

ORDINANCE NO.

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 19  
OF THE MOUNTAIN VIEW CITY CODE RELATED TO  
BICYCLES, ROLLER SKATES, COASTERS AND ELECTRIC  
PERSONAL ASSISTIVE MOBILITY DEVICES (EPAMDs)

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  
amended to read as follows:

**“ARTICLE VI.  
BICYCLES, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES (EPAMDs)  
AND OTHER TRANSPORTATION DEVICES**

**SEC. 19.51. - Definitions**

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

“Transportation device” shall mean roller skates (including in-line skates),  
nonmotorized scooters, skateboards, and electrically motorized boards (as defined in  
California Vehicle Code Section 313.5) to the extent the city is authorized to regulate  
these devices under state law.

**SEC. 19.52. - Riding bicycles or transportation devices on sidewalks.**

a. When riding a bicycle or transportation device upon a sidewalk, a person  
shall ride at a safe speed and with due care under the circumstances or conditions.

b. Persons shall yield the right-of-way to pedestrians when riding a bicycle or  
transportation device upon any sidewalk.

c. Persons shall ride in the same direction as vehicles are required to be driven  
upon the roadway when riding a bicycle or transportation device upon any sidewalk.  
This includes one-way roadways and alleys that are directionally signed.

d. No person shall ride a bicycle or transportation device upon a sidewalk in those locations designated by the city council and where signs are posted. Children under the age of 13 years are exempt from this provision.

**SEC. 19.53. - Number of persons allowed to ride upon bicycles on sidewalks.**

It shall be unlawful for the operator of a bicycle, when upon a public sidewalk, to carry another person upon such bicycle; provided, however, that this prohibition shall not apply to bicycles which are built for two or more persons to ride or to a device designed to carry a child when said device is properly attached to the bicycle and used as intended or designed.

**SEC. 19.54. - Use of bicycles and transportation devices in city-owned parking structures.**

No person shall ride, use, or operate a bicycle or transportation device in city-owned parking structures, except riding a bicycle is allowed in city-owned parking structures for the limited purpose of accessing bicycle parking.

**SEC. 19.55. - Use of transportation devices on roadways prohibited.**

No person shall ride, use, or operate a transportation device upon any roadway.

**SEC. 19.56. - Electric personal assistive mobility devices.**

- (1) No person shall use or operate an electric personal assistive mobility device (EPAMD) as defined in [Chapter 38, Section 38.1](#) of this code, upon and along any sidewalk in the city.
- (2) Any use of public roadways or thoroughfares for commercial purposes, such as tours or other similar events, shall obtain a temporary use permit (TUP) in accordance with Article 36. The use of EPAMDs in city parks and facilities is governed by [Chapter 38, Section 38.13](#).

**SEC. 19.57. - Authority to seize and hold bicycles and transportation devices.**

A police officer may seize and hold any bicycle or transportation device belonging to any person violating the provisions of this article when an individual is cited for any violation of any provisions of this article for the second time within a one-year period. Any time property is confiscated pursuant to this section, the city shall provide a receipt. The receipt shall provide notice that an administrative hearing may be requested within ten (10) days of the notice in front of the city's designated administrative hearing officer and conducted within 48 hours, excluding weekends or

holidays, of the request. The owner shall be entitled to the return of the bicycle or transportation device either thirty (30) days from the date of the confiscation, or at the time as determined at the conclusion of the hearing.

**SEC. 19.58. - Bicycle parking spaces.**

a. The city traffic engineer is hereby authorized to designate and establish bicycle parking spaces for use at such places and during such times as he may deem suitable and necessary. The city traffic engineer may also authorize the placing of bicycle parking racks in the spaces so designated.

b. It shall be unlawful to park any bicycle on any sidewalk except in bicycle racks or lockers or in areas designated by official signs or markings restricting parking to bicycles only. No person shall park or stand any vehicle or device other than a bicycle in such a place. Bicycles parked on sidewalks in racks, lockers, or designated areas shall not impede access, including ADA accessibility, to adjacent walkways.”

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. 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 4. 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 5. 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).

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**“ARTICLE VI.  
BICYCLES, ~~ROLLER SKATES, COASTERS AND~~  
ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES (EPAMDs) AND OTHER  
TRANSPORTATION DEVICES”**

**SEC. 19.51. - Definitions**

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

“Transportation device” shall mean roller skates (including in-line skates), nonmotorized scooters, skateboards, and electrically motorized boards (as defined in California Vehicle Code Section 313.5) to the extent the city is authorized to regulate these devices under state law.

**SEC. 19.5152. - Riding bicycles or transportation devices on sidewalks ~~prohibited.~~**

a. When riding a bicycle or transportation device upon a sidewalk, a person shall ride at a safe speed and with due care under the circumstances or conditions.

b. Persons shall yield the right-of-way to pedestrians when riding a bicycle or transportation device upon any sidewalk.

c. Persons shall ride in the same direction as vehicles are required to be driven upon the roadway when riding a bicycle or transportation device upon any sidewalk. This includes one-way roadways and alleys that are directionally signed.

d. No person shall ride a bicycle or transportation device upon ~~any~~ sidewalk in those locations designated by the city council and where signs are posted. Children under the age of 13 years are exempt from this provision.~~in the business district.~~

**~~SEC. 19.52. - Method of riding upon roadways.~~**

~~The rider of any bicycle on the roadway shall ride as nearly as practicable to the right-hand curb or edge of the roadway.~~

**SEC. 19.53. - Number of persons allowed to ride upon bicycles on sidewalks.**

It shall be unlawful for the operator of a bicycle, when upon a public ~~right-of-way, sidewalk,~~ to carry another person upon such bicycle; provided, however, that this prohibition shall not apply to bicycles which are built for two or more persons to ride and propel the same or to a device designed to carry a child when said device is properly attached to the bicycle and used as intended or designed. e and the child is securely fastened to a seat designed to carry a child.

**SEC. 19.54. - Use of bicycles and transportation devices~~roller skates, in-line skates, skateboards, bicycles, and coasters~~ in ~~business districts or any city-owned~~ parking structures.**

No person shall ride, use, or operate a bicycle or transportation device ~~skate with roller skates or in-line roller skates, or propel any coaster brake wagons or vehicles or skateboards or ride bicycles upon and along any sidewalk in any business district or in any city-owned parking structures,~~ except riding a bicycle is allowed in city-owned parking structures for the limited purpose of accessing bicycle parking.

**~~SEC. 19.55. - Use of coasters, roller skates, etc., on roadways prohibited.~~**

~~No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway.~~

**SEC. 19.55. - Use of transportation devices on roadways prohibited.**

No person shall ride, use, or operate a transportation device upon any roadway.

**SEC. 19.~~55~~A56. - Electric personal assistive mobility devices.**

(1) No person shall use or operate an electric personal assistive mobility device (EPAMD) as defined in Chapter 38, Section 38.1 of this code, upon and along any sidewalk in the city.

- (2) Any use of public roadways or thoroughfares for commercial purposes, such as tours or other similar events, shall obtain a temporary use permit (TUP) in accordance with Article 36. The use of EPAMDs in city parks and facilities is governed by [Chapter 38, Section 38.13](#).

**SEC. 19.5657. - Authority to seize and hold bicycles, ~~etc and transportation devices~~.**

A police officer may seize and hold any bicycle ~~, tricycle, roller skates, coasters,~~ or ~~similar transportation~~ devices belonging to any person violating the provisions of this article ~~for a period of thirty (30) days when an individual is cited for any violation of any provisions of this article for the second time within a one-year period. Any time property is confiscated pursuant to this section, the city shall provide a receipt. The receipt shall provide notice that an administrative hearing may be requested within ten (10) days of the notice in front of the city's designated administrative hearing officer and conducted within 48 hours, excluding weekends or holidays, of the request. The owner shall be entitled to the return of the bicycle or transportation device either thirty (30) days from the date of the confiscation, or at the time as determined at the conclusion of the hearing.~~

**SEC. 19.5758. - Bicycle parking spaces.**

a. The city traffic engineer is hereby authorized to designate and establish bicycle parking spaces for use at such places and during such times as he may deem suitable and necessary. The city traffic engineer may also authorize the placing of bicycle parking racks in the spaces so designated.

b. ~~When official signs or markings restricting parking to bicycles only are in place, bicycles shall be parked only in such places, and no person shall park or stand any vehicle other than a bicycle or other two-wheeled vehicle in such a space. It shall further be unlawful to park any bicycle on any sidewalk except as hereinabove specified. It shall be unlawful to park any bicycle on any sidewalk except in bicycle racks or lockers or in areas designated by official signs or markings restricting parking to bicycles only. No person shall park or stand any vehicle or device other than a bicycle in such a place. Bicycles parked on sidewalks in racks, lockers, or designated areas shall not impede access, including ADA accessibility, to adjacent walkways.~~

Section 2. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 3. 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.

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Section 5. 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).

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