 is hereby amended to read as follows:

10.61.060 Skateboards, roller skates, scooters, or EPAMD upon stairways, corridors or any plazas leading to or within a public building.

It is unlawful to ride or propel a skateboard, roller skates, scooter, or EPAMD upon any stairway or corridor leading to or within any public building or upon any plaza or courtyard within any public building.

Exception - the prohibition set forth herein shall not apply to the use of an EPAMD by a disabled person (as that term is defined in Vehicle Code Section 295.5(a)(c)) who displays a State-issued disabled placard.

SECTION 8. This ordinance shall take effect upon the expiration of thirty days from its publication.

Signed and approved this _____ day of June, 2003.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its regular meeting held on _____, 2003, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM



Frank L. Rhemrev
Assistant City Attorney