

**ORDINANCE NO. 830**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING SECTIONS 10.64.010, 10.64.020, AND 10.64.030 OF CHAPTER 10.64 OF TITLE 10 AND ADDING SECTION 12.16.040 TO CHAPTER 12.16 OF TITLE 12 OF THE GRASS VALLEY MUNICIPAL CODE REGULATING USE OF WHEELED DEVICES**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY:

SECTION 1. CODE AMENDMENT. Section 10.64.010 of Chapter 10.64 of Title 10 of the Grass Valley Municipal Code is amended to read as follows:

The purpose of this chapter is to regulate the use of wheeled devices, including but not limited to bicycles, scooters, rollerblades, roller skates, skateboards, and other similar wheeled devices not necessary for mobility, in parking lots, near commercial and multifamily residential buildings, and on and along pedestrian walks and public right of ways in designated areas of the city identified by posted signs.

SECTION 2. CODE AMENDMENT. Section 10.64.020 of Chapter 10.64 of Title 10 of the Grass Valley Municipal Code is amended to read as follows:

"Pedestrian walk" means those areas of the city, usually a public sidewalk, but may include an alley, roadway, parking lot, or any way or place used for pedestrian foot traffic or for wheelchairs.

"Skateboard" means a mechanism having two or more sets of wheels, often resembling wheels on roller skates, which are fastened to a platform, commonly constructed to accommodate a standing person. Skateboards are normally propelled by the operator pushing off the ground with one foot or by the force of gravity, but may be operated by an engine, motor or similar device.

SECTION 3. CODE AMENDMENT. Section 10.64.030 of Chapter 10.64 of Title 10 of the Grass Valley Municipal Code is amended to read as follows:

A. No person shall use or operate a skateboard within any parking lot of or within 20 feet of the entrance to any commercial building or multifamily

residential building which has been posted by the property owner or manager with a sign(s) as described below.

1. Signs shall be posted along each exterior entrance to the parking lot and along each exterior entrance of the commercial building or multifamily residential building, in plain view of pedestrians and motor vehicle operators entering the parking lot or building at such entrances. Additional signs may be posted at the property owner's or manager's discretion. These signs shall be maintained by the property owner or manager.
2. Each such sign shall state: "SKATEBOARDING PROHIBITED" and underneath "City of Grass Valley Municipal Code Section 10.64.030." The signs shall be not less than one square foot in area and with letters not less than two inches in height.
3. A property owner or manager shall give written notice of such posting to the city chief of police not less than 24 hours before posting such signs.
4. A property owner or manager may withdraw from the provisions of this chapter by notifying the city chief of police, in writing, of such withdrawal, and removing the signs.

B. The director of public works shall post or erect or cause to be posted or erected signs prohibiting the use, operation, or riding of wheeled devices, such as bicycles, scooters, rollerblades, roller skates, skateboards, or other similar wheeled devices not necessary for mobility in places designated by resolution of the city council.

SECTION 4. CODE ADOPTION. Section 12.16.040 of Chapter 12.16 of Title 12 of the Grass Valley Municipal Code is added to read as follows:

12.16.040 – Use of Wheeled Devices in Downtown Core

A. No person shall ride, use, or operate a bicycle, skateboard, scooter (with or without an electric motor), rollerblades, roller skates, or other similar wheeled device not necessary for mobility upon any street, sidewalk, or public right of way within the downtown core boundaries, as that term is defined in Section 8.20.130(B)(1)(a), when signs are posted giving notice of the restriction, except as follows:

1. Wheeled devices necessary for mobility, such as wheelchairs and knee scooters, may be ridden, used, or operated as intended on any public sidewalk, road, or street in the downtown core.
2. Wheeled devices, with the exception of skateboards, may be used in areas designed for automobiles and bicycles if operated therein accordance with State and local law. This section shall not be construed as permitting the riding, using, or operating of any wheeled device on sidewalks or on streets or roadways closed to vehicular traffic.
3. Bicycles, skateboards, scooters, rollerblades, roller skates, and other similar wheeled devices may be carried by or propelled alongside a walking pedestrian.

SECTION 5. CEQA FINDINGS. This Ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act (CEQA) Guidelines because it has no potential to result in physical change in the environment, directly or indirectly. This Ordinance is also exempt under CEQA Guideline 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council of the City of Grass Valley declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect 30 days after its adoption under Article VII, § 2 of the Grass Valley City Charter.

SECTION 8. Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published once in *The Union*, a newspaper of general circulation printed, published, and circulated within the City.

INTRODUCED and first read at a regular meeting of the City Council on the 8<sup>th</sup> day of October, 2024.

FINAL PASSAGE AND ADOPTION by the City Council was at a meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

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Jan Arbuckle, Mayor

ATTEST:

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Taylor Whittingslow, City Clerk

APPROVED AS TO FORM:

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Michael G. Colantuono, City Attorney