

City of Scottsbluff, Nebraska

Tuesday, February 16, 2016

Regular Meeting

Item Resolut.3

Council to consider an Ordinance regulating motorized skate boards, hoverboards, and motorized scooters (second reading).

Staff Contact: Nathan Johnson, Assistant City Manager

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING CHAPTER 3, ARTICLES 3 AND 4 OF THE SCOTTSBLUFF MUNICIPAL CODE, AMENDING AND REVISING CHAPTER 20, ARTICLE 6 OF THE SCOTTSBLUFF MUNICIPAL CODE, ALL INCLUDING NEW DEFINITIONS AND DEALING WITH THE REGULATION OF MOTORIZED SKATE BOARDS, HOVERBOARDS, MOTORIZED SCOOTERS, AND THE LIKE WITHIN THE CITY OF SCOTTSBLUFF, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Chapter 3, Article 4, Section 1 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

“Section 3-4-1. Motorized Skateboard.

A “motorized skateboard” shall mean any device consisting of a deck or riding surface of any design upon which a person may stand or sit, having any number of wheels, and is propelled by any type of motorized power, which is capable of traveling more than 15 mph, including any hoverboard, go-ped, pocket motorcycle, motorized skateboard, motorized scooter and the like. Provided, however, that a device designed and used for the transport of disabled persons shall not be considered a motorized skateboard within the meaning of this Article, and an Electric Personal Assistive Mobility Device as defined by §3-5-1 of this Municipal Code shall not be considered a motorized skateboard within the meaning of this Article.”

Section 2. Chapter 3, Article 4, Section 2 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language.

“Section 3-4-2. Operation; Prohibited; Where.

Motorized skateboards shall not be operated:

- A. On any public street and alley in the City;
- B. On any public sidewalk or City owned parking lot described in 3-3-4;
- C. In any City Park or roadway within a park;
- D. On any pedestrian or bicycle pathway;
- E. On any public or private property when notice against trespass is given as defined

in Section 13-2-9(2).”

Section 3. Chapter 20, Article 6, Section 26 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language.

“20-6-26. Play vehicles; defined.

The term “play vehicle” shall include wagons, sleds, ice skates, scooters which are not motorized, tricycles, bicycles with both wheels smaller than those as defined in Chapter 3, Article 1 of this Code, toy cars or other toy vehicles. The term shall not include skates, motorized skateboards or electric personal assistive mobility devices as defined in Chapter 3 of this Municipal Code, nor shall it include wheelchairs or similar devices required for the mobility of a disabled person.”

Section 4. Previously existing Sections 3-4-1, 3-4-2, and 20-6-26, and all other ordinances and parts of ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to effect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this Ordinance becomes effective.

Section 5. This Ordinance shall become effective upon its passage and approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2016.

Attest:

Mayor

City Clerk (Seal)

Approved as to form:

City Attorney