

Ordinance No. ____

Ordinance of the Council of the City of Palo Alto Amending Section 22.04.220
(Bicycles and animals) of the Palo Alto Municipal Code to Prohibit the Use of
Electric Bicycles in the City's Parks Except as Permitted by Regulation.

The Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and declarations.

- A. California Vehicle Code section 21207.5 prohibits the use of motorized bicycles and Class 3 electric bicycles "on a bicycle path or trail, bikeway, bicycle lane established pursuant to Section 21207, equestrian trail, or hiking or recreational trail, unless it is within or adjacent to a roadway or unless the local authority or the governing body of a public agency having jurisdiction over the path or trail permits, by ordinance, that operation."
- B. In 2022, the State of California approved AB 1909, which amended California Vehicle Code section 21207.5 to allow the use of Class 3 electric bicycles in the areas listed above unless an agency adopts an ordinance prohibiting such use. This amendment will be effective January 1, 2023.
- C. The City Council now desires to adopt this ordinance to ensure the City can retain its authority to prohibit the use of electric bicycles in certain park and open space areas as permitted by AB 1909 and California Vehicle Code section 21207.5 as amended.

SECTION 2. Section 22.04.220 (Bicycles and animals) of Chapter 22.04 (Parks and Recreation Building Use and Regulations) of Title 22 (Parks) is hereby amended as follows (new text in underline, deleted text in ~~striketrough~~):

22.04.220 Bicycles and animals.

- (a) No person shall operate, drive or ride a bicycle, electric bicycle (e-bike), unicycle, skateboard, roller skates, scooter, jogging stroller or other coasting device (including electric coasting devices), horse or any other animal in a park or open space lands except ~~on established paths or walkways, unless as~~ expressly permitted to do so pursuant to park regulations.
- (b) Persons riding horses shall properly dispose of horse manure dropped from the animal they are riding by removing it to the side of the levee, trail or road.
- ~~(c) No person shall operate or use a skateboard, roller skates, scooter, jogging stroller or other coasting device in open space lands except on the Renzel Trail and other paved off-road multi-use trails.~~

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without

regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Council finds that this project is categorically exempt from the provisions of the California Environmental Quality Act (“CEQA”) under sections 15301 (Existing Facilities).

SECTION 5. This Ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

NOT PARTICIPATING:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Director of Community Services