



## Council Agenda Report

From: Angelica Fortin, Community Services Director

Subject: Introduction and First Reading of Ordinance Amending Chapter 9.05 of the Municipal Code

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15061, subd. (b)(2)-(3), 15378, (b)(2).

Date: January 16, 2024

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### Facts

1. [On June 6, 2023](#), City Council approved a contract for the construction of a pump track facility at Barney Schwartz Park. Funding for this project was made available by the REC Foundation and is expected to be completed and operational in March 2024.
2. El Paso de Robles Municipal Code Chapter 9.05 regulates skate park facilities in accordance with Health and Safety Code Section 115800, which brings skateboarding and use of other wheeled devices within the Hazardous Recreational Activity Immunity provided under Government Code Section 831.7.
3. Currently, Chapter 9.05 of the El Paso de Robles Municipal Code does not include pump tracks which are designed to be used by persons riding authorized wheeled recreational devices propelled by human power alone.
4. The City desires to regulate pump track facilities in accordance with Health and Safety Code Section 115800 within El Paso de Robles Municipal Code Chapter 9.05.

### Options

1. Take no action;
2. Introduce for first reading by title only, an ordinance of the City Council of the City of El Paso de Robles amending Chapter 9.05 of Title 9 of the Paso Robles Municipal Code to include pump tracks;
3. Provide alternative direction to staff.

### Analysis and Conclusions

Chapter 9.05 of the El Paso de Robles Municipal Code regulates skate park facilities in accordance with California Health and Safety Code Section 115800 which brings skateboarding and use of other wheeled devices within the Hazardous Recreational Activity Immunity provided under Government Code Section 831.7. Currently, Chapter 9.05 does not include pump track facilities which are designed to be used by persons riding authorized wheeled recreational devices propelled by human power alone.

Adopting this ordinance would amend the code to include pump tracks and update the code to:

- Provide definitions for skate park and pump track facilities and specified wheeled devices.
- Add language requiring children 12 years of age or younger to be supervised by an adult at all times while at the skate park or pump track.

- Include additional skate park and pump track facilities use regulations for safe use.
- Re-assigns the responsibility of posting signage and maintaining record of all known and reported injuries at skate park and pump track facilities to the director of community services.

For further detail, including all changes to the municipal code, please see Attachments No. 1 and 2.

**Fiscal Impact**

There is no direct fiscal impact from approving this action; however, by updating the municipal code, the City could potentially avoid financial loss due to litigation stemming from potential injuries.

**CEQA**

The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15061, subd. (b)(3), 15378 (b)(2).

**Recommendation (Option 2)**

Introduce for First Reading by title only, an ordinance of the City Council of the City of Paso de Robles amending Chapter 9.05 of Title 9 of the Paso Robles Municipal Code to include pump tracks.

**Attachments**

1. Ordinance No. XXXX N.S.- Amending Chapter 9.05 to Include Pump Tracks
2. Redline Ordinance No. XXXX N.S.- Amending Chapter 9.05 to Include Pump Tracks