

ORDINANCE NO.

AN ORDINANCE REPEALING ARTICLE VI OF CHAPTER 19
OF THE MOUNTAIN VIEW CITY CODE IN ITS ENTIRETY AND ADDING A NEW
ARTICLE VI RELATED TO
BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND
TRANSPORTATION DEVICES

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Chapter 19, Article VI, of the Mountain View City Code is hereby
repealed in its entirety.

Section 2. A new Chapter 19, Article VI is added to the Mountain View City Code,
to read as follows:

**“ARTICLE VI.
BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS AND
TRANSPORTATION DEVICES**

SEC. 19.51. Definitions.

Unless otherwise expressly provided in this Article, California Vehicle Code
definitions apply.

“Bicycle parking spaces” shall refer to designated bicycle racks, lockers, corrals
and marked and signed bicycle share parking areas.

“Class II bikeway” shall refer to a bike lane as defined in the California Streets and
Highways Code.

“Class IV bikeway” shall refer to a cycle track, separated bikeway or protected
bikeway as defined in the California Streets and Highways Code.

“Furniture zone” shall refer to that section of the sidewalk between the curb and
the pedestrian through zone in which street furniture and public amenities are
provided. The furniture zone may also consist of green infrastructure elements such as
rain gardens, planters or street trees.

“Pedestrian through zone” shall refer to that section of the sidewalk that is the primary accessible pathway for the continuous and unobstructed path of travel for pedestrians, including pedestrians with disabilities utilizing mobility devices, that is at least six (6) feet wide or the full width of sidewalk if the sidewalk is between four (4) and six (6) feet wide.

“Street furniture” shall refer to items located within the furniture zone of the sidewalk, including, but not limited to, bus stops and shelters, trash cans, hydrants, street lighting, benches, newspaper kiosks, utility poles, tree wells, parking meters and pay stations, planters and bicycle parking spaces.

“Transportation device” shall mean roller skates (including in-line skates), skateboards (including one (1) wheeled skateboards), electric personal assistive mobility devices (EPAMDs) and electrically motorized boards to the extent the city is authorized to regulate these devices under state law.

SEC. 19.52. Authority to regulate.

This article regulates the operation of bicycles, electric bicycles, motorized scooters and transportation devices to the extent the city is authorized to regulate these devices under the California Vehicle Code.

SEC. 19.53. Operating bicycles, electric bicycles and transportation devices on sidewalks.

- a. When operating a bicycle, electric bicycle, roller skates or skateboard upon a sidewalk, a person shall exercise due care under the circumstances and conditions.
- b. When operating a bicycle, electric bicycle, roller skates or skateboard upon a sidewalk, a person shall yield the right-of-way to persons not operating such devices.
- c. No person shall operate a bicycle, electric bicycle or transportation device upon a sidewalk in those locations designated by resolution of the city council and where signs are posted. Children aged ten (10) years and under are exempt from this provision.
- d. No person shall operate a bicycle, electric bicycle or transportation device that is three (3) feet or wider upon a sidewalk except as may be necessary to enter or exit adjacent property.

SEC. 19.54. Operating motorized scooters and transportation devices on roadways.

In addition to any California Vehicle Code requirements applicable to a particular device, the following shall apply to transportation devices and motorized scooters operating on a roadway, which excludes the sidewalk.

a. A person operating a skateboard shall:

1. Operate on roadways that have a posted speed limit of less than or equal to thirty-five (35) miles per hour unless in a Class II or Class IV bikeway;

2. Comply with the following California Vehicle Code requirements, excepting any penalty provisions:

(a) §21293, equipped with lights and reflectors during darkness;

(b) §21221.5, prohibited from riding under the influence;

(c) §21202, riding as close as practicable to the right-hand edge of the road;

(d) §21203, prohibited from attaching one's self to any streetcar or vehicle;

(e) §21208, riding within the bicycle lane;

(f) §21650.1, operating in the same direction as vehicles;

(g) §21950, yielding the right-of-way to a pedestrian in a crosswalk;

(h) §21963, yielding right-of-way to a totally or partially blind pedestrian; and

(i) §27400, not wearing a headset or earplugs in both ears.

b. A person operating roller skates shall comply with subsections a.1. and a.2.(a) - (c), (e) - (i).

c. A person operating an EPAMD shall:

1. Comply with subsections a.1. and a.2.(b) - (i) of this section; and

2. Comply with California Vehicle Code §21212, use of a helmet for people under eighteen (18) years of age.

d. A person operating a motorized scooter may travel outside a Class II or Class IV bikeway on roadways that have a posted speed limit of up to thirty-five (35) miles per hour.

e. A person operating an electrically motorized board shall comply with subsections a.2.(c) – (i) of this section.

SEC. 19.55. Use of bicycles, electric bicycles, motorized scooters, and transportation devices in any city-owned parking structures.

No person shall operate a bicycle, electric bicycle, motorized scooter or transportation device in any city-owned parking structure, except for the limited purpose of accessing parking or to travel through for the purpose of accessing a destination.

SEC 19.56. Use of bicycles, electric bicycles, motorized scooters and transportation devices in parks and other city facilities.

Use of bicycles, electric bicycles, motorized scooters or transportation devices in parks and other city facilities shall comply with Chapter 38 of the city code.

SEC. 19.57. Parking spaces for bicycles, electric bicycles, motorized scooters and transportation devices.

a. The city traffic engineer is hereby authorized to designate and establish bicycle parking spaces for use at such locations and during such times as he or she may deem suitable and necessary.

b. When official signs or markings restricting parking to bicycles are in place, no person shall park or stand any vehicle other than a bicycle, electric bicycle, motorized scooter or transportation device in such a space.

c. Bicycles, electric bicycles, motorized scooters and transportation devices not parked in designated bicycle parking spaces shall be parked in the hardscaped area of the furniture zone. "Hardscaped area" shall mean an area that is paved with hard materials, including, but not limited to, asphalt, concrete, bricks, pavers, stone, wood board, gravel and decomposed stone. Hardscaped areas exclude any areas that are landscaped with grass, shrubs or other vegetation.

d. Transportation devices shall be parked upright. No person shall leave a transportation device lying on its side or in any other position so as to impede travel in the pedestrian through zone.

e. It shall be unlawful to park a bicycle, electric bicycle, motorized scooter or transportation device on sidewalks in the following areas:

1. Within fifteen (15) feet of any marked or unmarked crosswalk;
2. Within ten (10) feet of a curb parallel to a bus stop, except at designated bicycle parking spaces;
3. Within ten (10) feet of a marked and signed loading zone as defined in Sec. 19.1;
4. Within ten (10) feet of a marked and signed ADA-accessible parking space under the ADA Standards for Accessible Design;
5. Within five (5) feet of street furniture that requires pedestrian access, including, but not limited to, benches, parking pay stations and bus shelters;
6. Within five (5) feet of outdoor dining areas as defined in Sec. 21.47 of the city code; and
7. Within a transit platform or transit waiting area except at designated bicycle parking spaces."

Section 3. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 4. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 5. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

Section 6. This ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

PdC/5/ORD
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