



# TOWN OF FAIRFAX

## STAFF REPORT

### March 3, 2021

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager

**SUBJECT:** Adopt a Resolution Designating the Western Portion of the Pavilion/Bank Street Parking Lot for Use as a Temporary Skate/Scooter Park and Establishing the Rules and Regulations for the Temporary Skate/Scooter Park

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#### **RECOMMENDATION**

Adopt a Resolution Designating the Western Portion of the Pavilion/Bank Street Parking Lot for Use as a Temporary Skate/Scooter Park and Establishing the Rules and Regulations for the Temporary Skate/Scooter Park.

#### **DISCUSSION**

At its February 17<sup>th</sup> meeting, the Town Council introduced an ordinance to allow the Council, by resolution, to designate a portion of the Pavilion/Bank Street parking lot for use as a temporary skate, scooter, and in-line/roller skates park (Park) and to establish the rules and regulations of the Park. Staff reported that the second reading of the ordinance would be scheduled for this evening's meeting as well as the required resolution. Should the Council adopt the ordinance tonight, the ordinance would take effect 30 days from the adoption. The resolution would also take effect at that time.

This resolution designates the location of the temporary Park in the western portion of the Pavilion/Bank Street parking lot (see Exhibit A) and the rules and regulations of the Park (see Exhibit B). Some of the rules and regulations are required under California Health and Safety Code. A sample of the rules and regulations was provided to the Council at its February 17<sup>th</sup> meeting. The resolution also allows the Town Manager to make modifications, from time to time, to the Park rules and regulations as required by State law or as recommended by our insurance pool.

#### **FISCAL IMPACT**

n/a

#### **ATTACHMENT**

Resolution with Exhibits A and B

**RESOLUTION 21-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
DESIGNATING THE WESTERN PORTION OF THE PAVILION/BANK STREET PARKING  
LOT FOR USE AS A TEMPORARY SKATE/SCOOTER PARK AND ESTABLISHING THE  
RULES AND REGULATIONS FOR THE TEMPORARY SKATE/SCOOTER PARK**

**WHEREAS**, Sections 10.28.020, “Designated Skate Park Area”, and 10.28.030, “Safety Equipment Required”, were added on March 3, 2021 to Chapter 10.28 of the Fairfax Municipal Code, Entitled “Skateboards”; and

**WHEREAS**, pursuant to Section 10.28.020, the Town Council desires to designate a portion of the Pavilion/Bank Street public parking lot for the use of non-motorized skateboards, scooters, inline skates, and roller skates; and

**WHEREAS**, pursuant to Section 10.28.030, the Town Council desires to set rules and regulations for the skatepark area,

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Town Council of the Town of Fairfax as follows:

**Section 1.** The Western portion of the Pavilion/Bank Street public parking lot, as depicted on the map attached hereto as Exhibit A, is hereby designated for the use of non-motorized skateboards, scooters, inline skates, or roller skates.

**Section 2.** The rules and regulations attached hereto as Exhibit B are hereby established for the skate park area designated hereinabove.

**Section 3.** The Town Manager is authorized to make to make modifications, from time to time, to the Park rules and regulations as required by State law or as recommended by our insurance pool.

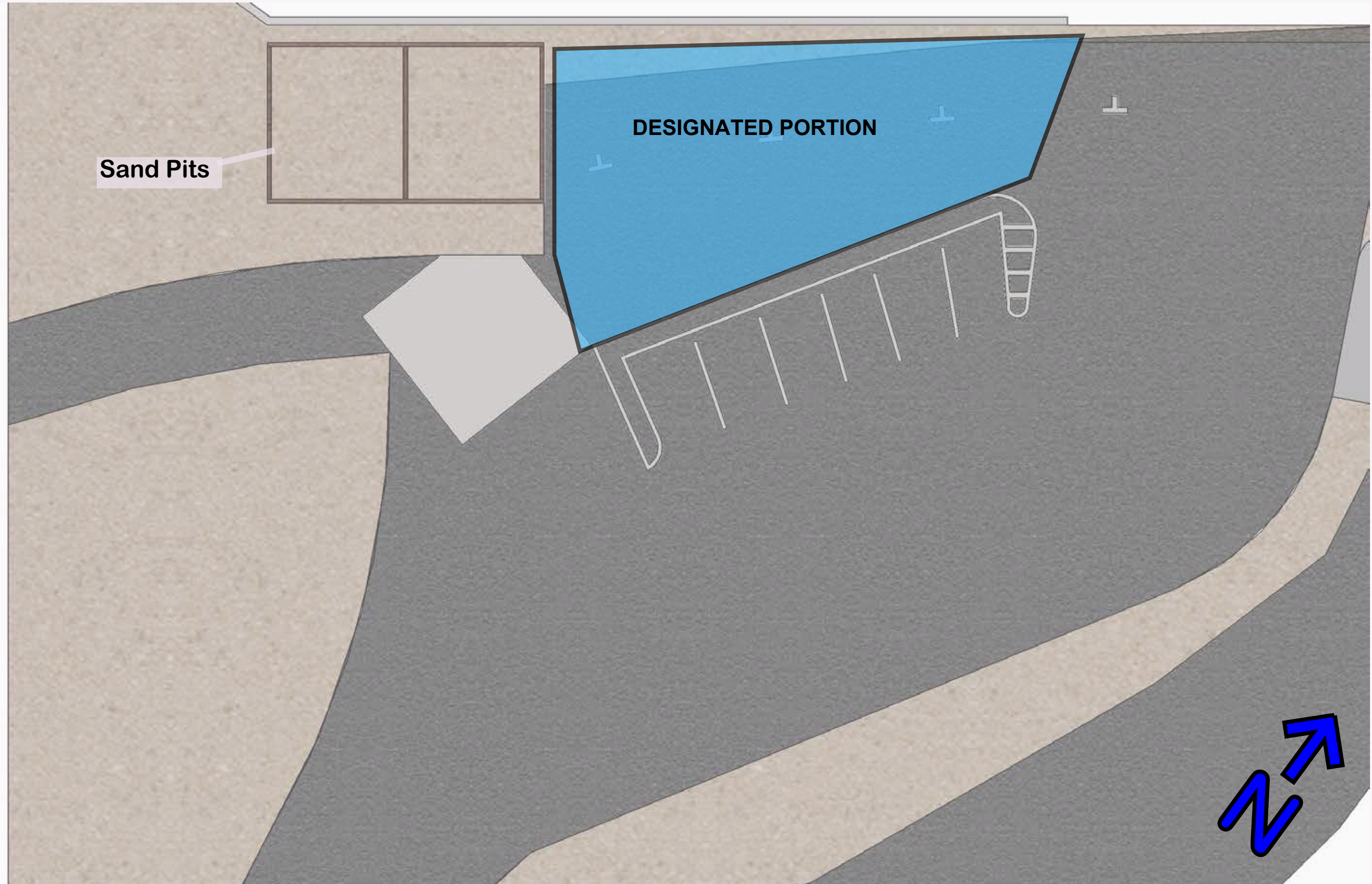
The foregoing Resolution was duly passed and adopted at a Regular Meeting of the Town Council of the Town of Fairfax held in said Town on the 3<sup>rd</sup> day of March 2021, by the following vote, to wit:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
BRUCE ACKERMAN, Mayor

Attest: \_\_\_\_\_  
Michele Gardner, Town Clerk

# Pavilion/Bank Street Parking Lot



## EXHIBIT B

### **Skateboard Park Rules and Regulations**

1. All users are required to wear helmets, kneepads, and elbow pads. Users who do not comply will be subject to a citation under Ordinance (specify number).
2. Non-motorized /electric skateboards, scooters, inline-roller skates only. No bicycles, no motorized or other devices.
3. No tobacco, drugs, or alcohol on premises.
4. Park hours of operation: 9:00am to sunset.
5. Please keep noise to a minimum.
6. Keep food and drink off the skating surface.
7. No glass, stones, or similar items in or around the skating area.
8. Please put trash in designated trash receptacles.
9. No skateboarding when wet or rainy.
10. No loitering.
11. No trespassing.
12. No graffiti.
13. Additional obstacles or other materials (ramps, jumps) may not be brought into the park.
14. Do not use the facility if any hazardous condition arises. Report any damage and/or hazardous conditions to the Town
15. No amplified music or organized events allowed without prior written approval from the Town
16. Anyone under the age of 12 must be accompanied by a parent or guardian.
17. In case of emergency, call 911.

**Warning:** Skateboarding is a hazardous recreational activity. Use of this facility may result in death, paralysis, brain damage, broken bones, or other serious injury. Any use is at your own risk. The city does not assume any responsibility for injuries. (Government Code Section 831.7)

This park is ADA compliant.