

ORDINANCE NO. 699

AN ORDINANCE REGULATING THE USE OF BICYCLES, SKATEBOARDS, SCOOTERS, ROLLER SKATES AND SIMILAR APPARATUS WITHIN THE CITY AND REPEALING ORDINANCE 349.

The City of Aumsville ordains as follows:

Section 1. Definitions.

- (A) Bicycle. A vehicle as is defined in ORS 801.150.
- (B) Electric-Assisted Bicycle or E-Bike. A vehicle as defined by ORS 801.258
- (C) Business District. Mill Creek Road between First Street and Eleventh Street.
- (D) Skateboard. A board of any material with wheels on the bottom designed to be ridden by a person.
- (E) Scooter. A vehicle consisting of a narrow board mounted between two wheels (or more) with an upright steering handle attached to the front wheel. A scooter includes those powered by an electric motor or gasoline engine.
- (F) Roller Skates. Two metal or plastic framed objects with wheels designed to be attached to or worn on the feet of a person. Includes roller blades.

Section 2. Prohibited Riding Areas. No person shall ride or operate a bicycle upon a sidewalk in the business district. No person shall ride or operate a scooter, skateboard, or similar apparatus upon a sidewalk in the business district of Aumsville.

Section 3. Yielding Right-of-Way. Any person operating a bicycle, electric-assisted bicycle, scooter, skateboard, roller skates, or similar apparatus upon any other sidewalk shall yield the right-of-way to any pedestrian(s).

Section 4. Bicycle and E-Bike Safety Regulations.

- (A) Every bicycle or E-Bike 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 vehicle.
- (B) A person propelling a bicycle or E-Bike shall not ride other than with his or her feet on the pedals and facing the front thereof.
- (C) No bicycle or E-Bike shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (D) All bicycles or E-Bike shall be equipped with safety reflectors or lights, both front and back.
- (E) Every person operating a bicycle or E-Bike 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 or E-Bike upon a street or other public place shall not ride more than two abreast.

Section 5. Skateboards, Scooters, and Roller Skates Safety Regulations.

(A) Use of a skateboard, scooter, roller skates, or similar apparatus in areas other than the business district is permitted provided the use and the operation thereof 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 6. Bicycle, Skateboards, Scooters, and Roller Skates Parking

Regulations. No person shall park or leave a bicycle, skateboard, scooter, or skates so that a public sidewalk, street, or a driveway is obstructed, or so that a business, office, or residential entryway is obstructed.

Section 7. 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 8. 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. 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.

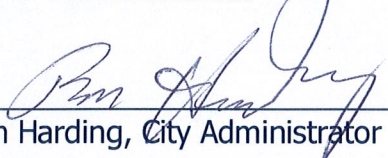
Section 9. Procedure. A citation to appear in Aumsville Municipal Court for violation of this ordinance shall be issued to the alleged violator stating the date, time, and place to appear and the date, time, and place of the alleged offense.

Section 10. Penalty. The civil penalty for violation of any provision of this ordinance shall be a fine no more than \$100.00.

Section 11. Repeal. Ordinance 349 is hereby repealed.

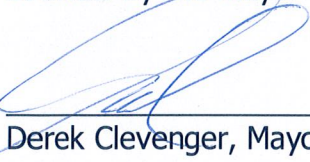
Section 12. Effective Date. This ordinance shall take effect on the thirtieth day after its enactment.

Read first on the 23rd day of November 2020. READ a second time on the 14th day of December, 2020. ADOPTED AND PASSED by the Aumsville City Council on the 14th day of December, 2020.



Ron Harding, City Administrator

SIGNED by the mayor this 17th day of December, 2020



Derek Clevenger, Mayor