

ORDINANCE NO. C-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH DECLARING BMX BIKE RIDING TO BE A HAZARDOUS RECREATIONAL ACTIVITY; AND BY AMENDING THE LONG BEACH MUNICIPAL CODE BY AMENDING SUBSECTIONS G AND J OF SECTION 16.16.015, AND BY ADDING SECTION 16.16.017, RELATING TO THE USE OF BICYCLES IN SKATE PARKS

WHEREAS, the community has expressed the need and desire for a bicycle motocross ("BMX") facility within a designated skate park in the City of Long Beach, and

WHEREAS, the City Council of the City of Long Beach desires to create a pilot program wherein a skate park can be used by skaters and BMX bike riders during separate posted hours.

NOW, THEREFORE, the City Council of the City of Long Beach ordains as follows:

Section 1. BMX bike riding is declared to be a hazardous recreational activity within the meaning of Section 831.7 of the Government Code.

Sec. 2. Section 16.16.015 of the Long Beach Municipal Code is amended by amending Subsection G to read as follows:

G. No person, other than a skater, or a BMX bike rider as authorized and posted pursuant to Section 16.16.017, is permitted within a designated skate park except that spectators may sit or stand in areas designated for that purpose.

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1 Sec. 3. Section 16.16.015 of the Long Beach Municipal Code is
2 amended by amending Subsection J to read as follows:

3 J. Except as authorized and posted pursuant to Section 16.16.017 of
4 this Chapter, no bicycles or scooters are permitted within any designated skate
5 park.

6
7 Sec. 4. Section 16.16.017 of the Long Beach Municipal Code is added
8 to read as follows:

9 16.16.017 BMX bicycles in designated skate parks.

10 A. "Bike rider" means a person using a BMX bicycle in a
11 designated skate park.

12 B. "BMX bike" means a single-speed bicycle with wheels
13 between eighteen (18") and twenty (20") inches in diameter, a free front
14 wheel, and a working handbrake on the rear wheel.

15 C. "Director" means the director of parks, recreation and marine
16 or his designee.

17 D. "Properly-equipped BMX bike" means a bicycle that has
18 handlebar grips. Pegs, if any, shall be smooth with end caps, or must be
19 removed before entering the skate park. The bicycle shall be in good
20 working order and in a condition which does not cause mud or dirt to be
21 deposited in the skate park.

22 E. On a trial basis, BMX bike riding is permitted in the Houghton
23 Park Skate Park during hours determined by the director.

24 F. Bike riders must wear a safety helmet, elbow pads and
25 kneepads at all times while riding within the skate park.

26 G. Only properly-equipped BMX bikes may be ridden in the skate
27 park. The final determination as to whether a bicycle is a properly-
28 equipped BMX bike shall be made by the director.

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H. The director is authorized to post additional rules he determines are necessary for the safe operation of the Designated Skate Park.

I. The director shall have the discretion to terminate the pilot program prior to its scheduled conclusion.

J. This section shall cease to be of any effect on October 1, 2005, unless extended.

A violation of this Section shall be an infraction punishable by a fine of not more than one hundred dollars (\$100.00) for a first offense and not more than two hundred dollars (\$200.00) for a second offense within a twelve (12) month period. Three (3) or more violations of this Section within a twelve (12) month period may be charged as a misdemeanor.

Sec. 5. The City Clerk shall certify to the passage of this ordinance by the City Council of the City of Long Beach and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2004, by the

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following votes:

Ayes: Councilmembers:

Noes: Councilmembers:

Absent: Councilmembers:

City Clerk

Approved: _____
(Date)

Mayor