

SUBSTITUTE

ORDINANCE No.

185596

As Amended

*Amend Code to prohibit the use of skateboards or other similar devices in the neighborhoods surrounding Washington Park between hours of 10 P.M. and 7 A.M. (Ordinance; Replace Code Section 16.70.410)

Section 1. Council Finds:

1. On December 27, 2000, the City Council adopted Ordinance No. 175211, prohibiting the use of in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon any sidewalk within a specified bounded area;
2. In recent years, skateboard traffic has increased, especially the Washington Park neighborhood as a consequence of its unique position between the Washington Park MAX station and the Goose Hollow MAX station, which allows skateboarders to use the MAX as a shuttle to perform repeated high-speed runs through the neighborhood;
3. Many skateboarders use neighborhood streets as a venue for an extreme thrill sport, and not as a means of transportation for which the streets were designed;
4. Many skateboarders who use such streets frequently violate traffic laws by staging races, running stop signs, veering into the oncoming lane, speeding, failing to wear lights and reflectors and/or safety helmets and padding, and failing to yield to pedestrians;

NOW, THEREFORE, the Council directs:

Section 16.70.410 Roller Skates and Skateboards of the City Code are replaced as follows:

- A. No person may use roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon any sidewalk within the area bounded by and including SW Jefferson, Naito Parkway, NW Hoyt and 13th Avenue. The middle and bisecting sidewalks in the Park Blocks are considered sidewalks for the purposes of this subsection.
- B. No person may use roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon any street, roadway or sidewalk on 1. SW 5th or 6th Avenues between SW Lincoln and Burnside; and on 2. NW 5th or 6th Avenues between Burnside and Union Station.

- C. No person may use roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon any street, roadway or sidewalk between the hours of 10 P.M. and 7 A.M. on 1. SW Fairview Boulevard between SW Knights Boulevard and SW Kingston Avenue; 2. SW Kingston Avenue between SW Tichner Drive and the Washington Park entrance; 3. SW Tichner Drive between SW Kingston Avenue and SW Marconi Avenue; 4. SW Marconi Avenue; 5. SW Park Place between SW Marconi Avenue and SW Wright Avenue; 6. SW Lafayette Place; 7. SW Hampshire Street between SW Lafayette Place and SW Champlain Drive; 8. SW Champlain Drive between SW Hampshire Street and SW Rutland Terrace; 9. SW Rutland Terrace; and 10. West Burnside Street from Skyline Boulevard to SW Vista Avenue.
- D. No person may use roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon any street, roadway or sidewalk while attached in any manner to any motor vehicle on the roadway. In addition, a person shall not knowingly drive a motor vehicle that is towing a person riding same.
- E. All persons using roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power must while on a public street, traveling at less than the speed limit of the roadway shall yield to vehicles approaching from the rear by moving to the right curb or shoulder of the street.
- F. During limited visibility conditions and between the hours of sunset and sunrise, all persons using roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power must be equipped with and use lighting equipment that shows a white light visible from a distance of at least 500 feet to the front of the device.
- G. During limited visibility conditions and between the hours of sunset and sunrise, all persons using roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power must be equipped with and use lighting equipment that has a red reflector or lighting device or material of such size or characteristic and so mounted, carried or worn 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.
- H. The penalty for failing to follow the rules of Subsections A. - G. shall be a minimum fine of \$115.

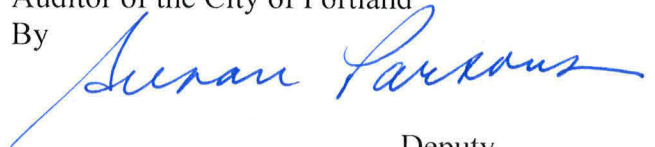
- I. All persons under 16 years of age shall wear protective headgear when using roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon any street, sidewalk, or bridge. The penalty for failure to wear protective headgear as required in this subsection shall be a maximum fine of \$25.
- J. Except for those provisions by their very nature can have no application, this subsection adopts the Oregon Motor Vehicle Code's rules of the road for vehicle drivers to regulate the use of roller skates, including in-line skates, skateboards, scooters, or other similar devices powered exclusively by human power upon a public highway in the City. Riders of such devices are subject to the provisions applicable to, and have the same rights and duties provided any driver of a vehicle by the Oregon Vehicle Code concerning operating on highways except when otherwise specifically provided in this Code.
1. The penalty for failing to follow the rules of the road incorporated by Subsection J shall be a fine of \$250.
 - a. First time offenders of this Code are eligible to participate in Share the Road or similar program in lieu of the fine.
- K. This Section does not apply to bicycles as defined by Section 16.90.025 of this Code.

Section 2. The Council declares that an emergency exists because any delay would harm the public health and safety; therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Section 3. The Council directs that the Portland Police Bureau shall issue warnings for violations for the first week after this ordinance goes into effect.

Passed by Council: **SEP 05 2012**
Commissioner Randy Leonard

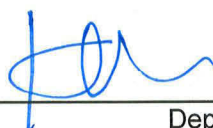
LaVonne Griffin-Valade
Auditor of the City of Portland
By



Deputy

Prepared by: Stu Oishi
Updated: August 31, 2012

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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Leonard</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p><i>Randy Lewis</i> Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: Water Bureau Head:</p> <p>Prepared by: Stu Oishi Date Prepared: August 31, 2012</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date September 5, 2012</p> <p>City Attorney Approval <i>MRM</i></p>	<p>CLERK USE: DATE FILED <u>SEP 04 2012</u></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  _____ Deputy</p> <p>ACTION TAKEN:</p>
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Tom-OK

AGENDA
<p>TIME CERTAIN X Start time: 9:30 AM</p> <p>Total amount of time needed: 45 minutes (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Leonard	4. Leonard <input checked="" type="checkbox"/>	
Adams	Adams <input checked="" type="checkbox"/>	