

AN ORDINANCE

BY: MR. STEPHENS

NO. 4928

AMENDING SECTION 311.05, *TOY VEHICLES UPON ROADWAY*, OF THE OAKWOOD TRAFFIC CODE TO CLARIFY THAT THE SAME DOES NOT APPLY TO THE USE OF CERTAIN SCOOTERS, SKATEBOARDS, AND ROLLER SKATES, AND ENACTING NEW SECTION 371.13, *NON-COMMERCIAL SCOOTERS, SKATEBOARDS, AND INLINE ROLLER SKATES*, OF THE OAKWOOD TRAFFIC CODE TO REGULATE THE USE OF SUCH VEHICLES UPON PUBLIC STREETS, ALLEYS, AND SIDEWALKS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

Section I.

Section 311.05, *Toy Vehicles Upon Roadway*, of the Oakwood Traffic Code, is hereby amended to read as follows, with new text in **bold** font and deleted text in ~~strike through~~ font:.

311.05 TOY VEHICLES UPON ROADWAY.

- (a) No person riding upon any coaster, roller skates, skate board, sled, toy vehicle, wagon or other similar device shall go upon any roadway except while crossing a street on a crosswalk; and when so crossing that person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply to:

(1) ~~a~~Any street while it is set aside as a play street under Section 311.04.;

(2) **The use of a scooter, skateboard, or pair of inline roller skates, provided the same is used or operated in accordance with Section 371.13. For purposes of this provision, the following definitions shall apply:**

(a) **“Scooter” shall mean a vehicle that is not a “Shared Mobility Device” as defined in Section 375.10, and which consists of a deck or platform with one or more wheels attached, typically operated or ridden in a standing or crouching position, with a hand-operated steering bar or wheel, and propelled by gravity, human foot power, or an electric motor that is capable of propelling the vehicle not more than twenty miles per hour.**

(b) **“Skateboard” shall mean a vehicle that consists of a deck or platform with one or more wheels attached, typically operated or ridden in a standing or crouching position, without hand-operated steering controls, and propelled solely by gravity or human foot power.**

(c) **“Inline roller skates” shall mean a type of wearable skates consisting of a pair of boots or over-shoes, each having two to five hard rubber or urethane wheels attached in a single-file configuration.**

- (b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Section II.

Section 371.13, *Non-Commercial Scooters, Skateboards, and Inline Roller Skates*, of the Oakwood Traffic Code, is hereby enacted to read as follows:

Sec. 371.13 NON-COMMERCIAL SCOOTERS, SKATEBOARDS, AND INLINE ROLLER SKATES

Scooters, skateboards, and inline roller skates, as defined in Section 311.05(a)(2), may be operated on public rights-of-way within the city of Oakwood, subject to the following requirements:

- (a) Pedestrian status when operated on public streets or alleys. The operation of a scooter, skateboard, or pair of inline roller skates on public streets or alleys shall be deemed to be pedestrian in nature. All requirements and prohibitions set forth in Section 371.04 and 371.05 for persons walking, jogging, or running on public streets and alleys shall apply to such operation.
- (b) Traffic control devices. Notwithstanding the pedestrian status described in subsection (a) above, the operator of any scooter, skateboard, or pair of inline roller skates on public streets or alleys shall obey all traffic control devices applicable to motor vehicles.
- (c) Sidewalk use. When on a public sidewalk, no person operating a scooter, skateboard, or pair of inline roller skates shall operate the same recklessly, nor fail to yield the right of way to pedestrians on foot.

Section III.

This ordinance shall be and remain in force from and after the earliest date permitted by law.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, this 4<sup>th</sup> day of January, 2021.



\_\_\_\_\_  
Mayor William D. Duncan

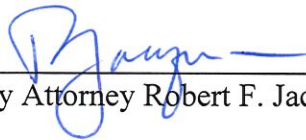
ATTEST:



\_\_\_\_\_  
Clerk of Council

TO THE CLERK:

Please publish by incorporating into the Codified Ordinances of the city.



\_\_\_\_\_  
City Attorney Robert F. Jacques