

## ORDINANCE NO. 2020-18

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA AMENDING FLAGSTAFF CITY CODE TITLE 9, *TRAFFIC*, CHAPTER 9-05, *BICYCLES*, OF THE FLAGSTAFF CITY CODE; ESTABLISHING SEVERABILITY; AND ESTABLISHING AND EFFECTIVE DATE

#### RECITALS:

WHEREAS, on June 18, 2019, the City Council adopted Ordinance 2019-19 amending Flagstaff City Code, Title 9 Traffic, specifically Chapter 9-05, Bicycles, including a prohibition of electric bicycles on certain sidewalks and multiuse paths within the City of Flagstaff; and

WHEREAS, Ordinance 2019-19 contains language generally stating the prohibition on the use of electric bicycles on certain sidewalks and multiuse paths where signage exists reflecting the prohibition; and

WHEREAS, when the City Council adopted Ordinance 2019-19 the City Council gave direction to present the prohibitions to specific Commissions to allow additional suggested revisions on the prohibition of electric bicycles on certain sidewalks and multiuse paths and bring any suggested revisions back to City Council to consider amending Ordinance 2019-19; and

WHEREAS, those specific Commissions did not suggest any revisions to the prohibition of electric bicycles on certain sidewalks and multiuse path restrictions; and

WHEREAS, a minor amendment, only for accuracy, in Ordinance 2019-19 is now appropriate to properly reflect the specific sidewalks and multiuse paths named by the City Council

#### ENACTMENTS:

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

SECTION 1. In General.

The Flagstaff City Code, Title 9, *Traffic*, Section 9-05, *Bicycles*; Section 9-05-001-0008 is hereby amended as follows with additional language to be inserted in said Section shown in capitalized, red letters:

#### **9-05-001-0008 OPERATION ON SIDEWALKS AND MULTIUSE PATHS**

- A. Where signs are erected giving notice thereof **ON THE ARIZONA TRAIL, NATE AVERY TRAIL AND BUFFALO PARK TRAILS**, no person shall ride a bicycle, electric or motorized bicycle, electric personal assistive mobility device, electric standup scooter, skateboard or lightweight wheeled vehicle upon a sidewalk. Signs prohibiting such activity shall be installed at **THE ARIZONA TRAIL, NATE AVERY TRAIL AND BUFFALO PARK TRAILS** locations as directed by the Office of the Traffic Engineer.

- B. Where signs are erected giving notice thereof **ON THE ARIZONA TRAIL, NATE AVERY TRAIL AND BUFFALO PARK TRAILS**, no person shall ride an electric bike, in its motorized capacity, or an electric scooter on a multiuse path.

SECTION 2. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 4. Clerical Corrections.

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 5. Effective Date.

This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 7<sup>th</sup> day of July, 2020.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY