

ORDINANCE 2004-A278

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADDING SECTION 12-2-12 REGULATION OF MOTORIZED PLAY VEHICLES AND MOTORIZED SKATEBOARDS TO TOWN CODE CHAPTER 12, ARTICLE 12-2 TRAFFIC CONTROL

WHEREAS, the Town Council adopted Ordinance 96-A116, adopting the Town Code which included Town Code Chapter 12, Article 12-2 Traffic Control, and

WHEREAS, it would be in the best interest of the public to update Town Code Article 12-2 Traffic Control to include restrictions on motorized play vehicles and motorized skateboards on any public street, sidewalk, alley or specified limits within the Town in order to address health and safety issues,

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE AS FOLLOWS:**

Section 1. Section 12-2-12 Regulation of Motorized Play Vehicles and Motorized Skateboards will be added to the Town Code and will read as follows:

SECTION 12-2-12 REGULATION OF MOTORIZED PLAY VEHICLES AND MOTORIZED SKATEBOARDS

A. DEFINITIONS

1. Motorized Skateboard: A self-propelled device that has a motor, a deck on which a person may ride and at least two (2) tandem wheels in contact with the ground and which is not otherwise defined under Arizona Law (ARS 28), as a "motor vehicle", "motor driven cycle", or "motorized wheelchair".
2. Motorized Play Vehicle: A coaster, scooter, any other alternatively fueled device (excluding battery operated toy carts designed for children under the age of eight (8) years to ride in or on) or other motorized vehicle that is self-propelled by a motor or engine and which is not otherwise defined under Arizona Law (ARS 28), as a "motor vehicle", "motor-driven cycle", or "motorized wheelchair".

B. GENERAL OPERATING RESTRICTIONS

1. No person under the age of 14 may operate a motorized play vehicle or motorized skateboard within the town limits of Camp Verde, except when authorized on private property.

C. APPLICABILITY OF TRAFFIC LAWS:

Traffic laws such as those regulating red lights, stop signs, crosswalks, speeding, yielding, and movements on the roadway also apply to motorized vehicles and motorized skateboards.

Motorized play vehicles and motorized skateboards may be operated on a designated bicycle path or lane, but motorized play vehicle and motorized skateboard operators shall yield at all times to other users. The Town of Camp Verde also prohibits the following:

1. Carrying passengers when in operation or motion.
2. Attaching a motorized play vehicle or motorized skateboard in any manner to any other vehicle or person.
3. Carrying any package or bundle that prevents the operator from keeping his/her hands on the steering mechanism.
4. Structurally or mechanically altering the original manufacturer's design.
5. Transporting extra fuel in a separate container or altering the fuel reservoir.
6. Riding motorized play vehicle or motorized skateboard two abreast on a roadway.

Motorized play vehicle and motorized skateboard operators are required to ride as close as practical to the right-hand curb or edge of the roadway except when passing other vehicles, preparing for left turns, or when reasonably necessary to avoid hazardous conditions.

Required safety equipment:

1. A brake that enables the operator to make a braked wheel(s) skid on dry pavement.
2. A protective helmet (if under the age of 18) which meets the minimum standards of testing and safety inspection by the bicycle industry.
3. Footwear that completely covers the feet and toes and includes a sole.
4. Protective glasses, goggles, or a transparent shield.

D. PROHIBITED AREAS OF OPERATION:

No person shall ride upon, in or by means of any motorized play vehicle or motorized skateboard, the following prohibited areas of operation:

1. On any sidewalk in the Town or Town Parks.

3. On any public property not held open to public vehicle use.
4. On any private property without the written permission of the owner.
5. On a public right-of-way, including streets, roadways and alleyways, except during daylight hours.

E. PENALTIES:

Violations of Camp Verde Town Code is a civil traffic violation and will be prosecuted and punished in the same manner by law as other civil traffic violations. Parents are ultimately responsible for the actions and safety of their children. No parent, guardian, or custodian or a child under 18 years of age shall authorize or knowingly permit the child to violate this section.

Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance, or any part of the code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

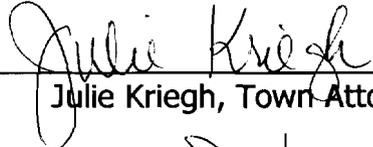
Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. Penalties. Any person found guilty of violating any provision of this ordinance shall be guilty of a Civil Traffic Offense.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde, Arizona, this 5 day of May 2004.

Approved as to Form:


Julie Kriegh, Town Attorney

Date 5-10-04


Mitch Dickinson, Mayor

Attest:


Deborah Barber, Town Clerk

Effective June 9, 2004

Posted by W Jones

Date/Time 5-10-04 10:30 a.m