



*Home of the Tualatin River National Wildlife Refuge*

## ORDINANCE 2012-002

### **AN ORDINANCE AMENDING SECTION 12.12 OF THE MUNICIPAL CODE RELATING TO THE USE OF BICYCLES, UNICYCLES, ROLLER-SKATES, ROLLER-BLADES, SCOOTERS AND SKATEBOARDS IN PUBLIC PLACES**

**WHEREAS**, public places and buildings are intended for the use of all, are provided with considerable investment of public funds, are designed, built and intended for pedestrian focused activities and are not conducive to the use of bicycles, unicycles, roller-skates, roller-blades, scooters or skateboards; and

**WHEREAS**, using public places and buildings in a manner that is contrary to their design and intended use will cause unnecessary and expensive damage as well as increased liability for the City and it is important to provide for the protection of those investments, the maximum safety of all users and to reduce the liability for the City; and

**WHEREAS**, the proposed amendment is added as section 12.12.235 in the streets, sidewalks and public places section of the Municipal Code; and

**WHEREAS**, the amendment prohibits the riding and use of bicycles, unicycles, roller-skates, roller-blades, scooters and skateboards in a public place that is within 30 feet of a public building or other public place where such activity is posted as prohibited and requires the City Manager or designee to insure proper signage is in place; and

**WHEREAS**, the proposed amendment specifies a penalty up to \$50 which will allow for specific processes and consequences to ensure compliance; and

**WHEREAS**, this is an existing and immediate issue that affects public places and public investments; and

**WHEREAS**, the proposed amendment was reviewed by the City Attorney for compliance and consistency with the Charter and applicable state regulations and found to be fully compliant; and

### **NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:**

**Section 1. Findings.** After full and due consideration of the evidence presented, the Council finds that the text of the Sherwood Municipal Code shall be amended to regulate the riding and use of bicycles, unicycles, roller-skates, roller-blades, scooters and skateboards from specified public places; therefore, the Council adopts the amendments contained in attached Exhibit 1.

**Section 2. Approval.** The proposed amendment for the Municipal Code Amendment identified in the attached Exhibit 1, is hereby **APPROVED**.

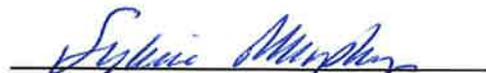
**Section 3 - Manager Authorized.** The City Manager is hereby directed and authorized to take such action as may be necessary to document this amendment, including necessary updates to Chapter 12 of the Municipal Code in accordance with applicable City ordinances and regulations.

**Section 4 - Effective Date.** The City Council recognizes the immediate need and Declares an Emergency, making this ordinance effective upon adoption by utilizing the emergency clause by the City Council and approval by the Mayor.

**Duly passed by the City Council this 17<sup>th</sup> day of January 2012.**

  
Keith S. Mays, Mayor

ATTEST:

  
Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Langer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Butterfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Folsom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant	<u>Absent</u>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 12.12.235 Public Areas – Use of Bicycles, Unicycles, Roller Skates, Roller Blades, Scooters and Skateboards

- A. Definitions: As used in this section unless the context clearly indicates or requires a different meaning:
- a. Bicycle: Means a vehicle that has a seat or place for a seat for the use of a rider, is designed to travel with not more than two wheels in contact with the ground excluding training wheels and is propelled by any combination of human, gas or electric power.
  - b. Unicycle: Means any of various vehicles with a single wheel.
  - c. Roller-skates: Means a shoe with a set of wheels attached for skating or a metal frame with wheels attached that can be fitted to the sole of a shoe.
  - d. Roller-blades: Means any roller-skates or other shoes with protruding in line wheels or rollers.
  - e. Scooter: Means a vehicle consisting of a platform mounted between two wheels or more with an upright steering handle attached to the front wheel and powered by human, gas or electric power.
  - f. Skateboard: Means a narrow platform mounted over two or more sets of wheels steered by the rider's distribution of weight.
  - g. Public Place: Means any real property, right-of-way or other interest in real property that is owned or held by the City of Sherwood for public use, including parks and open squares.
- B. Except as provided in subsections D of this section, a person shall not ride or use any bicycle, unicycle, roller-skates, roller-blades, scooter or skateboard in a public place that is within 30 feet of a public building or other public place where such activity is posted as prohibited.
- C. The City Manager or the Manager's designee shall post a sign at those public places the Manager or designee deems necessary or appropriate indicating the area is a prohibited riding area.
- D. Nothing in this section is intended to prohibit a person from:
1. Lawfully riding a bicycle, unicycle, roller-skates, roller-blades, scooter or skateboard to and from a designated bike rack or storage facility designed for that purpose; or
  2. Riding or using a bicycle, unicycle, roller-skates, roller-blades, scooter or skateboard in any public place, park or greenway that is specifically designed for such use, such as roads and public right-of-way.
- E. Penalty: Notwithstanding SMC 12.12.250, a violation of subsection B of this section is subject to a penalty of not more than \$50.