

**ORDINANCE NO. 1453**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING CHAPTER 8.30 GHMC, 'SKATEBOARDS, SCOOTERS, ROLLER SKATES/IN-LINE SKATES, MOTORIZED FOOT SCOOTERS and ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES'; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

---

WHEREAS, periodic updating of the Gig Harbor Municipal Code is necessary to ensure consistency and efficiency within the code; and

WHEREAS, newer technologies and personal motorized transportation devices have presented a need to regulate these devices while operating in close proximity to pedestrians for safety reasons; and

WHEREAS, concurrent amendments to chapters 9.24 and 10.24 of the Gig Harbor Municipal Code contains information related to the content found in chapter 8.30; and

WHEREAS, consolidation of this information into a single chapter of municipal code will provide for clarity and easier interpretation of the content; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Chapter 8.30 GHMC is hereby amended to read as follows:

**Chapter 8.30  
SKATEBOARDS, SCOOTERS, ROLLER SKATES/IN-LINE SKATES, MOTORIZED  
FOOT SCOOTERS and ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES  
(EPAMD)**

Sections:

- 8.30.010 Definitions.**
- 8.30.020 Skateboards, scooters, and roller skates/in-line skates prohibited on “striped streets” within the city.**
- 8.30.030 Use of skateboards, scooters and roller skates/in-line skates on sidewalks or public paths.**
- 8.30.040 Operation of motorized foot scooters.**
- 8.30.050 Electric Personal Assistive Mobility Devices (EPAMD) restricted.**
- 8.30.060 Penalties.**

### **8.30.010 Definitions**

For the purposes of this chapter, the following definitions apply:

- A. "Motorized foot scooter" means a device with two or three wheels that has handlebars, a floorboard that can be stood upon while riding, and is powered by an internal combustion engine or electric motor that has a maximum speed of no greater than twenty miles per hour on level ground.
  
- B. "Electric personal assistive mobility device" (EPAMD) means
  - (1) a self-balancing device with two wheels not in tandem, designed to transport only one person by an electric propulsion system with an average power of seven hundred fifty watts (one horsepower) having a maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator weighing one hundred seventy pounds, of less than twenty miles per hour or
  
  - (2) a self-balancing device with one wheel designed to transport only one person by an electric propulsion system with an average power of two thousand watts (two and two-thirds horsepower) having a maximum speed on a paved level surface, when powered solely by such a propulsion system, of less than twenty miles per hour. A power wheelchair as defined in RCW 46.04.415 is not an EPAMD.

**8.30.020 Skateboards, scooters and roller skates/in-line skates prohibited on “striped streets” within the city.**

No person upon roller skates/in-line skates, or riding in or by means of any coaster, skateboard, scooter or similar device, shall move, go or travel upon the roadway of any “striped street” or transit bus route within the city of Gig Harbor, or engage in any sport, amusement or exercise or play in the roadway of any such street. “Striped street” is defined as any street which has been painted with (a) yellow median line(s) by the city. This prohibits any riding or travel with coasters, skateboards, scooters or similar devices in order to cross the street, including the crosswalk. The use of roller skates/in-line skates to cross at a crosswalk is exempted from this prohibition. (Ord. 1097 § 1, 2007; Ord. 875 § 3, 2001).

**8.30.030 Use of skateboards, scooters and roller skates/in-line skates on sidewalks or public paths.**

Every person using a skateboard, scooter or roller skates/in-line skates upon any sidewalk or public path shall use the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic control devices. Every person using a skateboard, scooter or roller skates/blades shall yield the right-of-way to any pedestrian thereon. (Ord. 875 § 3, 2001).

**8.30.040 Operation of Motorized Foot Scooters.**

A. No person shall operate a motorized foot scooter in the following areas:

1. On a sidewalk.
2. On the Cushman Trail
3. Within the boundaries of the Gig Harbor Sports Complex.
4. On Harborview Drive, North Harborview Drive, or Olympic Drive outside the existing bicycle lane(s).
5. On any roadway with a posted speed limit of greater than 35 MPH.

B. A person operating a motorized foot scooter shall obey all traffic control signs and devices and shall yield the right of way to motor vehicles and pedestrians.

C. A person transiting a roundabout shall dismount and walk or carry a motorized foot scooter through the roundabout using a crosswalk.

D. No person shall operate a motorized foot scooter on a public roadway or bicycle lane at any time from a half hour after sunset to a half hour before sunrise.

**8.30.050 Electric Personal Assistive Mobility Devices restricted.**

A. No person shall operate an EPAMD on a roadway with a posted speed limit greater than 25 MPH.

B. No person shall operate an EPAMD at a speed greater than 10 MPH on the sidewalks of Harborview Drive or Soundview Drive.

**8.30.060 Penalties.**

Failure to comply with any of the provisions of this chapter shall constitute a civil infraction subject to a maximum penalty of \$100.00. The municipal court may, in lieu of all or part of the penalty, authorize the violator to provide up to eight hours of community service. (Ord. 1097 § 2, 2007; Ord. 875 § 3, 2001).

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force on five days after publication of notice.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 23rd of February, 2021

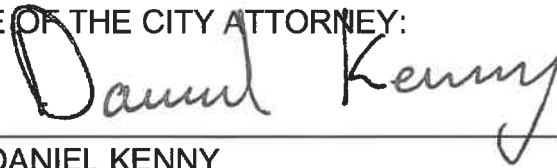
CITY OF GIG HARBOR

Kit Kuhn  
KIT KUHN, MAYOR

ATTEST/AUTHENTICATED:

By: Molly Towslee  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By:   
DANIEL KENNY

FILED WITH THE CITY CLERK: 02/02/21  
PASSED BY THE CITY COUNCIL: 02/22/21  
PUBLISHED: 02/25/21  
EFFECTIVE DATE: 02/28/21  
ORDINANCE NO: 1453