



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

**ORD-13**

CHARLES PARKIN  
City Attorney

MICHAEL J. MAIS  
Assistant City Attorney

MONTE H. MACHIT  
Assistant City Attorney

PRINCIPAL DEPUTIES

Gary J. Anderson  
Dominic Holzhaus  
Anne C. Lattime

DEPUTIES

C. Geoffrey Allred  
Richard F. Anthony  
William R. Baerg  
Kendra L. Carney  
LaTasha N. Corry  
Charles M. Gale  
Haleh R. Jenkins  
Michele L. Levinson  
Barbara J. McTigue  
Lauren E. Misajon  
Howard D. Russell  
Arturo D. Sanchez  
Linda T. Vu  
Amy R. Webber  
Theodore B. Zinger

March 1, 2016

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Chapter 10.51, regulating the operation of electrically motorized boards in business districts in the City of Long Beach, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION:


Pursuant to your request on February 9, 2016, this ordinance has been prepared and is submitted for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By   
AMY R. WEBBER  
Deputy City Attorney

ARW:bg A16-00313  
L:\Apps\CtyLaw32\WPDocs\D022\P027\00598832.DOC

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE LONG BEACH MUNICIPAL CODE BY ADDING CHAPTER 10.51, REGULATING THE OPERATION OF ELECTRICALLY MOTORIZED BOARDS IN BUSINESS DISTRICTS IN THE CITY OF LONG BEACH

WHEREAS, electrically motorized boards, also known as "hover boards," have become popular modes of transportation; and

WHEREAS, AB 602 recently amended State law to require hover board riders to be at least sixteen (16) years of age, to wear a helmet, to ride only on streets where the speed limit is under thirty-five (35) miles per hour, and to permit local governments to adopt ordinances, rules and regulations governing the use of electrically motorized boards; and

WHEREAS, because hover boards are motorized, they present a hazard to pedestrians on crowded sidewalks in business districts, requiring regulation;

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

Section 1. Chapter 10.51 is hereby added to the Long Beach Municipal Code to read as follows:

Chapter 10.51

ELECTRICALLY MOTORIZED BOARDS

10.51.010 Definition.

"Electrically motorized board" ("EMB") shall mean any wheeled device

1 that has a floorboard designed to be stood upon when riding that is not greater  
2 than 60 inches (60") deep and 18 inches (18") wide, is designed to transport  
3 only one (1) person and has an electric propulsion system averaging less  
4 than one thousand (1,000) watts, the maximum speed of which, when  
5 powered solely by a propulsion system on a paved level surface, is no more  
6 than twenty (20) miles per hour. The device may be designed to also be  
7 powered by human propulsion. For the purposes of this Chapter, EMBs shall  
8 not include "electric personal assistive mobility devices" defined as self-  
9 balancing, two (2) non-tandem wheeled devices designed to transport one  
10 (1) person by means of an electric propulsion system, also known as  
11 "Segways," defined in California Vehicle Code section 313.

12 10.51.020 Prohibited - Sign posting.

13 Whenever any provision of this Chapter designates and describes any  
14 street, alley or sidewalk, or any portion thereof, as an area where the  
15 operation of EMBs is prohibited, the Traffic Engineer shall place and maintain  
16 signs giving notice thereof on each and every street, alley or sidewalk, or  
17 portion thereof, which constitutes an entrance to the area which has been so  
18 designated.

19 10.51.030 Prohibited - Designated areas.

20 No person shall operate, drive or cause to be propelled an EMB on  
21 any street, alley or sidewalk, or portion thereof, in any business district, as  
22 defined in California Vehicle Code section 235, which has been designated  
23 as an area where operation of EMBs is prohibited.

24 10.51.040 Use of EMBs by persons with disabilities.

25 This provisions of this Chapter shall not apply to EMBs used as  
26 mobility aids designed for use by persons with disabilities.

27 10.51.050 Prohibited - Areas enumerated.

28 The City Council, having made a finding that the operation of EMBs on

1 the following streets, alleys or sidewalks, or portion thereof, will create a  
2 hazard to persons or property, determines and declares said streets, alleys  
3 or sidewalks, or portions thereof, as areas where the operation of EMBs is  
4 prohibited:

5 A. East Second Street, between the intersection of Second  
6 Street and Livingston Drive and Naples Plaza, including the entire portion of  
7 the roadway and the entire width of both the north and south sidewalk,  
8 except the entire width of the north sidewalks between the east curb of Bay  
9 Shore and San Marco;

10 B. The Belmont Pier Plaza located at the foot of Belmont Pier;

11 C. The east-west pedestrian walkway designated as Allin Street  
12 between the southerly projection of Thirty-Ninth Place on the west and the  
13 southerly projection of Termino Avenue on the east;

14 D. The Belmont Pier Plaza parking lot located on the beach  
15 southerly of Allin Street between Belmont Pier on the west and the  
16 southerly projection of Termino Avenue on the east;

17 E. Midway Street between Thirty-Ninth Place on the west and  
18 Termino Avenue on the east including the entire portion of the roadway and  
19 the entire width of both the north and south sidewalks;

20 F. West sidewalk of Termino Avenue between Ocean Boulevard  
21 on the north and the westerly projection of the south side of Olympic Plaza  
22 on the south;

23 G. The sidewalks adjacent to Belmont Plaza Pool on the north,  
24 south, east and west sides;

25 H. The street and sidewalks at the end of Plaza Way, between  
26 Vista del Golfo and Corso di Oro, adjacent to Look-Out Park;

27 I. Within the civic center plaza or within Lincoln Park, which  
28 together include all areas bounded by the west right-of-way line of Pacific

1 Avenue, the north right-of-way line of Ocean Boulevard, the west right-of-  
2 way line of the vacated Chestnut Avenue right-of-way, and the south right-  
3 of-way line of Broadway;

4 J. Within all areas known as The Promenade South and The  
5 Promenade North, between Shoreline Drive and Third Street, including the  
6 bridges over Seaside Way and Shoreline Drive, and the plaza areas  
7 surrounding the children's fountain;

8 K. Within all portions of the Long Beach Convention and  
9 Entertainment Center site, including sidewalks, other pedestrian assembly  
10 areas, driving aisles, parking lots and parking structures;

11 L. South side of Fourth Street between Cherry Avenue and  
12 Junipero Avenue and the north side of Fourth Street between Cherry  
13 Avenue and Rose Place;

14 M. That portion of both sides of the street and sidewalks of  
15 Thirty-First Street between Atlantic Avenue and Long Beach Boulevard;

16 N. Both sides of Fourth Street between Ximeno Avenue and Park  
17 Avenue.

18 10.51.050 Penalty.

19 Violation of this Chapter is an infraction punishable by a fine not to  
20 exceed one hundred dollars (\$100).

21

22 Section 2. The City Clerk shall certify to the passage of this ordinance by  
23 the City Council and cause it to be posted in three (3) conspicuous places in the City of  
24 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the  
25 Mayor.

26 ///

27 ///

28 ///

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Lana Beach, CA 90802-4664

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2016, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor