

ORDINANCE NO. 98-052

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF DEC 15 1998

AN ORDINANCE ADDING SECTION 27.04.091 TO THE SACRAMENTO CITY CODE, REQUIRING PERSONS WHO RIDE A SKATEBOARD AT A CITY SKATEBOARD FACILITY TO WEAR A HELMET, ELBOW PADS, AND KNEE PADS AT ALL TIMES, ADDING SECTION 27.04.092 DESIGNATING THE SKATEBOARD FACILITY AS A RECREATIONAL AREA IN WHICH IN-LINE SKATING IS PERMITTED, AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 27.04.091 is hereby added to the Sacramento City Code, to read as follows:

27.04.091 Helmet, elbow pads, and knee pads required at City skateboard facilities

Any person riding a skateboard at any skateboard park or facility owned, leased, or operated by, or licensed to, the City of Sacramento, including but not limited to a skateboard facility located on property owned by the United States Postal Service on the north side of R Street between 18th Street and 19th Street, shall wear a helmet, elbow pads, and knee pads at all times while so riding.

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SECTION 2.

Section 27.04.092 is hereby added to the Sacramento City Code, to read as follows:

27.04.092 Designation of certain property as recreational area where in-line skating is permitted.

Pursuant to California Health and Safety Code Section 115800.1, the City of Sacramento hereby designates that certain property on the north side of R Street between 18th and 19th Streets, owned by the United States Postal Service and licensed for use by the City of Sacramento, as a recreational area in which in-line skating is permitted.

The designated property shall be adequately posted with notices advising the public that in-line skating in the designated property by adults is deemed to be a hazardous recreational activity and that the City of Sacramento may not be liable for injuries incurred by persons participating in the hazardous recreational activity on the designated property.

SECTION 3.

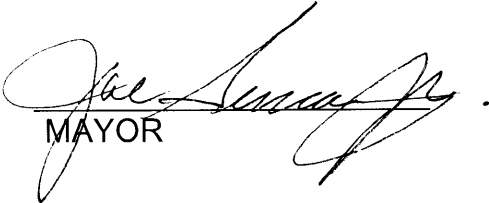
This ordinance is hereby declared an emergency measure to take effect immediately. The grounds for the emergency are: The United States Postal Service plans to place a fence around property which it owns on the north side of R Street between 18th Street and 19th Street to prevent skateboarders from using the property. The City desires to facilitate continued use of the property for skateboarding purposes. Therefore, the City intends to lease, or obtain a license to use, the property from the United States Postal Service. When operated under the City's lease or license, the skateboard facility will not be supervised on a regular basis. State law requires operators of skateboard parks to require a skateboard rider to wear a helmet, elbow pads, and knee pads. Further, state law relieves a local public agency from the obligation to supervise riders for compliance with the helmet, elbow pads and knee pads requirement if the local public agency (1) adopts an ordinance requiring any person riding a skateboard at the facility to wear a helmet, elbow pads, and knee pads; and (2) posts signs at the facility affording reasonable notice that any person riding a skateboard in the facility must wear a helmet, elbow pads, and knee pads, and that any person failing to do so will be subject to citation under the ordinance. In order to comply with state law and protect the City from liability for injuries to persons not wearing the required safety equipment, it is necessary that this ordinance take effect immediately so that it will be in effect when the City's skateboard facility is first made available for use.

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TITLE PUBLISHED IN FULL: December 22, 1998
DATE ENACTED: December 15, 1998
DATE EFFECTIVE: December 15, 1998


MAYOR

ATTEST:


CITY CLERK

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