

**ORDINANCE NO. 2025-****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, AMENDING TITLE 11 OF THE CLAREMONT MUNICIPAL CODE TO ADOPT TRAIL ETIQUETTE STANDARDS AND RESTRICT THE USE OF MOTORIZED DEVICES IN THE CLAREMONT HILLS WILDERNESS PARK**

**WHEREAS**, the City of Claremont (“City”) has adopted the Claremont Municipal Code, which includes Title 11 titled “Public Parks and Facilities” (“Chapter 11.10”); and

**WHEREAS**, Title 11 addresses the regulation of bicycles and motor vehicles in the Claremont Hills Wilderness Park; and

**WHEREAS**, as a result of advances in technology and in the interest of public safety, the City now wishes to regulate electric bicycles and motorized wheeled conveyance devices in the Claremont Hills Wilderness Park; and

**WHEREAS**, an increase in park visitation has demonstrated a need to codify trail etiquette procedures; and

**WHEREAS**, the proposed amendments to the Claremont Municipal Code update Chapter 11.10 to regulate these devices Claremont Hillside Wilderness Park; and

**WHEREAS**, the City Council has considered the staff report and all of the information, evidence, and testimony received in connection with the public meeting on this Ordinance.

**THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals** The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

**SECTION 2. CEQA** The proposed amendments to the Municipal Code are not considered a “project” under the California Environmental Quality Act (CEQA). Section 15378(b)(2) excludes “[c]ontinuing administrative ... activities” from its definition of “project.” Even if the amendments were a “project,” they would be exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed amendments will not result in a direct physical change to the environment.

**SECTION 3. Code Amendments** Title 11 of the Claremont Municipal Code is hereby amended as set forth below:

## **Title 11 PUBLIC PARKS AND FACILITIES**

### **11.02.070 Roads---Motor Vehicles.**

A. No person shall ride, drive, or propel any motorized vehicle, motorcycle, or automobile in a public park other than on roads, trails or driveways provided for that purpose and in the directions posted.

B. No person shall operate an unauthorized motor vehicle, including, but not limited to four-wheel drive vehicles, motorcycles, motor bikes, motor dirt bikes, motorized scooters, all-terrain vehicles, off highway vehicles, or any other motorized vehicles or conveyance device within park boundaries or in parking lots, unless a permit has been issued by the Director of Recreation and Human Services or his or her designee.

C. No person shall operate or drive any electric or combustible motorized skateboard, scooter, dirt bike, mini bike, mini motor bike, mini motorcycle, go-kart, go-ped, mo-ped, all-terrain-vehicle, quad runner, dune buggy or any similar electric or combustible motorized wheeled conveyance, except for electric bicycles as defined in section 11.10.080, within park boundaries or parking lots unless a permit has been issued by the Director of Recreation and Human Services or his or her designee.

D. This section shall not apply to maintenance personnel, law enforcement personnel, or person responding to an emergency situation requiring vehicular access to the park area.

### **11.10.080 Horses and bicycles.**

#### **A. Definitions**

1. For the purposes of this Chapter, a bicycle is defined as a device upon which a person may ride, propelled exclusively by human power through a belt, chain, or gears, and having two wheels.

2. For the purposes of this Chapter, an "electric bicycle" is a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts.

a. 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, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

b. 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.

c. 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, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and equipped with a speedometer.

For the purposes of this Chapter, the definitions of bicycle, electric bicycle, and Class 1, Class 2, and Class 3 electric bicycle shall prevail over any contradictory definitions of these terms (or similar terms) in the California Vehicle Code.

B. Only bicycles and Class 1 and Class 2 electric bicycles may be operated within the Claremont Hills Wilderness Park. Class 3 electric bicycles are prohibited.

C. No person shall ride or drive any horse or propel any bicycle or electric bicycle other than on roads or trails designated by the Director of Recreation and Human Services and in the directions posted.

D. Specific paved and unpaved roads or trails may be excluded from use for bicycles, any or all classes of electric bicycles, and/or horses by determination of the Director of Recreation and Human Services, or his or her designee. Such determinations will be based upon public safety and the potential impact on natural resources. Such prohibition shall be effective upon the posting of signs at or near each entrance to such road specifying that bicycles and/or are prohibited therefrom.

E. Bicycles and electric bicycles shall be operated at a safe speed for the conditions present and in a reasonable manner.

F. Any bicycle or electric bicycle operated within the Claremont Hills Wilderness Park shall be equipped with a warning bell.

G. No persons shall operate a bicycle or electric bicycle on wet or muddy trails.

#### **11.10.120 Animals.**

No person shall:

A. Take or permit any dog or horse within the park area unless the animal is restricted by a leash or other restraint with a lead of not more than 6 feet in length.

B. Take or permit any animal other than a dog or horse within the park area.

C. Fail to clean up any waste products left by their dog(s).

D. Graze livestock including the use of natural forage for commercial purposes.

E. This section shall not apply to police service dogs engaged in law enforcement duties nor service animals (dogs or miniature horses) that are individually trained to do work or perform tasks for people with disabilities.

### **11.10.160 Violations—Penalties---Removal.**

A. Any violation of any provision of this chapter shall be punishable as a misdemeanor unless the citing officer or the prosecuting attorney determines that it would be in the interests of justice to cite or prosecute the violation as an infraction.

B. Permission to be within the limits of any park or park, as defined by this Chapter, or to use any facilities, is conditioned on users complying with all applicable provisions of this Chapter or any other applicable laws, ordinances, rules, and regulations. A violation of any provision of this Chapter or of any order, rule, or regulation authorized by this Chapter, or of any other applicable law, ordinance, rule, or regulation will result in the person in violation of being a trespasser and a park ranger and/or code enforcement officer, police officer, or Director, or their respective designees ("Enforcement Official"), may remove the person from a park in accordance with this Section in addition to any other remedy or penalty.

1. Nothing in this Section will be construed to authorize the removal of any person lawfully engaged in any constitutionally protected activity. However, a person lawfully exercising these protected rights but who commits an act that is not protected can be subject to removal or exclusion.

2. For the purposes of this Section, removal is an order given by the Enforcement Official, directing a person to immediately leave a park and not return for the remainder of the day.

### **11.10.180 Trail Etiquette and Yielding**

A. Right of Way

1. All users must yield to emergency or maintenance vehicles.

2. Bicycle and electric bicycle operators must yield to pedestrians and equestrians.

3. Pedestrians must yield to equestrians.

B. Users shall remain to the right side of the trail, except when passing. Bicycle and electric bicycle operators must utilize a bell and/or verbal announcements when passing others. Passing shall only occur on the left when safe to do so.

C. Users shall not ride, walk, or run more than 2 persons abreast.

D. When being passed by another user, persons shall move to the far right of the trail.

E. No user shall wear a headset covering, earplugs in, or earphones covering, resting on, or inserted in, both ears.

F. This section does not relieve a pedestrian, bicyclist, or equestrian from the duty of exercising due care for the safety of other users on the trails.

**SECTION 4. Severability** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 5. Publication** The mayor shall sign this ordinance and the city clerk shall attest and certify to the passage and adoption of it, and within fifteen (15) days, publish in the Claremont Courier, a weekly newspaper of general circulation, printed, published, and circulated in the City of Claremont and thirty (30) days thereafter it shall take effect and be in force.

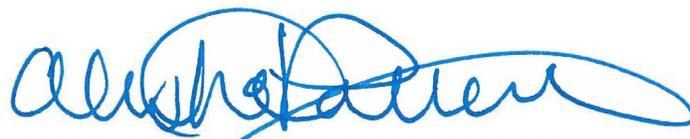
**PASSED, APPROVED, AND ADOPTED** this 22<sup>nd</sup> day of April 2025.

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Mayor, City of Claremont

ATTEST:

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City Clerk, City of Claremont

APPROVED AS TO FORM:

  
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City Attorney