

**ORDINANCE No. 2760**

**AN ORDINANCE OF THE CITY OF SULPHUR SPRINGS, AMENDING THE CITY OF SULPHUR SPRINGS CODE OF ORDINANCES BY AMENDING CHAPTER 25, ARTICLE VI, CHANGING THE TITLE OF SAID CODE TO BICYCLES, SCOOTERS AND OTHER WHEELED CONVEYANCES AND EXPANDING THE COVERAGE OF SAID ORDINANCE TO SKATEBOARDS, SCOOTERS, ROLLER BLADES AND OTHER SIMILAR DEVICES; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.**

**WHEREAS, the City of Sulphur Springs, Texas seeks to foster an environment on sidewalks in commercially zoned areas that restricts sidewalk use in such areas to pedestrian traffic only and therefor prevents the risks associated with cyclists, skateboarders, roller skaters and others similarly conveyed injuring or being injured by interference from or with pedestrian traffic.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SULPHUR SPRINGS, TEXAS:**

**SECTION 1. AMENDMENT TO THE TITLE OF CHAPTER 25, ARTICLE VI.**

**Chapter 25, Article VI of The Code of Ordinances of the City of Sulphur Springs, Texas, formerly entitled “BICYCLES” is hereby renamed and will hereafter be referred as follows:**

**CHAPTER 25, ARTICLE VI**

**BICYCLES, SCOOTERS AND OTHER WHEELED CONVEYANCES**

**SECTION 2. AMENDMENTS TO SEC. 25-133 & 25-147 AND THE ADDITION OF SEC. 15-149 7 25-150.**

Sec. 25-133. (a) This article shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicyclers, subject to those exceptions stated herein. (b) The following Definitions shall apply in this article:

*Bicycle* - a two-wheeled pedal cycle.

*Electric Personal Assistive Mobility Devices* (EPAMDs, aka. Segways, etc) - a self-balancing two-wheeled device with an electric propulsion system designed to transport only one person for medical mobility purposes.

*Hoverboard* - A self-balancing scooter or personal transporter consisting of two motorized wheels connected to a pair of articulated pads on which the rider places their feet.

*In-Line Skates/Roller Blades* - a type of roller skate with in-line wheels.

*Motor Driven Device* – devices propelled by internal combustion, battery, or other mechanical or electro-mechanical means; and designed to transport one or more persons and do not meet Texas Transportation Code requirements as a “motor vehicle” to be operated on a sidewalk or roadway, , excludes EPAMDs.

*Pedal cycle* - unicycles, bicycles, and tricycles. Vehicles that are designed to be propelled solely by human power.

*Roller Skate* - a shoe, or attachment for shoe, with a set of wheels attached for skating.

*Scooter* - a narrow platform mounted on tandem wheels with a handle to steer by turning the front wheel propelled solely by human power.

*Skateboard* - a board of any length (including long boards and electric powered boards) mounted on roller skate-type wheels.any kitchen refuse, foodstuffs or related material, including all decayable waste.

#### Sec. 25-147. Riding on Sidewalks.

- (a) No person shall ride a bicycle, skateboard, roller blade, roller skate, hoverboard, pedal cycle or scooter upon a sidewalk within any commercial district as defined by the City of Sulphur Springs zoning ordinance.
- (b) Whenever any person is riding a bicycle, skateboard, roller blade, roller skate, hoverboard, pedal cycle or scooter upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

#### Sec. 25-149. Posting of Signs

- (a) The Chief of Police or his designee shall, pursuant to his authority, erect signs and other appropriate markings, containing language determined by him as necessary to designate said area a “pedestrian only” zone.

#### Sec. 25-150. Penalty

- (a) Any person violating any provision of this ordinance or of Chapter 25 of the Code of Ordinances generally shall be guilty of a Class “C” misdemeanor, and upon conviction shall be fined a sum not to exceed \$500.00.

**SECTION 3.** All ordinances and parts of ordinances inconsistent with or in conflict with the provisions of this Ordinance shall be and the same are hereby expressly repealed.

**SECTION 4.** If any section, subsection, word, sentence, or phrase of this ordinance is declared to be invalid it shall not effect the validity of this ordinance.

**PASSED AND APPROVED** on its **FIRST READING** at a regular meeting of the City Council of the City of Sulphur Springs, Texas on this the \_\_\_\_day of \_\_\_\_\_, 2019.

**PASSED AND APPROVED** on its **SECOND READING** at a regular meeting of the City Council of the City of Sulphur Springs, Texas on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**ATTEST:**

**CITY OF SULPHUR SPRINGS, TEXAS:**

\_\_\_\_\_  
Gale Roberts, City Secretary

\_\_\_\_\_  
Norman R. Sanders, Mayor

(seal)

I, Gale Roberts, City Secretary of the City of Sulphur Springs, Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

\_\_\_\_\_  
Gale Roberts, City Secretary

(seal)

~~***“A public hearing will be conducted for the final reading of Ordinance No. 2760, Tuesday, September 24, 2019, at the Municipal Building, at 7:00 p.m.—***~~

***“A public hearing will be conducted for the final reading of Ordinance No. 2760, Tuesday, October 1, 2019, at the Municipal Building, at 7:00 p.m.***