CITY OF LANGLEY, WASHINGTON

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, Amending Langley Municipal Code Chapter 10.20 and Ordinance No. 491 regarding Bicycles, Roller Skating, Scooters and Skateboards; and providing for Severability.

WHEREAS, the City Council finds the proposed amendment is in the best interests of the City and the public;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY WASHINGTON, DO ORDAIN as follows:

Section 1. Langley Municipal Code Chapter 10.20 and Ordinance No. 491 are amended to read as follows:

Chapter 10.20

Bicycles, Roller Skating, Scooters & Skateboards and Other Toy Vehicles

Sections:

10.20.005 Findings and Purpose.
10.20.010 Business and commercial zones Definitions
10.20.020 Residential zones Bicycle Regulation
10.20.030 Violation Penalty Business and Commercial Zones Prohibited
10.20.040 Safe Operation and Control Residential Zone
10.20.050 Parent or Guardian Control
10.20.0560 Penalty - Infraction

Section 10.20.005 Findings and Purpose. The City Council finds that safety in the operation of wheeled devices on public property is a high priority, and that serious injuries may occur when operators lose control or otherwise act in a negligent or careless manner. The City Council finds that a risk of injury exists when operators:

• Fail to use protective equipment.
• Fail to keep wheeled devices and protective equipment in good condition.
• Operate wheeled devices on irregular surfaces.
• Attempt maneuvers beyond skill levels.

The City Council accordingly encourages all operators to use caution and to operate wheeled devices utilizing proper fitting safety equipment including helmets, protective clothing, wristbands, padded equipment and proper shoes.

Section 10.20.010 Business and commercial zones.
— No person shall use a skateboard, go cart, scooter, tricycle or any other recreational type of device propelled solely by human power on any public streets, alleys, sidewalks and other public places in the city's business/commercial zones. The use of bicycles shall be regulated in accordance with the Washington Model Traffic Ordinance. (Ord. 491, 1986) **Definitions.** The following words and phrases when used in this chapter shall for the purpose of this chapter, have the meanings respectively ascribed to them in this section.

“Roller Skates” means a pair of shoes, mounted, permanently or temporarily, upon two sets of wheels or a row of wheels and is most often propelled by the user in an upright, crouched or kneeling position.

“Scooter” means a footboard mounted upon two or more wheels and controlled by an upright steering handle. This device is propelled by the user in an essentially upright position.

“Skateboard” means a footboard mounted upon two or more wheels and is usually propelled by the user who sometimes stands, sits, kneels or lies upon the device while it is in motion.

“To operate in a negligent manner” means the operation of Bicycles, Roller Skates, Scooters, or Skateboards in such a manner as to endanger or be likely to endanger any person or property. Examples of operating in a negligent manner include, but are not limited to, failure to yield the right-of-way to pedestrians and/or vehicular traffic.

“Business or Commercial Zones” means the downtown district designated CB Central Business as defined by chapter 18.02 of the Langley Municipal Code.

**Section 10.20.020 Residential-zones. Bicycle Regulations**
— No person shall use a skateboard on any public streets, alleys, sidewalks, and other public places in the city's residential zones. (Ord. 491, 1986). The provisions of this chapter are supplementary to the provisions of state law and bicycles and their operation shall otherwise be regulated in accordance with the Washington Model Traffic Ordinance.

**Section 10.20.030 Violation-Penalty Business and Commercial Zones Prohibited.**
Violation of any provisions of this chapter is an infraction. (Ord. 491, 1986)

It shall be unlawful for any person to operate or ride upon any skateboard, roller skates or scooter upon any street, alley, sidewalk or publicly owned park in the business and commercial zone as defined by LMC chapter 18.02. It shall also be unlawful for any person to operate or ride upon any bicycle upon any sidewalk or publicly owned park in the business and commercial zone/district.

**Section 10.20.040 Safe Operation and Control.** No skateboard, roller skates or scooter shall be ridden or operated in a negligent manner and shall be operated with
reasonable regard for the safety of the operator and others persons and property. Operators of these devices shall obey the instructions of official traffic control signs or other devices applicable to vehicles, unless otherwise directed by a police officer.

Section 10.20.050 Parent or Guardian Control. A parent or guardian shall require that a child under the age of 18 years wears and fastens securely a helmet as defined herein while bicycling, skateboarding, roller skating, riding a scooter or riding as a passenger on a bicycle, skateboard, roller-skate, or scooter in any public area in the city of Langley.

Section 10.20.0560 Penalty – Infraction. Any person violating any of the provisions of this chapter shall be deemed to have committed a civil infraction and second or subsequent offenses will be subject to an enhanced penalty. The fact one violation may be committed upon a different device than another violation is no defense to the enhanced penalty. The chief of police is empowered and authorized to administer the provisions of this chapter.

Section 2. Severability. If any section, paragraph, subsection, clause or phrase of this ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect five (5) days after publication and posting of an approved summary thereof, consisting of the title.

PASSED BY THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON, and approved by the Mayor at a regular meeting held this ____ day of ________________, 2012.

_________________________________
LARRY KWARSICK, Mayor

ATTEST:

________________________________________
DEBBIE L. MAHLER, Director of Finance/Clerk

APPROVED AS TO FORM:

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MICHAEL R. KENYON, City Attorney

PUBLISHED: South Whidbey Record - __________