

CITY OF LYNNWOOD
ORDINANCE NO. 1769

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AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, REGULATING THE OPERATION OF SKATEBOARDS, GO-CARTS, AND ANY OTHER LOCOMOTIVE DEVICES, AND PROVIDING PENALTIES FOR VIOLATION, AND PROVIDING FOR FORFEITURE.

WHEREAS, the City of Lynnwood City Council does find that the regulation of skateboards, go-carts and other locomotive devices upon public roadways and sidewalks, and other areas open to the public is necessary to promote the public health, safety and welfare, now, therefore,

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Section 1. New Section. A new section 11.58.010 of the Lynnwood Municipal Code is hereby enacted to read as follows:

11.58.010 - Definitions:

- A. Skateboard - A flat or curved board, mounted on two or more casters or wheels, manually propelled, and usually made of wood, plastic, or fiberglass.
- B. Go-Cart - A framework mounted on two or more casters or wheels, that can be drawn or pushed by hand, or is motorized, and is normally assembled from materials found around the home.
- C. Other Locomotive Devices - Devices commonly known as scooters, sleds, toboggans, inner tubes, skis, or roller skates when used to carry a person or persons, being manually propelled, and capable of providing movement from place to place, and lacking a braking mechanism.

Section 2. New Section. A new section 11.58.020 of the Lynnwood Municipal Code is hereby enacted to read as follows:

11.58.020 - Operation:

It is unlawful for any person to operate a skateboard, go-cart or other locomotive device:

- A. Upon any street, highway, roadway or driveway open to vehicular traffic;

- B. Upon any public sidewalk without yielding to any pedestrian;
- C. While operating on a sidewalk, sitting, lying, or otherwise being positioned such that at least one foot is not on the flat surface of the skateboard at any time;
- D. Upon any public sidewalk in front of any building which has doors which open onto or from said sidewalk;
- E. Upon any public or private property where signs prohibit the activity;
- F. In a manner endangering or likely to endanger the safety of persons or property;
- G. While being pushed or pulled by any motorized vehicle.

Section 3. New Section. A new section 11.58.030 of the Lynnwood Municipal Code is hereby enacted to read as follows:

11.58.030 - Seizure and Forfeiture.

Whenever a law enforcement officer has probable cause to believe that a skateboard, go-cart, or other locomotive device was used or is intended to be used in violation of this ordinance, such conveyance shall be subject to seizure and forfeiture. In the event of seizure pursuant to this section, proceedings for forfeiture shall be deemed commenced by the seizure and shall be conducted as outlined in Chapter 69.50 RCW.

Section 4. New Section. A new section 11.58.040 of the Lynnwood Municipal Code is hereby enacted to read as follows:

11.58.040 - Penalty

A violation of this ordinance is a traffic infraction and shall be processed and administered according to the procedures set forth in RCW 46.63. The penalty for any infraction established under this ordinance shall be \$20.00. The Court may confiscate the offender's skateboard.

Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

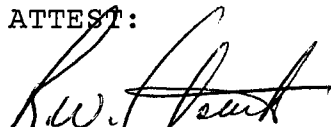
Section 6. This ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

PASSED this 23rd day of April, 1990, and signed in authentication of its passage this 24th day of April, 1990.



M. J. HRDLICKA, Mayor

ATTEST:



R. W. NOACK, City Clerk

APPROVED AS TO FORM:



Lynnwood City Attorney John Watts

PUBLISHED: MAY 1, 1990