

## Title 14. Public Property

### Chapter 14.08. PARKS

#### § 14.08.015. Recreational trail as public park.

For the purposes of this chapter, the term "public park" includes, without limitation, all property included within the recreational walking and biking trail running along the city's waterfront from the city boundary on the east to Seventeenth Street on the west.

(Ord. 20-004 § 2, 2020)

#### § 14.08.016. Recreational trail – Foot traffic prohibited on bicycle portion.

It is unlawful for any person to walk, run, jog, permit animals or otherwise convey himself/herself on foot along the portion of the recreational trail (defined at PGMC § **14.08.015**) paved, marked and set aside for use of bicycles in a manner that impedes the operation of bicycles or other permitted vehicles on that portion of the trail.

(Ord. 20-004 § 2, 2020)

#### § 14.08.020. Bicycle and e-bike restrictions.

- (a) It is unlawful for any person to ride or wheel or otherwise operate a bicycle or electric bicycle in Perkins' Park, Perkins' Park being all areas seaward of Ocean View Boulevard between Lovers Point and the Esplanade.
- (b) It is unlawful for any person to ride or wheel or otherwise operate a bicycle or electric bicycle in Lovers Point Park, to include any property located seaward of Ocean View Boulevard from the city boundary on the east to Seventeenth Street on the west, except on the paved portion of the recreation trail defined in PGMC § **14.08.015**.

(Ord. 20-004 § 2, 2020)

#### § 14.08.021. Electric bicycle use restrictions.

- (a) The term "electric bicycle" is defined in California Vehicle Code Sections **312.5** or **24016**. Separate definitions apply to Class 1, Class 2 and Class 3 electric bicycles.
- (b) Notwithstanding any other provision of this code, it is unlawful for any person to ride or wheel or otherwise operate a Class 1 or Class 2 electric bicycle as follows:
  - (1) In Perkins' Park, defined by PGMC § **14.08.020(a)**, the Pacific Grove Golf Links, or El Carmelo Cemetery.

- (2) On any property located seaward of Ocean View Boulevard from the city boundary on the east to Seventeenth Street on the west, except when operated within applicable speed limits on the paved portion of the recreation trail, defined by PGMC § **14.08.015**.
  - (c) Class 3 electric bicycles are prohibited in all parks, the Pacific Grove Golf Links, El Carmelo Cemetery, and upon the recreational trail, defined in PGMC § **14.08.015**.
- (Ord. 20-004 § 2, 2020)

### § 14.08.023. Speed limit on recreational trail.

- (a) It is unlawful for any person to ride or wheel or operate a bicycle, a Class 1 or 2 electric bicycle, an electric personal assistive mobility device (as defined in California Vehicle Code Section **313**), or a motorized board (as defined in California Vehicle Code Section **313.5**) at a speed equal to or in excess of 12 miles per hour on the recreational trail defined in PGMC § **14.08.015**.
  - (b) Notwithstanding subsection **(a)** of this section, a person shall not operate any vehicle at a speed greater than is reasonable or prudent having due regard for weather, visibility, pedestrian and vehicular traffic, and the surface and width of the trail, and in no event at a speed that endangers the safety of any person or property.
- (Ord. 20-004 § 2, 2020)

### § 14.08.024. Use of pedicab prohibited in recreational trail, in all public parks, golf links and El Carmelo Cemetery.

- (a) The term "pedicab" is defined to mean:
    - (1) A bicycle that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by an individual, and that is used for transporting passengers for receipt of any form of consideration; or
    - (2) A bicycle with a single unarticulated frame that pulls a sidecar or similar device that transports, or is capable of transporting, passengers on seats attached to the sidecar or similar device, that is operated by an individual, and that is used for transporting passengers for receipt of any form of consideration.
  - (b) Notwithstanding any other provision of this code, it is unlawful for any person to ride or wheel or otherwise operate a "pedicab" on any portion of the recreational trail (defined in PGMC § **14.08.015**), in all public parks, golf links, and El Carmelo Cemetery.
- (Ord. 20-004 § 2, 2020)

### § 14.08.025. Use of motorized scooters prohibited in recreational trail, in all public parks, golf links and El Carmelo Cemetery.

- (a) Notwithstanding any other provision of this code, it is unlawful for any person to ride or wheel or otherwise operate a "motorized scooter," as defined in California Vehicle Code Section **407.5**, on any portion of the recreational trail (defined in PGMC § **14.08.015**), in all public parks, golf links, and El Carmelo Cemetery.
  - (b) This section shall not apply to any ADA "pedestrian" defined by California Vehicle Code Section **467(b)**.
- (Ord. 20-004 § 2, 2020)