

City of Cincinnati

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An Ordinance No. _____ - 2024

MODIFYING the provisions of Chapter 723, “Streets and Sidewalks, Use Regulations,” of the Cincinnati Municipal Code by **ORDAINING** new Sections 723-1-S4, “Skating or Coasting Device,” and 723-34, “Skateboards and Other Coasting Devices, Regulation;” **MODIFYING** the provisions of Title 15, “Code and Compliance Hearings,” of the Cincinnati Municipal Code by **AMENDING** Section 1501-3, “Class A Civil Offenses;” and **MODIFYING** the provisions of Chapter 506, “Operation and Right of Way,” of the Cincinnati Municipal Code by **REPEALING** Section 506-3, “Skateboards, Regulation.”

WHEREAS, the Cincinnati Municipal Code (“CMC”) currently restricts the use of skateboards to sidewalks on which there are no abutting buildings, which effectively prohibits skateboarding throughout most of the City’s urban core; and

WHEREAS, the CMC does not provide clear parameters for the use of roller blades, in-line skates, and similar devices on sidewalks; and

WHEREAS, the treatment of skateboards and similar devices in the CMC has resulted in confusion regarding where people can use skateboards and similar devices; and

WHEREAS, on November 30, 2022, Council passed Ordinance No. 363-2022 to create a Complete Streets policy that promotes accessibility through policies and goals to increase multimodal accommodations, connectivity, comfort, and safety; and

WHEREAS, expanding the permitted use of skateboards and similar devices to additional sidewalks throughout the City aligns with the City’s Complete Streets policy by promoting alternative forms of transportation; and

WHEREAS, the City has shown its commitment to promoting skating and similar activities by allocating \$250,000 to the Cincinnati Recreation Commission to build a skatepark; and

WHEREAS, skateboarding and related activities are popular and safe forms of transportation, recreation, and sport that result in significantly lower rates of injury when compared to other popular sports, despite skateparks being the fourth most used type of recreation; and

WHEREAS, promoting the use of skateboards and similar devices can also reduce automobile dependence and contribute to the City’s environmental sustainability goals; and

WHEREAS, Council desires to modify Chapter 723, “Streets and Sidewalks, Use Regulations,” Title 15, “Code and Compliance Hearings,” and Chapter 506, “Operation and Right of Way,” of the Cincinnati Municipal Code to permit the safe use of skateboards and similar coasting devices on the City’s sidewalks; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Sections 723-1-S4, "Skating or Coasting Device," and 723-34, "Skateboards and Other Coasting Devices, Regulation," of Chapter 723, "Streets and Sidewalks, Use Regulations," are ordained as follows:

Sec. 723-1-S4. Skating or Coasting Device.

"Skating or coasting device" includes skateboards, roller skates, roller blades, coasters, scooters, and similar rolling or wheeled devices that are moved by human power. "Skating or coasting device" does not include bicycles; e-scooters and other motorized low-speed micromobility devices; mobility devices regulated by the Americans with Disabilities Act of 1990 and its implementing regulations, including motorized wheelchairs as defined in Section 4511.01 of the Ohio Revised Code or its successor; or personal delivery devices as defined in Section 4511.513 of the Ohio Revised Code or its successor.

Sec. 723-34. Skateboards and Other Coasting Devices, Regulation.

- (a) No person shall ride or operate a skating or coasting device on or within any street, highway, or other area where such use is restricted by law, rule, or regulation, including:
 - (1) the area bounded by Second Street, Elm Street, Central Avenue and Mehring Way; and
 - (2) any additional area, as determined by the city manager or the city manager's designee, where such restriction would be in the interest of public health or safety, and which shall be indicated by official signage prohibiting such use.
- (b) A person riding or operating a skating or coasting device on a sidewalk where such use is permitted shall:
 - (1) give audible warnings of his or her approach to any pedestrian or other person lawfully using the sidewalk;
 - (2) yield the use of the sidewalk to such pedestrian or other person, or dismount if necessary to do so;
 - (3) operate the skating or coasting device at a reasonable and prudent speed while exercising reasonable and ordinary control, with due regard for the safety and rights of others, so as to not endanger the physical safety or property of any person lawfully using the sidewalks. A person shall not operate a skating or coasting device in a weaving or zigzagging course unless such irregular course is necessary for safe operation or is in compliance with the law.

Section 2. That existing Section 1501-3, "Class A Civil Offenses," is amended to read as follows:

A person who violates a standard of conduct set forth in a section or chapter of the Cincinnati Municipal Code listed below is liable for the civil fine specified in § 1501-99 for a Class A Civil Offense. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine specified in § 1501-99 for the first violation of a Class B Civil Offense.

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| a. | § 511-1 | Advertising on Vehicles. |
| b. | § 511-33 | Front Yard Parking. |
| c. | § 514-11 | Parking Restrictions. |
| d. | § 604-17 | Unapproved Bird, Fowl or Animal Feeding. |
| e. | § 701-19 | Order to Muzzle Dogs. |
| f. | § 701-27 | Loud Dog. |
| g. | § 701-30 | Dog Excrement Removal. |
| h. | § 721-63 | Gutter Crossings. |
| i. | § 721-65 | Obstructing Gutters. |
| j. | § 721-93 | Temporary Driveway Permits. |
| k. | § 723-5 | Encumbering Sidewalks. |
| l. | § 723-9 | Regulations for Wholesale Produce Areas. |
| m. | § 723-11 | Retail Sidewalk Display. |
| n. | § 723-12 | Free Standing Business or Identification Signs (Sandwich Boards) on Sidewalk. |
| o. | § 723-13 | Temporary Encumbrances. |
| p. | § 723-17 | U.S. Mail Boxes. |
| q. | § 723-23 | Ground and Debris on Street or Sidewalk. |
| r. | § 723-29 | Sprinkling Roadways in Congested District. |
| s. | § 723-31 | Sprinkling Before Sweeping. |
| t. | § 723-37 | Unloading Heavy Material on Streets or Sidewalks. |
| u. | § 723-39 | Inscribing Names or Advertising Matter on Sidewalks Unlawful. |
| v. | § 723-57 | Removal of Snow. |
| w. | § 723-59 | Ice on Sidewalks. |
| x. | § 723-65 | Displaying House Numbers. |
| y. | § 723-69 | Removing House Numbers. |
| z. | § 729-7 | Setting Out Containers. |

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| aa. | § 729-15 | Containers to be Removed from Collection Points. |
| bb. | § 729-37 | Street Waste Receptacles. |
| cc. | § 729-87(a) | Recyclable Materials - Taking Recyclables. |
| dd. | § 729-87(b) | Recyclable Materials - Destruction of Container. |
| ee. | § 729-87(c) | Recyclable Materials - Relocation of Container. |
| ff. | § 729-87(d) | Recyclable Materials - Failure to Remove Container from Collection Point. |
| gg. | § 729-88 | Yard Waste Materials. |
| hh. | § 729-89(c) | Disposal of Unacceptable Waste. |
| ii. | § 911-17 | Posting Bills on Streets. |
| jj. | § 1123-11(b) | Vacant Foreclosed Property Registration - Failure to maintain accurate information. |
| kk. | § 1123-11(c) | Vacant Foreclosed Property Registration - Failure to maintain the property in accordance with the maintenance provisions. |
| ll. | § 701-2(B)(1) | Leash Required; Responsibility for Injury (<i>Leash</i>). |
| mm. | § 856-25(d) | Failure to Provide Registration Number on a Listing Advertising a Short Term Rental. |
| nn. | § 874.07(b) | Failure to Maintain Accurate Residential Rental Property Registration. |
| oo. | § 1601-57 | Enforcement of Emergency Orders. |
| pp. | § 1601-59 | Enforcement of Health Orders. |
| qq. | § 723-34 | <u>Skateboards and Other Coasting Devices, Regulation.</u> |

Section 3. That Section 506-3, “Skateboards, Regulation,” of the Cincinnati Municipal Code is repealed.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deletions indicated by strike-through.