Mission Viejo, Calif.

CHAPTER 11.20. SKATEBOARDING, ROLLERSKATING PROHIBITED IN CERTAIN DESIGNATED AREAS

Sec 11.20.010. Skateboarding, rollerskating, roller blades and similar activities prohibited in certain designated areas.

(a) It shall be unlawful and subject to punishment in accordance with section 11.20.070 of this chapter, for any person utilizing or riding upon any skateboard, rollerskates, roller blades or any similar device to ride or move about in or on any public or private property when the same property has been designated by resolution of the city council and posted as a No Skateboard, Rollerskating, Roller Blading or Similar Activity Area.

(b) No person shall use a skateboard, roller blades, or roller skates or similar device outside of a designated No Skateboarding, Rollerskating, or Similar Activity Area in a manner which creates a nuisance. For the purpose of this chapter "nuisance" is defined as any activity which:

(1) Threatens injury to persons or property;

(2) Creates an obstruction or presents a hazard to the free and unrestricted use of public or private property by pedestrians or motorists; or

(3) Generates loud or unreasonable noise.

Sec. 11.20.020. Definitions.

For the purposes of this chapter, the following words shall have the meanings ascribed:

(a) Business district shall be defined as designated in Section 235 of the California State Vehicle Code.

(b) Private property shall mean any property held by private interests which is used primarily for business, commercial, office space, business park, religious, multi-family or recreational purposes. This shall also include the parking facilities for these "private property" areas.

(c) Public property shall mean any property owned or maintained by the City of Mission Viejo, Saddleback Valley Unified School District, Capistrano Unified School District, County of Orange, Saddleback Community College District and any public utility within the geographical boundaries of the City of Mission Viejo.
(d) **Rollerskates or roller blades** shall mean any footwear, or device which may be attached to the foot or footwear, to which wheels are attached, including wheels that are "in line" and where such wheels may be used to aid the wearer in moving or propulsion.

(e) **Skateboard** shall mean a board of any material, which has wheels attached to it and which, if propelled or moved by human, gravitational, or mechanical power, and to which there is not fixed any device or mechanism to turn or control the wheels.

Sec. 11.20.030. **Designation of private property as No Skateboarding or Rollerskating Area.**

(a) If the property is owner-occupied property the owner shall submit a written application requesting a designation of a No Skateboarding, Rollerskating or Similar Activity Area.

(b) If the property is occupied by tenants of the owner, then the tenants shall submit a written application with 2/3 (66.6 percent) of the tenants on the property supporting a designation of no skateboarding or Rollerskating and the application shall also contain the written consent of the property owner or his or her designated representative.

(c) The city council may, by resolution, designate any private property as a No Skateboarding, Rollerskating or Similar Activity Area. The city council shall designate such area and the times when such activity would be prohibited and order the posting of appropriate signage in accordance with section 11.20.040 of this chapter.

(d) The city clerk shall cause notice of city council consideration of this application to be published in any newspaper of general circulation at least ten days prior to city council consideration.

Sec. 11.20.040. **Designation of public property as No Skateboarding or Rollerskating Area.**

The city council may, by resolution, designate any public roadway, sidewalk, parking lot, or other public property as a No Skateboarding, Rollerskating or Similar Activity Area. The city council shall designate such area and the times when such activity would be prohibited and order the posting of appropriate signage in accordance with section 11.20.040 of this chapter.

Sec. 11.20.050. **Posting of signs required, content.**

Prior to the enforcement of the prohibition on skateboarding or rollerskating or similar activity, the area so designated shall be posted with signs which provide substantially as follows:
"Skateboarding, rollerskating or similar activity, is prohibited by Mission Viejo Municipal Code Section 11.20. Any violation is punishable by a fine of $25.00 for the first offense. Orange County Sheriff Department 770-6011."

Such prohibition shall apply to the property or area so designated once the property or area has been posted with signs in plain view at all vehicular entrances to the property or area. Signs so posted at the entrances to the property or area, shall comply with the California Vehicle Section 22688 a.1. These signs will be 17" x 22" with lettering not less than one inch in height. It shall be the responsibility of the property owner or tenant(s) to post and maintain all signs prohibiting skateboarding.

Sec. 11.20.060. Fees set by resolution.

The city council may, by resolution, establish fees for the receipt and processing of any applications for No Skateboarding or Rollerskating Areas. In addition the city council may, by resolution establish fees sufficient to cover the costs of developing, printing and posting the areas designated pursuant to this chapter.

Sec. 11.20.070. Penalties.

Any violation of this chapter is deemed an infraction, punishable by a fine of $25.00. A second and all subsequent violations of this chapter shall be punishable by a fine of $50.00.

Sec. 11.20.080. Exemption from the provisions of this chapter.

Any device designated, intended, and used solely for the transportation of infants, the handicapped, or incapacitated persons, devices designed, intended, and used for the transportation of merchandise to and from the place of purchase and other wheeled devices, when being used for either of these purposes shall be exempt from this chapter. Furthermore the city council may, by resolution, suspend the enforcement provisions of this chapter to accommodate special events when so requested by the event organizer.