

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING CHAPTER 13.12 OF THE SANTA CRUZ MUNICIPAL CODE

WHEREAS, California Health and Safety Code section 115800(a) provides that “[a]n operator of a skateboard park shall not permit a person to ride a skateboard or other wheeled recreational device in the park, unless that person is wearing a helmet, elbow pads, and knee pads;” and

WHEREAS, pursuant to California Health and Safety Code section 115800(b), the requirements listed in section 115800(a) may be satisfied with respect to a facility owned or operated by a local public agency that is designed and maintained for the purpose of riding a recreational skateboard or other wheeled recreational device, that is not supervised on a regular basis, in part, by adopting an ordinance requiring a person riding a skateboard or other wheeled recreational device at the facility to wear a helmet, elbow pads, and knee pads; and

WHEREAS, Santa Cruz Municipal Code section 13.12.010 requires the use of helmet, elbow pads and knee pads while riding a skateboard or bicycle in a city park or city recreational facility, but does not include “other wheeled recreational devices,” as required by California Health and Safety Code section 115800; and

WHEREAS, this Ordinance amends Santa Cruz Municipal Code Chapter 13.12 to include reference to “other wheeled recreational devices” as used in California Health and Safety Code section 115800; and

WHEREAS, in enacting this ordinance, the Santa Cruz City Council intends to avail the City of Santa Cruz of the immunity from potential liability provided in Government Code section 831.7 related to hazardous recreational activities, as set forth in California Health and Safety Code section 115800(e).

BE IT ORDAINED BY The City of Santa Cruz as follows:

SECTION 1. Chapter 13.12 of the Santa Cruz Municipal Code is amended to read as follows:

“Chapter 13.12 USE OF SKATEBOARDS AND WHEELED RECREATIONAL DEVICES AT CITY-OWNED PARKS AND RECREATIONAL FACILITIES”

13.12.050 DEFINITIONS.

- a. City park and recreational facility: the terms “city park,” and “city recreational facility” as used in this Chapter shall mean all human made public parks or public recreational facilities located in the City of Santa Cruz, which are owned or operated by the city, and are specifically designed to accommodate and allow skateboards or other wheeled recreational

devices used for stunt, trick, or obstacle course riding, such as city skate parks, bike parks and pump tracks.

- b. Skateboard: the term “skateboard” shall refer to any short narrow board with two small wheels fixed to the bottom of either end on which a person may ride in a standing or other position.
- c. Wheeled recreational device: the term “wheeled recreational device” shall refer to any nonmotorized bicycles, scooters, inline skates, roller skates, or wheelchairs being used for recreational purposes, as the term is defined in California Health and Safety Code section 115800(d) or any successor statute thereto.

13.12.010 SAFETY REQUIREMENTS.

- a. No person shall ride or operate a skateboard, bicycle, scooter, inline skates, roller skates, wheelchair used for recreational purposes, or other wheeled recreational device or permit a minor for whom they are responsible to ride or operate such, at a city park or city recreational facility designed to accommodate specific hazardous recreational activities defined under Government Code section 831.7 or any successor statute thereto, unless the person or minor, while riding or operating such a device is wearing a helmet, elbow pads and knee pads.
- b. All persons riding a skateboard or other wheeled recreational device at a city park or city recreational facility shall abide by all applicable local rules, regulations, state, and federal laws.

13.12.015 PROHIBITED ACTIVITIES.

- a. Only skateboards, wheeled recreational devices, or any other device specifically authorized for use at the city park or city recreational facility as determined by the Director of Parks and Recreation will be permitted at said park or recreational facility designed for such use. All other wheeled recreational devices prohibited or not specifically authorized by the specific park regulations shall not be allowed at the city park or city recreational facility.
- b. No person shall bring a skateboard or other wheeled recreational device, or permit a minor for whom they are responsible to bring such, into a city park or city recreational facility where that device is not specifically authorized for use.

13.12.020 PENALTY – INFRACTION.

Any person who violates any provision of this chapter is guilty of an infraction.”

SECTION 2. If any section or portion of this chapter is found to be invalid by a court of competent jurisdiction, such finding shall not affect the validity of the remainder of the chapter, which shall continue in full force and effect.

SECTION 3. This ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 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.)

SECTION 4. This ordinance shall be in force and take effect thirty (30) days after its final adoption.

PASSED FOR PUBLICATION this 12th day of March 2024, by the following vote:

AYES: Councilmembers Newsome, Brown, Watkins, Brunner, Kalantari-Johnson;
Vice Mayor Golder; Mayor Keeley.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

ORDINANCE NO. 2024-07

PASSED FOR FINAL ADOPTION this 26th day of March 2024 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Fred Keeley, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2024-07 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Bonnie Bush, City Clerk Administrator