

**Branson Board of Aldermen  
Staff Report and Recommendation**

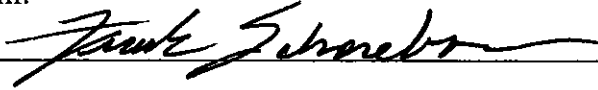
**ITEM/SUBJECT:** FIRST READING OF A BILL AMENDING CHAPTER 86 TRAFFIC AND VEHICLES, SECTION 86-112 OPERATION OF BICYCLES; RIDING MOTORIZED BICYCLE ON SIDEWALK

**DATE:** AUGUST 27, 2007

**INITIATED BY:** POLICE DEPARTMENT *W M*

**CITY ADMINISTRATOR RECOMMENDATION:**

Recommend approval of the bill.



**STAFF REPORT:**

This bill will prohibit any person from riding any skates, skateboards or scooters in certain areas located in the downtown business area or on property owned or controlled by the City of Branson, except as may be permitted in any skate park facility designated by the City for such use.

**STAFF RECOMMENDATION:**

Staff recommends approval of the bill.

**PROPOSED MOTION:** Move to approve the bill.

**FINANCIAL REVIEW:** *AS*

**ATTACHED INFORMATION:** Ordinance and Map

BILL NO. 3440

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 86 OF THE BRANSON MUNICIPAL CODE TRAFFIC AND VEHICLES, ARTICLE III OPERATION OF VEHICLES, SECTION 86-112 OPERATION OF BICYCLES; RIDING MOTORIZED BICYCLE ON SIDEWALK.**

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**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

**Section 1:** That Chapter 86 *Traffic and Vehicles*, Article III *Operation of Vehicles*, Section 86-112 *Operation of Bicycles; Riding Motorized Bicycle on Sidewalk* shall hereafter read as follows:

**Sec. 86-112. Operation of bicycles; riding motorized bicycles on sidewalk; operation of skates, skateboards and scooters on public property.**

(a) Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this Code and except as to those provisions of laws and ordinances which by their nature can have no application.

(b) No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(c) No person shall ride a bicycle upon a sidewalk within a business district.

(d) Whenever a person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(e) No person shall ride a motorized bicycle upon a sidewalk.

(f) **No person shall ride any non-motorized skate, skateboard or scooter, or any type of non-motorized vehicle upon any parking lot, sidewalk, bench, culvert, fence, fountain basin, hand railing, monument, pedestrian ramp, planter, pillar, public parking garage facility, retaining wall, stairway, step, stonework, storm water drainage channel, street scape feature, table, or similar structure located on property owned or controlled by the City of Branson, within the area described as:**

All that area located east of the centerline of South U.S. Business Highway 65, beginning at the centerpoint of the intersection of Branson Landing Boulevard and South U.S. Business Highway 65, thence northerly along the centerline of South U.S. Business Highway 65 to the centerpoint of the intersection of South U.S. Business Highway 65, West Main Street and Veterans Boulevard, thence continuing northerly along the centerline of Veterans Boulevard to the eastern boundary of the right-of-way of Branson Landing Boulevard, thence southerly along the eastern right-of-way boundary of Branson Landing Boulevard to the centerline of that portion of Branson Landing Boulevard that turns westerly towards South U.S. Business Highway 65, thence westerly along the centerline of Branson Landing Boulevard to the point of beginning.

(g) The term Skate, Skateboard or Scooter shall be defined as any one, two, three or four wheeled device powered by the user.

NOTE: LANGUAGE WHICH IS IN UNDERLINED BOLDFACE HAS BEEN ADDED AND LANGUAGE WHICH IS STRICKEN HAS BEEN DELETED.

**Section 2:** Severability Clause. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or major sections, sentences, clauses or phrases be declared invalid.

**Section 3:** Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

**Section 4:** This ordinance shall be in full force and effect from and after its passage and approval.

Read this first time on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

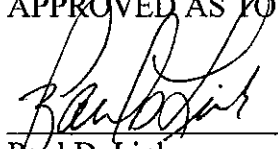
Read the second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Raeanne Presley  
Mayor

ATTEST:

\_\_\_\_\_  
Lisa K. Westfall  
City Clerk

APPROVED AS TO FORM:

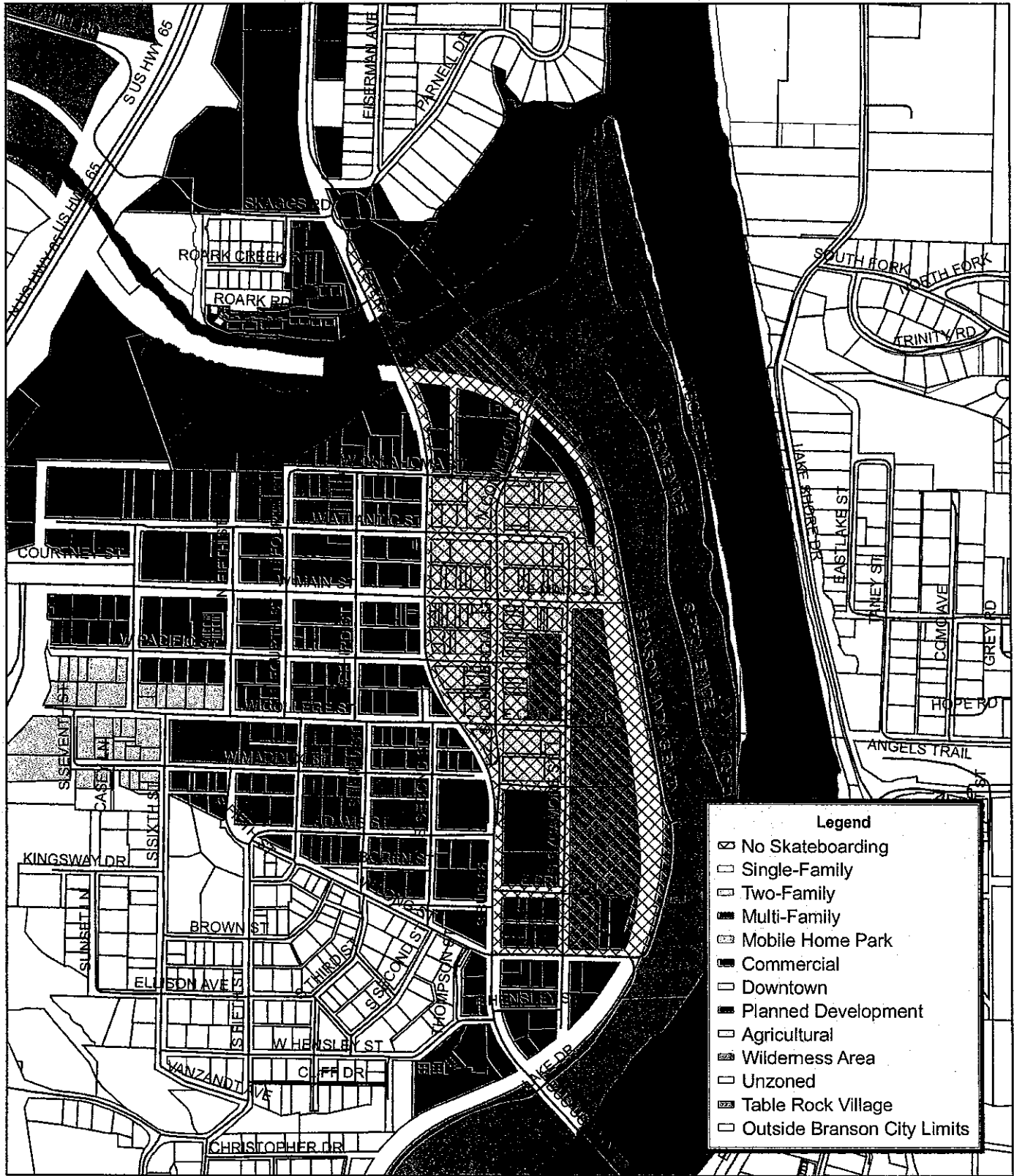
  
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Paul D. Link  
City Attorney

# No Skateboarding Boundaries

City of Branson, Taney County, Missouri  
 Planning and Development Dept.  
 August 3, 2007



0 175 350 700 1,050 1,400 Feet



**Legend**

- No Skateboarding
- Single-Family
- Two-Family
- Multi-Family
- Mobile Home Park
- Commercial
- Downtown
- Planned Development
- Agricultural
- Wilderness Area
- Unzoned
- Table Rock Village
- Outside Branson City Limits