

## Chapter 17 Scottsdale Revised Code

### ARTICLE IV. BICYCLES, SKATEBOARDS, MOTORIZED SKATEBOARDS AND MULTIUSE PATHS

#### DIVISION III. MULTIUSE PATHS.

##### Sec. 17-98. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly requires a different meaning:

*Human-powered* means movement accomplished or propelled by human power, such as walking, running, or by any vehicle or device which is designed and equipped to be propelled by human power, without any assistance by a motor or power unit (e.g. bicycle, roller skates, skateboard, wheel chair).

*Multiuse path* means an off-road hard-surfaced path, that may be separated from motorized vehicular traffic by an open space or barrier, which has been designated, or designed and designated by the city for public use for human-powered travel or movement.

*Pedestrian* means a person who is either walking, jogging or running on the multiuse path.

*User* means any person who is traveling on or is otherwise lawfully using a multiuse path, as provided in this division, and includes pedestrians.

##### Sec. 17-99. General; right-of-way; use of multiuse path.

- (a) Multiuse paths are for the exclusive use of pedestrians and any human-powered vehicles or devices.
- (b) A user who is operating a human-powered device or vehicle upon a multiuse path shall yield the right of way to any pedestrian. A user operating a bicycle shall yield to skaters and pedestrians, and skaters shall yield to pedestrians.
- (c) All users of multiuse paths shall:

(1) Travel at a rate of speed which is reasonable and prudent under the conditions at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of path, and condition of surface. In every event, the user shall control speed as may be necessary to avoid colliding with other users.

(2) Obey all instructions of any traffic control device, warning sign, or pavement marking applicable to use of the multiuse path, unless otherwise directed by a police officer, including, without limitation: speed limit, stop, yield, caution, warning and dismount signs.

(3) Exercise due care and caution to avoid colliding with any other users.

(4) Refrain from entering any portion of the multiuse path when it is flooded or contains standing water.

(5) Travel in a consistent and predictable manner.

(6) Travel as near to the right side of the path as is safe, except as may be appropriate while preparing to make or making turning movements, or while overtaking or passing another user traveling in the same direction.

(7) Occupy only the right half of the multiuse path, measured from the right side, so as not to impede the normal and reasonable movement of other path users.

(8) Pass other users on the left and only when it can be done safely, returning to the right only when safely clear of the user being passed.

(9) Give an audible warning signal (e.g. voice, bell, or mechanical or electrical signaling device), in sufficient time to allow response, before passing any user.

(10) Remove themselves and any equipment at least three (3) feet off the pathway when stopping, standing or parking.

#### **SEC. 17-100. Prohibitions.**

(a) No person shall operate, use or place any vehicle or device with an attached motor or power unit, whether or not it is in operation, upon a multiuse path or within three (3) feet of a multiuse path. This subsection shall be inapplicable to the use and operation of a motorized wheelchair by a person who ordinarily uses such equipment. It shall also be inapplicable to city employees or others authorized by the city to perform inspection, repair or maintenance work, and to persons providing emergency medical or veterinary services, in the performance of their official or professional duties.

(b) No person shall willfully throw, deposit or cause to be thrown or deposited, upon any multiuse path any glass bottles, glass, nails, tacks, wires, cans or any other object, substance or debris, including animal waste. Any person who drops, or causes to be dropped, thrown or deposited upon a multiuse path any such material will immediately remove it or cause it to be removed.

#### **Sec. 17-100.1. Penalties.**

A person who violates a provision of this division shall be punished as follows:

(1) A violation of the provisions of subsections (b) and (c)(1-4) of section 17-99, above, shall constitute a civil offense, which shall be punishable by a civil sanction in an amount not to exceed one hundred fifty dollars (\$150.00).

(2) A violation of any of the provisions of section 17-100, above, shall be punishable as class 3 misdemeanors are punishable under state law.

#### **Sec. 17-100.2. Rules and Regulations.**

The city manager, or designee, may adopt and post rules and regulations which the manager or designee deems reasonably necessary for the full and safe enjoyment of multiuse paths by users.