

ORDINANCE NO. 1473-04

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON
RELATING TO THE USE OF MOTORIZED FOOT SCOOTERS

Whereas, the City Council of the City of Sedro-Woolley desires to regulate the use of motorized foot scooters to enhance the health, safety and welfare of its citizens; and

Whereas, the City Council of the City of Sedro-Woolley finds that providing rules as to the proper operation of motorized foot scooters would increase the health, safety and welfare of its citizens; and

Whereas, the City Council of the City of Sedro-Woolley finds that providing minimum requirements as to motorized foot scooter lighting and other equipment would increase the health, safety and welfare of its citizens;

NOW, THEREFORE, THE CITY COUNCIL OF MOUNT VERNON, WASHINGTON,
DOES ORDAIN AS FOLLOWS:

SECTION 1. That Section 10.92.010 of the Sedro-Woolley Municipal Code is hereby amended to read as follows:

10.92.010 Definitions.

The following words and phrases when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section:

A. "Skateboard" means a foot board mounted upon wheels and is usually propelled by the user who sometimes stands, sits, kneels or lays upon the device while it is in motion.

B. "Roller skate" means a pair of shoes, mounted upon wheels and is most often propelled by the user in an upright, standing position or kneeling.

C. "Coaster" means a foot board mounted upon two or more wheels and controlled by an upright steering handle. This device is propelled by the user in usually an upright position.

D. "Bicycle" means a two-wheeled cycle pro-pelled by pedals.

E. "Tricycle" means a three-wheeled cycle pro-pelled by pedals.

F. "To operate in a negligent manner" means the operation of one or more of the above-described devices 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 obey all traffic control devices and failure to yield right-of-way to pedestrians and/or vehicular traffic.

G. "Central business district," for purpose of this chapter, means that portion of the city, (including the sidewalks and public right-of-way on both sides of the following boundary streets and the entire area within the boundaries so

described,) described as follows: starting at the intersection of Eastern Avenue and State Street, thence north and east on Eastern Avenue to Metcalf Street, thence south on Metcalf Street South to Ferry Street, thence east on Ferry Street to Murdock Street, thence south on Murdock Street to State Street, thence west on State Street to Third Street, thence South on Third Street South to Warner Street, thence west on Warner Street to First Street, thence north on First Street North to State Street, thence west on State Street to Eastern Avenue. This area is depicted upon the map annexed to the ordinance codified in this chapter, as Exhibit "A."

H. “Motorized foot scooter” means a device with no more than two ten-inch or smaller diameter wheels that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion.

SECTION 2. That a new section is hereby added to the Sedro-Woolley Municipal Code, to be known as Section 10.92.045, which shall read as follows:

10.92.045 Motorized Foot Scooters - general requirements and operation

A. No person may operate a motorized foot scooter on a public way unless such person is sixteen years of age or older.

B. It is unlawful for any person to use or operate a motorized foot scooter upon any sidewalk or public trail within the City of Sedro-Woolley.

C. Every motorized foot scooter when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the state patrol which shall be visible from all distances up to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector. A light-emitting diode flashing taillight visible from a distance of five hundred feet to the rear may also be used in addition to the red reflector.

D. Operation of a motorized foot scooter on a public way with a speed limit in excess of twenty-five miles per hour unless the motorized foot scooter is operated within a bicycle lane is unlawful.

SECTION 3. That a new section is hereby added to the Sedro-Woolley Municipal Code, to be known as Section 10.92.055, which shall read as follows:

10.92.055 Helmet Required - Defined

A. Any person operating a motorized foot scooter or riding as a passenger upon a motorized foot scooter on any public area in the City of Sedro-Woolley shall wear an approved helmet designed for safety and shall have either the neck or chin strap of the helmet fastened securely while the motorized scooter is in motion.

B. “Helmet” means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type

retention system, with a label required by the Federal Consumer Products Safety Commission as adopted by the Code of Federal Regulations 16CFR1203.

SECTION 5. That a new section is hereby added to the Sedro-Woolley Municipal Code, to be known as Section 10.92.065, which shall read as follows:

10.92.065 Traffic laws apply to persons operating motorized foot scooters.

Every person riding a motorized foot scooter upon a public way shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to RCW chapter 46.61, except special regulations in RCW 46.61.750 through 46.61.780 shall apply to persons operating a motorized foot scooter and except as to those provisions of chapter 46.61 which by their nature can have no application.

SECTION 6. If any section, subsection, sentence, clause, chapter, provision, or phrase of this ordinance or its application to any person or circumstance is found to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of the ordinance or the application or the provisions to other persons or circumstances.

SECTION 7. This ordinance shall be effective five (5) days after passage and publication as provided by law.

PASSED AND APPROVED this 12 day of May, 2004.

Sharon D. Dillon
MAYOR

ATTEST:

Patsy K. Nelson
City Clerk

Approved as to form:

Patrick M. Hayden
City Attorney