

ORDINANCE NO. 1174

**AN ORDINANCE OF THE CITY OF FOLSOM
REPEALING CHAPTER 10.26 OF THE
FOLSOM MUNICIPAL CODE PERTAINING TO
ELECTRONIC PERSONAL ASSISTIVE MOBILITY DEVICES**

The City Council of the City of Folsom does hereby ordain as follows:

SECTION 1 PURPOSE

The purpose of this Ordinance is to repeal Chapter 10.26 of the Folsom Municipal Code pertaining to electronic personal assistive mobility devices (EPAMD). The City Council finds that State law (California Vehicle Code 21280 *et seq.*) regulating the use of electronic personal assistive mobility devices adequately promotes the health, safety and public welfare in conjunction with Chapter 10.40 addressing EPAMDs and other electronic wheeled devices.

SECTION 2 REPEAL OF CHAPTER

Chapter 10.26 of the Folsom Municipal Code is hereby repealed in its entirety.

SECTION 3 SCOPE

Except as set forth in this Ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, 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 declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 5 EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This Ordinance was introduced and the title thereof read at the regular meeting of the City Council on January 22, 2013, and the second reading occurred at the regular meeting of the City Council on February 12, 2013.

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: Christa Saunders
City Clerk of the City of Folsom, California

On a motion by Mayor Steve Miklos seconded by Council Member Kerri Howell, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this 12th day of February, 2013 by the following roll-call vote:

AYES: Council Member(s): Starsky, Howell, Morin, Miklos

NOES: Council Member(s): Sheldon

ABSENT: Council Member(s): None

ABSTAIN: Council Member(s): None



Stephen E. Miklos, MAYOR

ATTEST:



Christa Saunders, CITY CLERK

Effective: March 14, 2013