

CITY OF ALAMEDA

Memorandum

To: Honorable Mayor and
Members of the City Council

From: Debra Kurita
City Manager

Date: June 17, 2008

Re: Introduce an Ordinance Amending the Alameda Municipal Code by Amending Subsections 8-26.1 (Use of Coasters, Roller Skates and Similar Devices Restricted) of Section 8-26 (Coasters, Skates, Etc.) of Chapter VIII (Traffic, Motor Vehicles and Alternative Transportation Modes) and 23-1.3 (Riding of Bicycles and Skateboards in Parks, Etc.) of Section 23-1 (Parks and Squares) of Chapter XXIII (Parks, Recreation Areas and Public Property) to Expand the Prohibition to Include Skateboards and Their Use Within or Upon Any City Owned or Leased Property, Buildings or Structures Unless Authorized by Subsection 23-1.3

BACKGROUND

The Alameda Police Department has actively enforced the existing Alameda Municipal Code section prohibiting the use of coasters, roller skates, and similar devices upon the sidewalks and roadways in the City's business districts. The Civic Center Parking Structure located at 1416 Oak Street opened on February 8, 2008. As of March 30, 2008, the Police Department has responded to 123 calls for service involving juveniles in the Civic Center Parking Structure. Some of the calls are in response to juveniles skateboarding in the structure. While the Police Department could cite many of these juveniles for loitering or trespassing upon City property, there is no Alameda Municipal Code section that allows the department to enforce riding of skateboards and other coaster devices within the parking garage or on any municipal owned or leased property, buildings, or structures.

DISCUSSION

The Alameda Police Department has worked closely with the City Attorney's Office to expand the current Alameda Municipal Code Subsections 8-26.1 and 23-1.3 to establish that the prohibition shall also include the use of skateboards and other coaster devices within or upon City owned or leased property, buildings, or structures. The prohibition specifically applies to any parking lot or parking structure owned or leased by the City, including the parking lot at the new Main Library, which has begun to attract skateboarders. There is an exception existing for use of skateboards, roller skates, and in-line skates at the Skate Park at Alameda Point; this exception has been left unchanged by this ordinance. With the implementation of this new ordinance, the Police Department will

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be able to specifically cite skateboarders and other coaster violators in the new Civic Center Parking Structure.

BUDGET CONSIDERATION/FINANCIAL IMPACT

If the proposed amendment is implemented, there will be signs posted at the entrance of the garage informing those present of the prohibition of skateboards and other coaster devices in the Civic Center Parking Structure. The cost of the signs will be determined by Public Works, and the installation of the signs will be performed by Public Works. There will be no other expenses associated with the implementation of this ordinance.

MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

This Municipal Code change affects Chapter VIII (Traffic, Motor Vehicles and Alternative Transportation Modes) by amending Subsection 8-26.1 (Use of Coasters, Roller Skates and Similar Devices Restricted) and Chapter XXIII (Parks, Recreation Areas and Public Property) by amending Subsection 23-1.3 (Riding of Bicycles and Skateboards in Parks, Etc.). Each section has been thoroughly analyzed and found to be compatible with the proposed amendment to the Municipal Code.

RECOMMENDATION

Introduce an Ordinance amending the Alameda Municipal Code by amending Subsections 8-26.1 (Use of Coasters, Roller Skates and Similar Devices Restricted) of Section 8-26 (Coasters, Skates, Etc.) of Chapter VIII (Traffic, Motor Vehicles and Alternative Transportation Modes) and 23-1.3 (Riding of Bicycles and Skateboards in Parks, Etc.) of Section 23-1 (Parks and Squares) of Chapter XXIII (Parks, Recreation Areas and Public Property) to expand the prohibition to include skateboards and their use within or upon any City owned or leased property, buildings or structures unless authorized by Subsection 23-1.3.

Respectfully submitted,



Walter B. Tibbet
Chief of Police

WBT:jrs

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

Approved as to Form


City Attorney

AMENDING THE ALAMEDA MUNICIPAL CODE BY AMENDING SUBSECTIONS 8-26.1 (USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES RESTRICTED) OF SECTION 8-26 (COASTERS, SKATES, ETC.) OF CHAPTER VIII (TRAFFIC, MOTOR VEHICLES AND ALTERNATIVE TRANSPORTATION MODES) 23-1.3 (RIDING OF BICYCLES AND SKATEBOARDS IN PARKS, ETC.) OF SECTION 23-1 (PARKS AND SQUARES) OF CHAPTER XXIII (PARKS, RECREATION AREAS AND PUBLIC PROPERTY) TO EXPAND THE PROHIBITION TO INCLUDE SKATEBOARDS AND THEIR USE IN CITY OWNED OR LEASED PROPERTY, BUILDINGS OR STRUCTURES UNLESS AUTHORIZED BY SUBSECTION 23-1.3

BE IT ORDAINED by the City Council of the City of Alameda that:

Section 1. The Alameda Municipal Code is hereby amended by amending Subsection 8-26.1. Use of Coasters, Roller Skates and Similar Devices Restricted as follows:

8-26.1 Use of Coasters, Roller Skates, Skateboards and other Similar Devices Restricted

It shall be unlawful for any person upon roller skates or riding in or by means of any coaster, skateboard, toy vehicle or similar device to go upon any roadway or upon the sidewalk in any business district, or any property, building or structure owned or leased by the City.

Section 2. The Alameda Municipal Code is hereby amended by amending Subsection 23-1.3. Riding of Bicycles and Skateboards in Parks, Etc. as follows:

23-1.3 Riding of Bicycles and Skateboards in Parks, Etc.

It shall be unlawful when and where posted for any person to operate or ride a bicycle, or skateboard, propelled wholly or in part by muscular power, within or upon any public park, playground, or school property in the City or parking lot, parking structure owned or leased by the City. The use and operation of skateboards, roller skates, and in-line skates shall be authorized at the Skate Park, at Alameda Point. All persons using, operating, or riding a skateboard, roller skates, or in-line skates at the Skate Park, at Alameda Point, shall wear a helmet, elbow pads, and knee pads at all times.

Section 3. Severability Clause. It is the declared intent of the City Council of Alameda that if any section, subsection, sentence, clause, phrase, or

provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 4. This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Presiding Officer of the Council

Attest:

Lara Weisiger, City Clerk
City of Alameda

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 17th day of June, 2008 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of June, 2008.

Lara Weisiger, City Clerk
City of Alameda