

ORDINANCE NO. 349**AN ORDINANCE REGULATING THE USE OF BICYCLES, SKATEBOARDS, SCOOTERS, ROLLER SKATES AND SIMILAR APPARATUS WITHIN THE CITY, PROVIDING FOR A PENALTY THEREOF AND REPEALING ORDINANCES 21 AND 56.**

The city of Aumsville ordains as follows:

Section 1. Definitions.

- (A) Bicycle. A vehicle as is defined in ORS 861.150.
- (B) Skateboard. A board of any material with wheels on the bottom designed to be ridden by a person.
- (C) Scooter. A vehicle consisting of a narrow board mounted between two wheels (or more) with an upright steering handle attached to the front wheel.
- (D) Roller Skates. Two metal or plastic framed objects with wheels designed to be attached to or worn on the feet of a person.

Section 2. Prohibited Riding Areas. No person shall ride or operate a bicycle, scooter, skateboard or other similar apparatus upon a sidewalk in the business district of Aumsville. Said business district to be defined as Mill Creek Road between First Street and Eleventh Street. Any person operating a bicycle, scooter, skateboard, roller skates or other similar apparatus upon any other sidewalk shall yield the right-of-way to any pedestrians.

Section 3. Bicycle Safety Regulations.

- (A) Every bicycle operated upon the streets or other public place shall be equipped with brakes adequate to control the movement of and to stop and to hold the bicycle.
- (B) A person propelling a bicycle shall not ride other than with his feet on the pedals and facing the front of the bicycle.
- (C) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (D) All bicycles shall be equipped with safety reflector lights, both front and back.
- (E) Every person operating a bicycle upon a street or other public place shall ride as near to the right-hand side of the street as practical, exercising due care when passing a pedestrian or a standing vehicle or one proceeding in the same direction.
- (F) Persons riding bicycles upon a street or other public place shall not ride more than two abreast.

Section 4. Skateboards, Roller Skates, Scooters Safety Regulations.

- (A) Use of a skateboard, scooter, roller skates, or other similar apparatus in other areas than the business district is permitted so long as the use and the operation is safe. A person commits the offense of unsafe operation of the above mentioned apparatus if the person does one of the following:
- (1) Operates the skateboard, roller skates, scooter or similar apparatus so as to suddenly leave a curb or other place of safety and move into the path of a vehicle, bicycle or pedestrian that is so close as to constitute an immediate hazard.
 - (2) Operates a skateboard, roller skates, scooter or other similar apparatus and does not give an audible warning before overtaking and passing a pedestrian and does not yield the right of way to all pedestrians.
 - (3) Operates a skateboard, roller skates, scooter or other similar apparatus in a careless manner that endangers or would be likely to endanger any person or property.
 - (4) Operates a skateboard, roller skates, scooter or similar apparatus at a speed greater than an ordinary walk when approaching or entering a crosswalk, approaching or crossing a driveway or crossing a curb cut or pedestrian ramp and a motor vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp.

Section 5. Prohibited Riding Times.

- (A) No person shall ride a skateboard, roller skates, scooter or other similar apparatus upon any street or sidewalk between one hour after sunset and one hour before sunrise unless the apparatus or rider is equipped with lighting equipment that meets the described requirements:
- (1) The lighting equipment must be used during limited visibility conditions.
 - (2) The lighting equipment must show a white light visible from a distance of at least 500 feet to the front of the apparatus.
 - (3) The lighting equipment must have a red reflector or lighting device or material of such size or characteristic and so mounted as to be visible from all distances up to 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle.

Section 6. Seizure.

- (A) At such time as a citation is issued to a skateboard, bicycle, scooter, roller skates or other similar apparatus rider who is in violation of this ordinance, the police may seize the apparatus upon which the violator was riding.
- (B) Said apparatus may be recovered from the Aumsville Police Department by an adult rider 24 hours after being seized.

- (C) Said apparatus may be recovered from the Aumsville Police Department by a juvenile offender 24 hours after being seized provided the offender is accompanied by a parent or guardian.

Section 7. Procedure. A citation to appear in Aumsville Municipal Court for violation of this ordinance shall be issued to the alleged violator stating the date, time and place to appear and the date, time and place of the alleged offense. At the request of the offender, a trial shall be conducted without a jury. All juvenile offenders shall be cited to juvenile court.

Section 8. Penalty. The penalty for violation of any provision of this ordinance shall be a fine not less than \$5.00 and not more than \$100.00.

Section 9. Repeal. Ordinances 21 and 56 are repealed in their entirety.

PASSED by the council June 13, 1988 and signed by the mayor June 14, 1988.