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# **NEWPORT BEACH**

## **City Council Staff Report**

September 23, 2025  
Agenda Item No. 6

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** David Miner, Chief of Police - 949-644-3701, dminer@nbpd.org

**PREPARED BY:** Kelley Maslin, Sergeant - 949-644-3694, kmaslin@nbpd.org

**TITLE:** Ordinance No. 2025-29: Adding Section 11.04.085 (Prohibiting the Use of Electric Bicycles and similar devices on the Newport Elementary School Playground) and Amending Section 11.04.130 (Exemption) of Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code

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### **ABSTRACT:**

For the City Council's consideration is the addition of Section 11.04.085 (Prohibiting the Use of Electric Bicycles and similar devices on the Newport Elementary School Playground) and Amending Section 11.04.130 (Exemption) of Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code.

### **RECOMMENDATIONS:**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Waive full reading, direct the City Clerk to read by title only, and introduce *Ordinance No. 2025-29: An Ordinance of the City Council of the City of Newport Beach, Adding Section 11.04.085 (Prohibiting the Use of Electric Bicycles and Similar Devices on the Newport Elementary School Playground) and Amending Section 11.04.130 (Exemption) of Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code* and pass to a second reading on October 14, 2025.

### **DISCUSSION:**

In the Spring of 2025, City Councilmembers and the Police Department began to receive complaints of Electric Bicycles (E-bikes) speeding in excess of the 8 MPH boardwalk speed limit, and causing an undue risk to users of the boardwalk. As a response to an increase in public complaints, in April of 2025, Police Officers assigned to the Peninsula Enforcement Team, Quality of Life Team, and Boardwalk Enforcement overtime detail, were required to spend a portion of their shift on the boardwalk, specifically addressing speeding E-bike riders.

For approximately a month and a half, statistics from these working groups were collected. There were 297 hours worked, 189 citations issued, 2 arrests and 904 contacts

made. These numbers are not reflective of and do not include the citations, arrests, and contacts made by officers working their assigned patrol shift, or officers assigned to the Traffic Division.

Additionally, the Public Works Department placed eight A-frame style signs along the boardwalk to highlight the speed limit more clearly to users of the boardwalk in an effort to reduce speeds of bike riders.

The Newport-Mesa Unified School District operates a public elementary school (Newport Elementary School) which is bounded by 13<sup>th</sup> Street, west Ocean Front, 14<sup>th</sup> Street and west Balboa Boulevard. On February 10, 2015, the City entered into a lease agreement with the District for the shared use between the City and District of the tidelands lying southerly of west Ocean Front between the southerly extension of 13<sup>th</sup> Street and the southerly extension of 14<sup>th</sup> Street, consisting of a grass playfield, a blacktop playground, and a sand playground area ("Property"). During those times when the Property is not in use by the District for school activities, the public is free to enjoy the Property amenities.

The Property blacktop playground has several basketball courts, handball courts, and is frequently used outside of District hours for recreational activities such as hockey. The sand playground consists of a jungle gym, which is adjacent to the blacktop playground and parallels the boardwalk. This sand playground is regularly occupied by young children and families.

While conducting increased enforcement on the boardwalk near Newport Elementary School, officers observed a significant increase in the use of E-bikes, electrically motorized boards, motorized bicycles, and motorized scooters on the Property, particularly the blacktop playground, to ride excessively fast, perform tricks, "wheelies", and other similar bike maneuvers which conflict with other recreational activities. E-bikes specifically range in top speeds between 20-28 mph. This poses an unreasonable risk of injury to other users of the Property, who may not be watching for an E-bike while engaging in sports activities or play, and to young children utilizing the sand playground.

In an effort to maximize public use and enjoyment of the property, the Police Department desires to amend NBMC Chapters 11.04 (Parks, Park Facilities, and Beaches) to prohibit the operation of E-bikes, electrically motorized boards, motorized bicycles, and motorized scooters from operating on the Property when the Property is not in use by the District which generally includes weekends, school holidays, school recesses, vacations, and breaks, and weekdays from 3:00 p.m. to 6:00 a.m.

**FISCAL IMPACT:**

There is no fiscal impact related to this item.

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENTS:**

Attachment A – Ordinance No. 2025-29

Attachment B – Section 11.04.085 and Redline of Section 11.04.130 (Exemption) of Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code