

Introduced by Hindman

First Reading 03/17/03 Second Reading 04/07/03

Ordinance No. 17642 Council Bill No. B 92-03A

AN ORDINANCE

amending Chapter 14 of the City Code as it relates to the definition of "cycles" and to helmet regulations for persons under sixteen; amending Chapter 16 of the City Code as it relates to public safety and helmets for persons under sixteen; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 14 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 14-491. Definition.

As used in this article, the word "cycle" shall mean any device upon which a person may ride; propelled by human power, having two (2) or more wheels, ~~and which has wheels at least twenty (20) inches in diameter, and a frame size of at least fourteen (14) inches,~~ excluding wheelchairs.

...

Sec. 14-509. Use of Helmets.

- (a) No person fifteen (15) years of age or younger shall ride a cycle within the city limits as an operator or passenger without properly wearing an approved bicycle helmet securely fastened by chin or neck strap.
- (b) An approved bicycle helmet is headgear which meets or exceeds the impact standard for protective helmets set by the U.S. Consumer Products Safety Commission federal safety standards.
- (c) No parent, custodian, or legal guardian of a person fifteen (15) years of age or younger shall allow that person to ride or be a passenger on a cycle within the city limits as set out in this ordinance without wearing an approved bicycle helmet. This is an offense of absolute liability.

Sec. 14-509 510. Penalties.

Any person sixteen (16) years of age or older who violates any provision of this act is guilty of an infraction and, upon conviction thereof, shall be punished by a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00). Such an infraction does not constitute a crime, and conviction shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense. If any person under sixteen (16) years of age violates any provision of this act in the presence of a peace officer possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, such officer may impound the cycle involved for a period not to exceed five (5) days upon issuance of a receipt to the child riding it or to its owner.

SECTION 2. Chapter 16 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 16-238. Use of Protective Helmets.

- (a) No person fifteen (15) years of age or younger shall wear, ride or use any roller skates, inline skates, roller blades, skateboards, or scooter, as these things are commonly defined, within the city limits without properly wearing an approved skate or bicycle helmet securely fastened by chin or neck strap.
- (b) An approved skate or bicycle helmet is headgear which meets or exceeds the impact standard for protective helmets set by the U.S. Consumer Products Safety Commission federal safety standards.
- (c) No parent, custodian, or legal guardian of a person fifteen (15) years of age or younger shall allow that person to wear, ride or use any roller skates, in-line skates, roller blades, skateboards, scooter or tricycle within the city limits as set out in this ordinance without wearing an approved skate or bicycle helmet. This is an offense of absolute liability.
- (d) Violation of this section is an infraction punishable by a fine of not less than \$5.00 nor more than \$25.00.

SECTION 3. This ordinance shall be in full force and effect from and after May 10, 2003.

PASSED this 7th day of April, 2003.

ATTEST:

Penny St. Romaine
City Clerk

Darwin Hindman
Mayor and Presiding Officer

APPROVED AS TO FORM:

Fred Boeckmann
City Counselor