



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: July 19, 2004

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION
10.60.140 OF THE PASADENA MUNICIPAL CODE PERTAINING TO
THE OPERATION OF BICYCLES ON DESIGNATED SIDEWALKS

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 10.60.140 OF THE PASADENA MUNICIPAL CODE PERTAINING TO THE OPERATION OF BICYCLES ON DESIGNATED SIDEWALKS

BACKGROUND:

City Council directed preparation of an ordinance to enable regulation of bicycles on sidewalks at its regular meeting of April 12, 2004. At that meeting staff reported that there are continuing issues of pedestrian safety on certain crowded sidewalks and that bicycles on sidewalks in certain districts may present a problem.

The City Council first considered the proposed ordinance at its regular meeting of June 7, 2004. At that time, the City Council requested the following, (1) the addition of language which would create incentives for shared use of the streets, and (2) the designation of a street(s) on which a specific bicycle prohibition was to be enacted. Therefore, additional language encouraging shared use of streets has been added to proposed subsection C of Section 10.60.140. Concurrently with reconsideration of the proposed ordinance, staff is recommending, by separate agenda report, that prohibitions on the operation of bicycles on sidewalks be established on Lake Avenue between Colorado Boulevard and California Boulevard.

PURPOSE OF ORDINANCE:

The proposed ordinance will amend Section 10.60.140 of the Municipal Code to allow Council to regulate bicycle use on designated sidewalks. The ordinance will also establish that violating any posted prohibition will be punished as an infraction. This is in accordance with California Vehicle Code Section 21100(h), which allows local authorities to regulate the operation of bicycles on sidewalks.

MEETING OF 07/19/2004

AGENDA ITEM NO. 9.A.1.

The adoption of this ordinance will not itself prohibit operation of bicycles on any sidewalks. Prohibitions as to specific sidewalks will come about through separate action of the City Council, by resolution, which regulates or prohibits the use of bicycles on specific sidewalks and directs the posting of the prohibition. Staff is concurrently submitting a resolution to City Council to establish a prohibition on a designated section of Lake Avenue. Other resolutions may follow in the future.

The ordinance will also change the reference in the existing Subsection 10.60.140(A) from "Director of Public Works" to the "Director of Transportation" in accord with recent organizational changes.

REASON WHY LEGISLATION IS NEEDED:

An ordinance is needed to provide the foundation for prohibition of bicycles on sidewalks and, also, to establish the penalty for violation of any restrictions that are established.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The Department of Transportation and the Police Department will be primarily affected by the proposed ordinance as those departments will implement and enforce this section of the Pasadena Municipal Code.

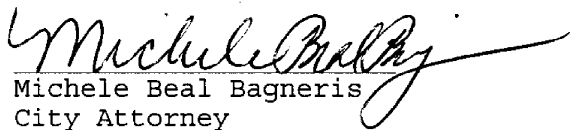
ENVIRONMENTAL IMPACT:

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under the General Rule that CEQA applies only to activities which may have a significant effect on the environment (Section 15061(b)(3)).


FISCAL and SERVICE IMPLICATIONS:

As existing staff will manage enforcement and signage costs can be absorbed within existing appropriations, there is no anticipated fiscal impact from this proposed ordinance.

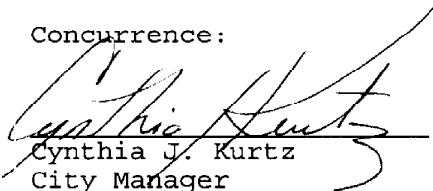
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:

 7/7/04
Nicholas George Rodriguez
Assistant City Attorney

Concurrence:


Cynthia J. Kurtz
City Manager

Introduced by Councilmember

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 10.60.140 OF THE PASADENA MUNICIPAL CODE PERTAINING TO THE OPERATION OF BICYCLES ON DESIGNATED SIDEWALKS

The People of the City of Pasadena ordain as follows:

SECTION 1. Section 10.60.140 of the Pasadena Municipal Code is amended to read as follows:

“10.60.140 Riding regulations.

A. It is unlawful to ride a bicycle upon any sidewalk in front of any church, school or place of public assembly except where the sidewalk area is designated a bike lane by the director of ~~public works~~ transportation with official signs and markings.

B. In all other areas, the rider of a bicycle shall yield the right-of-way to pedestrians.

C. Based on demonstrated pedestrian, bicycle and traffic safety needs, the city council may, by resolution, regulate or prohibit the use of bicycles on specific sidewalks within high congestion retail shopping districts, and shall direct the posting of such regulations and prohibitions as well as any signs or markings determined appropriate to encourage shared use of the streets.

D. It is unlawful to operate a bicycle on a sidewalk where it has been posted to regulate or prohibit its use pursuant to subsection C or in a manner otherwise prohibited by subsections A or B of this section. Any person violating the provisions of this section shall be guilty of an infraction, and upon conviction thereof shall be punished as provided in Section 1.24.025 of this code.”

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 3. This ordinance shall take effect thirty days following its publication.

Signed and approved this _____ day of _____, 2004.

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 meeting regular held the _____ day of _____, 2004 by the following vote:

AYES:

NOES:

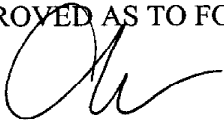
ABSENT:

ABSTAIN:

Date Published:

JANE L. RODRIGUEZ, CMC
CITY CLERK

APPROVED AS TO FORM:



7/7/04

Nicholas George Rodriguez
Assistant City Attorney