

ORDINANCE NO. 5176

AN ORDINANCE AMENDING SECTION 2.56.030 AND VARIOUS SECTIONS OF CHAPTER 9.42 OF TITLE 9 OF THE EL CAJON MUNICIPAL CODE ADDRESSING REGULATIONS FOR BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, SCOOTERS, DOCKLESS VEHICLES, AND SKATEBOARDS

WHEREAS, Chapter 9.42 of the El Cajon Municipal Code provides the regulations for bicycles, scooters, and dockless vehicles in the City and Section 2.56.030 addresses regulations for City parks; and

WHEREAS, it is the intent of the El Cajon City Council ("City Council") to provide further regulations to protect the health, safety, and enjoyment of its residents in City parks and public spaces as it relates to the pervasive operation of bicycles, electric bicycles, motorized scooters, scooters, dockless vehicles, and skateboards; and

WHEREAS, for this reason, it is the intent of this City Council to limit and regulate such activity, though it is not the intent of this City Council to limit the private enjoyment of such activity where it is legal and safe to do so.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1. That the foregoing recitals are true and correct and are findings of fact of the City Council with regard to this amendment of the El Cajon Municipal Code.

SECTION 2. Section 2.56.030 of Chapter 2.56 of Title 2 of the El Cajon Municipal Code is hereby amended as set forth in Exhibit "A."

SECTION 3. Sections 9.42.010, 9.42.020, 9.42.030 of Chapter 9.42 of Title 9 of the El Cajon Municipal Code are hereby amended as set forth in Exhibit "B."

SECTION 4. Sections 9.42.065 is hereby added to Chapter 9.42 of Title 9 of the El Cajon Municipal Code as set forth in Exhibit "B."

SECTION 5. Effective Date. This ordinance shall be effective thirty (30) days after its adoption.

SECTION 6. Publication. The City Clerk shall certify the adoption of this ordinance and within fifteen (15) days after its adoption, the City Clerk of the City of El Cajon shall cause this ordinance to be published pursuant to the provisions of Government Code section 36933.

SECTION 7. Severability. The City Council of the City of El Cajon intends this ordinance to supplement not duplication or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. If any section, subsection, subdivision, paragraph, sentence, clause or phrase, or portion of this ordinance is, for any

reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end, the provisions of this ordinance are declared to be severable.

PASSED AND ADOPTED by the City Council of the City of El Cajon, California, at a Regular Joint City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meeting held this 12th day of May 2026, by the following vote to wit:

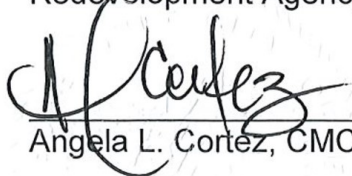
AYES : Goble, Kendrick, Metschel, Ortiz, Wells
NOES : None
ABSENT : None
DISQUALIFY: None

BILL WELLS
Mayor of the City of El Cajon

ATTEST:

ANGELA L. CORTEZ, CMC
City Clerk

I hereby certify that the above and foregoing is a full and true copy of Ordinance No. 5176 of the Ordinances of the City of El Cajon, California, as adopted by the City Council at a Regular Meeting of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency on the 12th day of May 2026.



Angela L. Cortez, CMC, City Clerk

EXHIBIT A

§ 2.56.030. Prohibited acts.

No person shall do any of the following acts within the premises of any city park or city playground:

- A. Transport, carry, fire or discharge any firearm, weapon, air gun, slingshot, or explosive of any kind;
- B. Discharge any firecracker, bomb, torpedo, rocket or other fireworks; provided, however, that supervised public displays of fireworks by the city may be permitted pursuant to Article 78 of the Uniform Fire Code adopted by the city;
- C. Pick, dig, remove, injure, destroy or carry away wood, soil, leaf mold or rock, or any tree, flower, plant or shrub, except with the permission of the director of parks;
- D. Ride, drive, bring, allow or permit any bovine animal, sheep, goat or swine, or bring, allow or permit any horse or ass therein, except when ridden on specially designated trails or areas, unless authorized to do so by the city council or designee;
- E. Bring any dog or permit any dog, to be brought therein unless the same is at all times kept on a leash. However, this provision does not apply to that certain area of Wells Park designated as a "leash free" area;
- F. No person shall throw or deposit any commercial or noncommercial handbill circulars, pamphlets, tracts, or advertisements in or upon any sidewalk, street or other public place within the city. Nothing herein shall prevent any person from handing out, distributing, or selling any commercial handbill on any public sidewalk or pedestrian pathway in conformance with Chapter 12.06 of this code provided, however, that no person shall hand out, distribute, or sell any commercial handbill in any other public place not allowed by Chapter 12.06. Further, it is not unlawful on any sidewalk, street, pedestrian pathway, or other public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it. No person shall post or affix to any pole, tree, car, fence or structure situated therein any kind of handbill, circular, pamphlet, tract, or advertisement;
- G. Build, kindle or light, or permit to be built, kindled or lighted, a fire in any location, except in a safe place established for that purpose; provided that all fires shall be subject to supervision by the director of recreation. No person shall throw away any lighted cigar, cigarette or tobacco or lighted match or other matter that could set fire to any grass, shrubs or buildings;
- H. Vend, offer for sale or dispose of goods, wares or merchandise, or conduct any business unless authorized to do so by Chapter 12.06, or by the city council or designee, except that nothing in this provision shall prohibit religious or political solicitations;
- I. Leave or throw away any garbage, refuse, cans, ashes, bottles, broken glass or like substances, or any carcass of any animal or fowl in any place, except into incinerators or containers provided for that purpose;
- J. After using a stove, permit such stove to remain in any untidy condition, or fail to clear away therefrom all cooking utensils and other materials;

- K. Place any food, dishes, cooking utensils or other things in any stream, lake, pond, pool, fountain, or at any hydrant for the purpose of cleaning the same, nor shall any person use any stream, lake, pond, pool, fountain, or hydrant for washing, swimming or bathing, or otherwise pollute the same;
- L. Take, kill, wound or maltreat any bird or animal, either wild or domesticated;
- M. Set up or maintain any exhibition, show, performance, concert, place of amusement, or concert hall without permission from the director of recreation. No person shall use amplification contrary to Chapter 9.44 of this code;
- N. Play baseball, football, or any other game of ball, cricket or other game, except in any such place as shall be specifically designated for that purpose by the director of recreation;
- O. No male person shall resort to any toilet set apart for women, and no female person shall resort to any toilet set apart for men; provided, however, that this shall not apply to children accompanied by a guardian entering a toilet set apart for the gender of the guardian;
- P. Drive or ride a bicycle on any pedestrian walk, as distinguished from an automobile road or a designated bicycle path, unless authorized by the director of recreation or designee. No person shall drive any such bicycle at a greater speed than that specified by traffic ordinance by the city council for a road within a city park or city playground and indicated by a sign or signs placed along such road;
- Q. Ride or drive any motorcycle, motor vehicle or other vehicle within any city park or city playground, unless authorized by the director of recreation or designee. Ride or drive any motorcycle, motor vehicle or other vehicle at a greater speed than ten miles per hour at the entrance or exit thereto, or at a greater speed than fifteen miles per hour at any other place therein. No person shall drive any such motorcycle, motor vehicle or other vehicle at a greater speed than that specified by traffic ordinance by the city council for a road within a city park or city playground and indicated by a sign or signs placed along such road;
- R. Leave or park any motorcycle, electric bike, motorized scooter, motor vehicle, or leave or hitch any horse on any driveway or at any other place, except at such place or places as are provided for and designated as places for parking motorcycles, electric bikes, motorized scooters, motor vehicles or other vehicles, or for hitching horses;
- S. Haul or carry on any cart, wagon, truck or other vehicle, any manure, garbage, rubbish, hay, soil or lumber without the permission of the director of parks;
- T. Obstruct the free travel of vehicles or pedestrians on any road, avenue, walk or path;
- U. No child under the age of seven years shall be unattended by an adult;
- V. Consume or possess any alcoholic beverage in violation of Chapter 9.22 of this code;
- W. Remain upon the grounds of a city park or city playground, or occupy the grounds of such park or playground or any part thereof, or use any of the facilities or equipment therein, or permit any vehicle to remain therein, except between the hours of seven a.m. and ten-thirty p.m. of any day, unless authorized by the director of recreation. The director of recreation

may, in reasonable discretion, designate and enforce a suitable and proper time for closing such grounds or facilities and equipment;

- X. Camp, lodge or sleep overnight, or between the hours of ten-thirty p.m. and seven a.m.;
- Y. Dispose of human waste in other than a designated facility, as provided in Chapter 9.38 of this code.
- Z. Except as otherwise provided in subdivision (1) of this subsection, operate any food establishment (as defined in Section 113780 of the California Health and Safety Code), mobile food facility (as defined in Section 113900 of the California Health and Safety Code), vending machine (as defined in Section 113903 of the California Health and Safety Code), produce stand (as defined in Section 113855 of the California Health and Safety Code), swap meet prepackaged food stand (as defined in Section 113905 of the California Health and Safety Code), temporary food facility (as defined in Section 113895 of the California Health and Safety Code), satellite food distribution facility (as defined in Section 113880 of the California Health and Safety Code), stationary mobile food preparation unit (as defined in Section 113890 of the California Health and Safety Code), mobile food preparation unit (as defined in Section 113815 of the California Health and Safety Code) or open air barbecue facility (as defined in Section 113830 of the California Health and Safety Code).
 - 1. This subsection is not intended to prohibit activities wherein no permanent facilities are used for storing or handling food, nor families, groups, or other organizations which give or sell food to its members and guests at occasional events. For the purposes of this subsection the term "occasional event" means an event that occurs not more than two days in any ninety-day period.
 - 2. This prohibition does not apply to: (a) community events in accordance with Chapter 5.52; (b) to a city council sponsored community event; (c) sidewalk vendors in accordance with Chapter 12.06; (d) nor to those who have obtained the necessary permit to hold an event at a city recreation center, East County Performing Arts Center, or the Community Center.
 - 3. The exception found in subdivision (1) of this subsection shall not be construed to allow a person to use park property as a mobile or stationary kitchen, "eating establishment, restaurant or similar purpose to provide food to the general public, including, but not limited to, a food bank as defined in Section 114445 of the California Health and Safety Code.
- AA. Possess or dispose of any tobacco or tobacco-related product in violation of Section 8.32.025 of this code.
- BB. Store personal property, including camp paraphernalia.
(Prior code § 23-9; Ord. 3723 §§ 1, 2, 1983; Ord. 3797 § 2, 1987; Ord. 4037 § 1, 1987; Ord. 4506, 1996; Ord. 4258, 1997; Ord. 4613 § 1, 1999; Ord. 4737 § 1, 2003; Ord. 4751 § 3, 2003; Ord. 4764 §§ 1, 2, 2004; Ord. 5075 §§ 2—4, 2018)

EXHIBIT B

Chapter 9.42 Bicycle, Electric Bicycle, Motorized Scooter, Scooter, Dockless Vehicles, and Skateboarding – Prohibitions.

§ 9.42.010. Purpose and scope.

The purpose of this chapter is to preserve the public health, safety and welfare within the city. It is the finding of this legislative body that pervasive bicycle, electric bicycle, motorized scooter, scooter, dockless vehicle, and skateboarding within the city presents a significant threat to the peace, health and safety of the community. For this reason, it is the intent of this legislative body to limit such activity. It is not the intent of this legislative body to limit the private enjoyment of such activity where it is safe to do so.

The provisions of this chapter do not prohibit the possession of bicycles, electric bicycles, motorized scooters, scooters, dockless vehicles, or skateboards if not ridden.

Nothing in this chapter shall prohibit the use of wheeled devices by physically disabled persons. (Ord. 5076 § 5, 2019)

§ 9.42.020. Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Bicycle" means any device upon which a person may ride which is propelled by human power through a system of belts, chains or gears, and which has one or more wheels (California Vehicle Code Section 231 as it may be amended from time to time).

"Electric bicycle", as defined by California Vehicle Code 312.5 as it may be amended from time to time, means a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts of power.

(1) A "class 1 electric bicycle," or "low-speed pedal-assisted electric bicycle," is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, except as provided in paragraph (4), that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour, and that is not capable of providing assistance to reach speeds greater than 20 miles per hour.

(2) A "class 2 electric bicycle," or "low-speed throttle-assisted electric bicycle," is a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

(3) A "class 3 electric bicycle," or "speed pedal-assisted electric bicycle," is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, except as provided in paragraph (4), and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and equipped with a speedometer.

(4) A class 1 or class 3 electric bicycle may have start assistance or a walk mode that propels the electric bicycle on motor power alone, up to a maximum speed of 3.7 miles per hour.

“Motorized scooter” or “electric scooter”, as defined by California Vehicle Code 407.5 as it may be amended from time to time, means:

(a) Any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of the floorboard, and is powered by an electric motor. This device may also be designed to be powered by human propulsion.

(b) A device meeting the definition in subdivision (a) that is powered by a source other than electrical power is also a motorized scooter.

"Dockless vehicle" means:

- A. Any wheeled device, other than an automobile or motorcycle, that is powered by a person or motor;
- B. Accessed via an on-demand portal, whether a smartphone application, membership card, or similar method;
- C. Owned by a private entity that owns, manages, and maintains devices for shared use by members of the public without a physical dispatching location within the City; and
- D. Available at unstaffed, self-service locations, to members of the public for their personal operation.

"Expanded Civic Center" means the areas of El Cajon City known as City Hall, East County Regional Center, East County Performing Arts Center, Library, Community Center and Fire Facility Headquarters Complex, more particularly described as follows:

Lots 1 through 5, inclusive of Superblock Phase II in the city of El Cajon, county of San Diego, state of California, according to Map thereof No. 9458, filed in the office of the recorder of said county February 6, 1980. Together with Lot I of El Cajon Civic Center in the city of El Cajon, county of San Diego, state of California, according to Map thereof No. 8071 filed in the office of the recorder of said county February 14, 1975; and Blocks 4 and 5 of Map of El Cajon City, Map No. 597, filed in the office of the recorder of San Diego County, California, on April 28, 1886. Together with that portion of Highland Avenue between Douglas Avenue and Lexington Avenue closed by the El Cajon city council on February 3, 1987, Resolution No. 46-87.

"Public parking lot" means any publicly owned, operated or maintained parking lot, parking facility, sidewalk, walkway, path, ramp, bridge, plaza, mall, trolley station, quadrangle or patio.

"Ride" means move, not move, or travel at any speed while supported by a device.

"Scooter" means a foot-operated vehicle consisting of a narrow board of wood, metal, plastic, fiberglass, or other material, and having two or more wheels tandem with an upright steering handle attached to the board or the front wheels.

"Skateboard" means any toy or device upon which a person may ride standing or sitting, which coasts, glides, or is propelled by human power, which is a board or other surface mounted on one or more wheels.

"Skatepark" means a facility owned, operated or managed by the city of El Cajon, designed specifically to accommodate skateboarding and in-line skating, where skating rules and hours are posted, and are specifically located at Kennedy Skatepark and Renette Plaza.

(Ord. 5076 § 5, 2019)

§ 9.42.030. Bicycle, electric bicycle, motorized scooter, scooter, dockless vehicles, or skateboarding prohibited.

Notwithstanding Chapter 2.56, it is unlawful for any person to ride a skateboard, scooter, electric bicycle, motorized scooter or dockless vehicle within any city park, any city playground, any public facility, or upon any public grounds in the Expanded Civic Center area or the public property between Main Street and Douglas Avenue, including that area commonly referred to as the Prescott Promenade. It is unlawful for any person to ride a bicycle in the Expanded Civic Center area of the public property between Main Street and Douglas Avenue, including the area commonly referred to as the Prescott Promenade, unless upon a bike path, alley, street or highway. (Ord. 5076 § 5, 2019)

§ 9.42.040. Skateboarding—Prohibition—Locations.

- A. The riding of any skateboard is prohibited upon or across any publicly owned, operated or maintained sidewalk, curb, bike path, alley, street or highway along:
 - 1. Main Street from Chambers to Ballantyne Street; or
 - 2. Magnolia Avenue from Lexington Avenue to Madison Avenue.
- B. The riding of any skateboard is also prohibited upon or across any privately owned, operated or maintained parking lot, parking facility, sidewalk, walkway, path, ramp, bridge, plaza, mall, quadrangle or patio which is held open to the public and which has been posted to prohibit skateboarding.

(Ord. 5076 § 5, 2019)

§ 9.42.045. Skateboard and in-line skate riding—Use of public skatepark facility.

- A. No person shall use, remain in or enter any city operated skatepark facility during all closed hours specified in park regulations. A notice indicating time or period when the skatepark facility is closed shall be posted at the skatepark facility. Hours of operation for skatepark facilities are set forth in subsection H, herein.
- B. No person shall ride a skateboard, bicycle, scooter or use in-line skates in the skatepark facilities except while wearing commercially manufactured helmet, elbow pads, and knee pads.
- C. No person shall use any city operated skatepark facility for any purpose other than skateboarding or inline skating, provided, however, that bicycles and scooters may be used in a city operated skatepark facility during such times, and subject to such limitations, designated by the department of recreation and clearly identified in appropriate notices posted at the city operated skatepark. Use of motorized vehicles or similar devices is specifically prohibited in any city operated skatepark facility.
- D. No person shall skate or ride a bicycle or scooter in the parking lot, sidewalks, curbs, or entrance areas near the skatepark facility.
- E. For purposes of this section, the term "skatepark facility at Kennedy Skatepark" shall mean the fence and the entire fenced area surrounding and including the skateboard bowls and street plaza area and the land adjacent to the skateboard bowls and street plaza area. The term "skatepark facility at Renette Plaza" shall mean the concrete features between the Renette

- F. Park outdoor basketball court and the recreation center building, and between the sidewalk and the Renette Park fence line, not to include the sidewalk and the play court (i.e. hopscotch, tetherball, ball wall area).
- G. This section does not apply to any duly authorized city employee while performing duties of their job.
- H. Any person who violates this section is guilty of an infraction and upon conviction thereof shall be punished as provided in Section 9.42.070 of this code. Each violation constitutes a separate offense and may be separately punished.
- I. Hours of operation for the skatepark facility at Kennedy Park Skatepark, and for the skatepark facility at Renette Plaza, are as follows:
 - 1. Kennedy Skatepark. Hours shall be as posted and shall vary seasonally. Skating is prohibited in the skatepark facility when the facility is locked, when posted "closed," or when the facility is otherwise scheduled for recreation service sponsored/approved activities.
 - 2. Renette Multi-Purpose Court. Skating is prohibited between dusk/sundown and sunrise, or when the facility is otherwise scheduled for recreation service sponsored/approved activities.

(Ord. 4967 § 2, 2011)

§ 9.42.050. Right-of-way.

- A. It is unlawful for any person who is riding a skateboard, to fail to yield the right-of-way to all pedestrians within or approaching the area.
- B. It is unlawful for any person who is riding a skateboard, while upon a public street, including the sidewalk or alley, to interfere with the movement of vehicles thereon.

(Ord. 5076 § 5, 2019)

§ 9.42.060. Ramps prohibited.

- A. It is unlawful for any person to use, construct or place upon any public property a ramp, jump, platform, or similar device intended for use by a person riding a bicycle, skateboard, or similar wheeled device.
- B. The costs incurred by the city in removing a ramp, jump, platform, or similar device placed contrary to this section shall be a charge imposed upon and payable by the individual violating this section. If the individual violating this section is a minor, then the charge shall be imposed against the individual's custodial parent, parents or guardians.

(Ord. 5076 § 5, 2019)

9.42.065. Violation- Enforcement.

- A. The provisions of Chapter 1.24 of this code shall apply to any violations of this chapter unless specified otherwise.
- B. The City Manager may delegate authority for the enforcement of the provisions of this chapter to a park ranger, code enforcement officer, and/or law enforcement officer of the City, as applicable.

§ 9.42.070. Fines for violation.

A violation of this chapter is an infraction punishable by:

- A. A fine not exceeding twenty-five dollars, for a first offense;
- B. A fine not exceeding fifty dollars for a second violation of this chapter within one year; or
- C. A fine not exceeding one hundred dollars for a third and each additional violation of this chapter within one year.

(Ord. 5076 § 5, 2019)