

ORDINANCE NO. 24-02

**AN ORDINANCE OF THE TOWN COUNCIL
OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA,
ADOPTING MUNICIPAL CODE CHAPTER 10.24 REGARDING
VEHICLES ON TRAILS, MULTI-USE PATHWAYS (MUPs), AND SIDEWALKS**

WHEREAS, the multi-use trail system in Mammoth Lakes is popular with both residents and visitors; and

WHEREAS, a variety of alternative transportation devices have become available, many of them powered by electric motors, which make trails accessible to more people and allow trail users to experience trails in different ways; and

WHEREAS, the growing popularity of alternative transportation devices has in some cases created conflicts between trail users and has resulted in a need to adopt an ordinance regulating how such devices may be used on Town trails.

THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1: The Town Council hereby amends the Mammoth Lakes Municipal Code by adopting a new Chapter 10.24 – Vehicles on Trails, Multi-Use Pathways (MUPs), and Sidewalks, as set forth in Exhibit “A” attached hereto and incorporated herein.

Section 2: EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective and enforceable thirty (30) days from and after the date of its adoption.

Section 3: POSTING

The Town Clerk shall, within fifteen (15) days after the passage of this ordinance, cause it to be posted at the duly designated posting places established by resolution of the Town Council, published once in a newspaper of general circulation, and entered in the Book of Ordinances of the Town.

Section 4: SEVERABILITY

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

The foregoing Ordinance was introduced on the 20th day of December, 2023, and PASSED, APPROVED, AND ADOPTED on the 3rd day of January, 2024.


BILL SAUSER, Mayor

ATTEST:


JAMIE GRAY, Town Clerk

EXHIBIT "A"

CHAPTER 10.24 VEHICLES ON TRAILS, MULTI-USE PATHWAYS (MUPs) AND SIDEWALKS

10.24.010 Purpose

The purpose of this chapter is to establish regulations and guidelines for the use of alternative transportation devices on trails within the Town of Mammoth Lakes. This chapter aims to promote safe and responsible usage of such devices while ensuring the well-being and enjoyment of all trail users and continuing the promotion of alternative transportation devices as a viable option to the private automobile.

10.24.020 Definitions

- A. Motorized vehicle: A vehicle that is self-propelled, provided that this term shall have the same meaning as set forth in California Vehicle Code Section 415, regarding "motor vehicles", as it may be amended from time to time.
- B. Alternative transportation device: A human-powered and/or electric-powered device used for personal transportation on paved trails, sidewalks, or designated areas, as an alternative to conventional modes of transportation such as automobiles. These devices are typically smaller, more lightweight, and environmentally friendly compared to traditional vehicles. Alternative transportation devices shall consist of:
 - i. Bicycles: Human-powered devices with one or more wheels propelled solely by pedaling.
 - ii. Electric Bicycles (e-bikes): Bicycles equipped with "fully operable" pedals and an electric motor that assists the rider's pedaling effort with a power output of not more than 750 watts, or 1 horsepower, and which are unmodified. Any electric bicycle not meeting this definition is not an "alternative transportation device" for purpose of this chapter.
 - iii. Electric Scooters: Electric motorized devices with two or three wheels, typically standing or seated, powered by an electric motor with a power output of not more than 750 watts and which are unmodified. Any electric scooter not meeting this definition is not an "alternative transportation device" for purpose of this chapter.
 - iv. Electrically Motorized Boards: Any wheeled devices that have a floorboard designed to be stood upon when riding that is not greater than 60 inches deep and 18 inches wide, are designed to transport only one person, and have a power output of not more than 750 watts and which are unmodified. Any electrically motorized board not meeting this definition is not an "alternative transportation device" for purpose of this chapter.

- v. Other Emerging Devices: Any new or innovative personal transportation devices that become available and fall within the scope of alternative transportation with a power output of not more than 750 watts and which are unmodified. Any personal transportation device not meeting this definition or at least one other definition in this subsection B is not an “alternative transportation device” for purpose of this chapter.
- vi. Rollerblades/Roller Skates: Boots or shoes fitted with small wheels, enabling users to glide over paved surfaces by propelling themselves with leg movements.
- vii. Scooters: Self-propelled two-wheeled devices that have handlebars, and a floorboard that is designed to be stood upon when riding.
- viii. Segways: Self-balancing, non-tandem, two wheeled devices that are not greater than 20 inches deep, 25 inches wide, and 60 inches high; can turn in place; designed to transport only one person; have a power output of not more than 750 watts; and are unmodified, whether sold under the Segway brand name or another name. Any personal transportation device not meeting this definition or at least one other definition in this subsection B is not an “alternative transportation device” for purpose of this chapter.
- ix. Skateboards: Narrow boards with wheels, typically used by riders for propulsion by foot pushing or electric-powered motors.
- x. Wheelchairs and Mobility Scooters: Electric or manually propelled devices used by individuals with mobility challenges for transportation purposes.

10.24.030 Prohibitions

It is unlawful for any person or persons to operate: (a) any device with an internal combustion engine; (b) an electric bicycle not meeting the definition in Section 10.24.020; (c) any device not meeting at least one of the “alternative transportation device” definitions in Section 10.24.020; and/or (d) a motorized vehicle, including without limitation motorcycles, cars, trucks, or motorbikes, on a Town owned or operated/maintained: (i) multi-use path, sidewalk, or trail; (ii) equestrian trail; or (iii) hiking or recreational trail, unless such operation is within a roadway, parking area or other specifically designated area for motorized vehicle use. Notwithstanding the foregoing, personnel, vehicles, equipment, and materials may be brought onto a trail by any of the following: (i) owners of the property over which the trail is maintained pursuant to an easement granted to the Town; or (ii) holders of easements for access or other purposes over the land occupied by the trail. Any such use of a trail shall be made in such a way as to minimize disruption to the use of the trail by others. Notwithstanding the foregoing, the prohibitions in this section 10.24.030 are not intended to apply to or otherwise restrict any “motorized quadricycle,” “motorized tricycle” or “electric wheelchair,” as defined in California Vehicle Code Section 407 and/or the Americans with Disabilities Act (ADA), utilized by persons who by reason of physical disability are otherwise unable to move about as a pedestrian.

10.24.040 Allowed Uses

Notwithstanding Section 10.24.030 of this Code, or any other provision of law, motorized vehicles may be operated by the Town of Mammoth Lakes, or its employees, contractors, and designees, upon the trails for the purpose of maintenance/snow removal or other public safety purposes at the sole discretion of the Town. First responders, including but not limited to law enforcement, fire, emergency medical personnel and other authorized individuals responsible for maintaining public safety and enforcing the law may patrol paved trails within the Town of Mammoth Lakes using motorized vehicles as necessary for their official duties. All alternative transportation devices, as defined in Section 10.24.020, are allowed on multi-use trails.

10.24.050 Reckless Operation of Alternative Transportation Devices on Trails

No person shall operate any alternative transportation device on Town-owned or operated trails in a reckless manner. For purposes of this section, “reckless” shall mean operation of a device in willful or wanton disregard for the safety of persons or property, the natural environment, and specifically includes, but is not limited to, the following specific conduct:

- A. The speed limit for any device shall not exceed 15 miles per hour, but in no instance shall the speed allowed be greater than is reasonable and prudent under the existing conditions having due regard for terrain, weather, visibility, including time of day, pedestrian, and vehicular traffic on or crossing the trail, and condition of the device.
- B. Operation on the trail in such a reckless manner as to result in loss of control of the device.
- C. Operation in such a manner as to result in a collision or accident involving any vehicle, property or pedestrian.
- D. Operation when the operator is under the influence of any alcoholic beverage or drug as those terms are defined in CA Vehicle Code Section 23152.
- E. Operation in such a manner as to endanger wildlife, domestic animals, life, limb, or property of any person.
- F. Carrying passengers on any alternative transportation device not designed or equipped for such transport is prohibited, except in cases where the device is specifically designed and/or modified and labeled for passenger use.
- G. A person operating an alternative transportation device may not wear a headset covering, earplugs in, or earphones covering, resting on, or inserted in, both ears.
- H. A person shall not drive an alternative transportation device on any trail while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking and is used in that manner while driving or riding.

10.24.060 Violation

A violation of this chapter shall constitute an infraction and shall be punishable by a fine as provided in Section 1.12.020 of this Code.

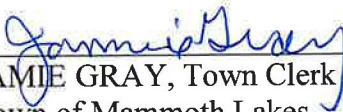
TOWN OF MAMMOTH LAKES

Notice is hereby given that on December 20, 2023 the Town Council introduced an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE
TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA,
ADOPT MUNICIPAL CODE CHAPTER 10.24 REGARDING
VEHICLES ON TRAILS, MULTI-USE PATHWAYS (MUPs),
AND SIDEWALKS.

A copy of the complete text of the Ordinance is posted and may be read at the Town Offices, Minaret Mall, Old Mammoth Road, Mammoth Lakes, and/or a copy may be obtained from the office of the Town Clerk at a nominal charge.

Dated: December 21, 2023



JAMIE GRAY, Town Clerk
Town of Mammoth Lakes

TOWN OF MAMMOTH LAKES

Notice is hereby given that on January 3, 2024 the Town Council adopted an Ordinance entitled:

ORDINANCE NO. 24-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPT
MUNICIPAL CODE CHAPTER 10.24 REGARDING VEHICLES
ON TRAILS, MULTI-USE PATHWAYS (MUPs),
AND SIDEWALKS.

by the following vote:

AYES: Councilmembers Rice and Wentworth, Mayor Pro Tem Bubser, and Mayor Sauser

NOES: None

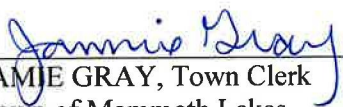
ABSENT: Councilmember Rea

ABSTAIN: None

DISQUALIFICATION: None

A certified copy of the complete text of the Ordinance is posted and may be read at the Town Offices, Minaret Mall, Old Mammoth Road, Mammoth Lakes, and /or a copy may be obtained from the office of the Town Clerk at a nominal charge.

Dated: January 4, 2024



JAMIE GRAY, Town Clerk
Town of Mammoth Lakes

STATE OF CALIFORNIA)
COUNTY OF MONO)
TOWN OF MAMMOTH LAKES) ss.

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Ordinance No. 24-02, which was introduced at a meeting of the Town Council of the Town of Mammoth Lakes, California, held on December 20, 2024 by the following vote:

AYES: Councilmembers Rea, Rice, Wentworth, Mayor Pro Tem Bubser, and Mayor Sauser
NOES: None
ABSENT: None
DISQUALIFICATION: None

and adopted at a meeting held on January 3, 2024 by the following vote:

AYES: Councilmembers Rice and Wentworth, Mayor Pro Tem Bubser, and Mayor Sauser
NOES: None
ABSENT: Councilmember Rea
DISQUALIFICATION: None


JAMIE GRAY, Town Clerk

STATE OF CALIFORNIA)
COUNTY OF MONO)
TOWN OF MAMMOTH LAKES) ss.

AFFIDAVIT
OF PUBLISHING
AND POSTING

JAMIE GRAY, being first duly sworn, deposes and says: That she is the duly appointed Town Clerk of the Town of Mammoth Lakes; that in compliance with State laws of the State of California, Ordinance No. 24-02 being:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES,
STATE OF CALIFORNIA, ADOPT MUNICIPAL CODE CHAPTER 10.24
REGARDING VEHICLES ON TRAILS, MULTI-USE PATHWAYS
(MUPs), AND SIDEWALKS.

was published in summary in The Sheet newspaper on December 30, 2023 and January 13, 2024 and was posted at the Town Administrative Offices.


JAMIE GRAY, Town Clerk