City of Riverbank
Office of the City Clerk / Elections

CERTIFICATION OF ORDINANCE 2026-005

STATE OF CALIFORNIA
COUNTY OF STANISLAUS } ss:
CITY OF RIVERBANK

I, Gabriela Hernandez, duly appointed City Clerk of the City of Riverbank, California, **DO HEREBY CERTIFY** that the foregoing **Ordinance 2026-005** (consisting of 6 pages) was introduced at a regular meeting of the City Council of the City of Riverbank, held on 09/08/2026 and thereafter was adopted at a regular meeting of the City Council of the City of Riverbank on 09/22/2026, by the following City Council vote of 5-0, to wit:

AYES:	**COUNCILMEMBER DISTRICT 1 LUIS URIBE**
	COUNCILMEMBER DISTRICT 2 CINDY FOSI
	COUNCILMEMBER DISTRICT 4 STACY CALL
	VICE MAYOR (CM-D3) JOHN PIMENTEL
	MAYOR RACHEL HERNANDEZ
NAYS:	**NONE**
ABSENT:	**NONE**
ABSTAINED:	**NONE**

I FURTHER CERTIFY that the foregoing **Ordinance 2026-005** was published pursuant to GC § 36933 as follows:

- First Summary published on 09/02/2026 in the Riverbank News by City Clerk Office; and
- Second Summary published on 09/30/2026 the Riverbank News.
- Notices were also posted on the exterior Bulletin Boards of City Hall North and the Community Center.

WITNESS my hand and the Seal of the City of Riverbank,
affixed this 30 Day of September 2026

Gabriela Hernandez, CMC, City Clerk

CC/LRA – 09/08/2026 & 09/22/2026
CC Ordinance 2026-005

CITY OF RIVERBANK

ORDINANCE 2026-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING SECTION 72.04, LICENSE FEE, AND SECTION 72.99, PENALTY, AND ADDING SECTIONS 72.08, UNSAFE OPERATION OF BICYCLE AND MOTORIZED DEVICES IN PUBLIC PARKS AND TRAILS, SIDEWALKS, AND STREETS, AND 72.09, ADMINISTRATIVE APPEAL, TO CHAPTER 72, BICYCLES, OF TITLE VII, TRAFFIC CODE, OF THE RIVERBANK CODE OF ORDINANCES RELATED TO BICYCLE REGULATIONS

WHEREAS, Chapter 72 of Title VII of the Riverbank Municipal Code governs the licensing, registration, and identification of bicycles operated within the City of Riverbank; and

WHEREAS, the California Legislature has amended California Vehicle Code Section 39004 to increase the maximum annual bicycle license fee that a local agency may charge from two dollars ($2) to four dollars ($4), and the City Council desires to amend Section 72.04 of the Riverbank Municipal Code to conform to this statutory change; and

WHEREAS, the City Council has received reports of an increase in unsafe, reckless, and hazardous operation of bicycles, electric bicycles, and other motorized devices on the City's public parks, trails, sidewalks, and streets, resulting in risks to public safety and damage to public and private property; and

WHEREAS, the City Council finds that it is necessary and in the interest of the public health, safety, and welfare to prohibit the unsafe operation of bicycles, electric bicycles, and motorized devices within the City, and to authorize the seizure and impoundment of such devices under appropriate circumstances as a deterrent to continued violations; and

WHEREAS, the City Council further finds that it is necessary to establish a fair and orderly administrative hearing and appeal process by which the owner of a seized or impounded bicycle, electric bicycle, or motorized device may contest the validity of the impound.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIVERBANK DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 72.04, License Fee, of Chapter 72, Bicycles, of Title VII, Traffic Code, of the Riverbank Municipal Code shall be repealed in its entirety and replaced with a new section 72.04 that shall read as follows:

§ 72.04 LICENSE FEE.

(A) The annual license fee to be paid for each bicycle shall be as follows:

(1) For each new bicycle license and registration certificate, the sum shall not exceed $4 per year or any portion thereof;

(2) For each transfer of registration certificate, the sum shall not exceed $1;

(3) For each replacement of a bicycle license or registration certificate, the sum shall not exceed $1; and

(4) For each bicycle license renewal, the sum shall not exceed $1 per year.

(B) All license fees collected under this chapter shall be paid into the general fund of the city. The license fees may be changed from time to time by resolution of the City Council in accordance with the provisions of Cal. Veh. Code § 39004.

SECTION 2. Section 72.99, Penalty, of Chapter 72, Bicycles, of Title VII, Traffic Code, of the Riverbank Municipal Code shall be repealed in its entirety and replaced with a new section 72.99 that shall read as follows:

§ 72.99 PENALTY.

Every person violating Section 72.01, 72.03, 72.05, 72.06, and 72.07 of this chapter shall be fined not more than $10.

SECTION 3. Section 72.08, Unsafe Operations of Bicycle and Motorized Devices in Public Parks and Trails, Sidewalks, and Streets, of Chapter 72, Bicycles, of Title VII, Traffic Code, shall be added to the Riverbank Municipal Code and shall read as follows:

§ 72.08 UNSAFE OPERATIONS OF BICYCLE AND MOTORIZED DEVICES IN PUBLIC PARKS AND TRAILS, SIDEWALKS, AND STREETS.

(A) Purpose.

The purpose of this section is to protect public safety, prevent damage to City property, and ensure the safe use of public parks and trails, sidewalks, and streets by regulating the unsafe and reckless operation of bicycles and motorized devices.

(B) Definitions

(1) "Bicycle" shall have the same meaning as defined in California Vehicle Code §231.

(2) "Electric Bicycle (E-Bike)" shall have the same meaning as defined in California Vehicle Code §312.5, including Class 1, Class 2, and Class 3 E-bikes.

(3) "Motorized Device" means any device powered by a motor, including but not limited to electric bicycles, motorized scooters, minibikes, and similar devices. "Motorized Device" does not include a mobility device used by a person with a disability, a city-authorized maintenance or service vehicle, or any device expressly excluded by state law.

(4) "Public Park or Trail" means any park, open space, recreational area, pathway, or trail owned, operated, or maintained by the City of Riverbank.

(5) "Street" is intended to include avenue, court, way, drive, or other principal public means of access to buildings, enclosures, or alleys.

(6) "Off-Street Parking Facility" any off-street facility held open for use by the public for parking vehicles and includes any publicly owned facilities for off-street parking, and privately owned facilities for off-street parking where no fee is charged for the privilege to park, and which are held open for the common public use of retail customers.

(C) Prohibited Conduct

(1) No person shall operate any bicycle, E-bike, or motorized device in a public park or on a trail, sidewalk, street, or off-street parking facility in a manner that demonstrates willful or wanton disregard for the safety of persons or property.

(2) No person shall operate a motorized device in any area of a park, except where motorized devices are allowed to operate.

(3) Unsafe operation includes, but is not limited to: excessive speed for conditions, failing to yield to pedestrians, operating in a manner that creates a collision hazard, any unsafe operation in the California Vehicle Code, performing stunts, tricks, or exhibition riding, operating off designated paths causing damage to landscaping or trails, and towing persons or objects in an unsafe manner.

(D) Authority to Seize and Impound

(1) Any bicycle, electric bicycle, or motorized device used in violation of this section may be seized and removed by a peace officer.

(2) A bicycle or motorized device may be impounded for a period not to exceed thirty (30) days when:

- The violation involves reckless or unsafe operation as described in subsection (C); or
- The conduct creates a risk to public safety; or
- The operator is a repeat violator (two or more violations of this section in a 12-month period); or
- The violation results in damage or is likely to cause damage to public or private property.

(3) Impoundment under this section is an administrative action intended to protect public safety and deter continued violations.

(E) Release and Administrative Review

(1) The owner of a seized bicycle or motorized device shall be entitled to a post seizure administrative hearing to contest the validity of the impound.

(2) The bicycle or motorized device shall be released prior to the expiration of the impound period upon a showing of good cause, as determined by the hearing officer.

(3) Riverbank Police Service shall provide notice within forty-eight (48) hours of impound, excluding weekends and holidays, that the owner is entitled to post-seizure hearing under subsection (E)(1). If the motorized device is classified as a motorcycle under the California Vehicle Code, notice shall instead be provided pursuant to California Vehicle Code section 22852.

(4) Owners must request a hearing within 10 days of a device being stored or impounded. Any person requesting an administrative hearing regarding the impoundment of a bicycle or motorized device shall submit, at the time the hearing request is filed, a deposit in an amount equal to fifty percent of the total vehicle release fee established by City Council Resolution. The required deposit must be submitted within ten (10) calendar days of the date of notice of impoundment.

(5) Failure to remit the deposit within the prescribed ten (10)-day filing period shall render the hearing request incomplete and untimely. An incomplete or untimely request shall not be accepted, and no hearing shall be scheduled.

(F) Fees.

The owner is responsible for all reasonable costs related to the impound, including administrative, storage, and processing fees. This administrative fee shall be the same as the vehicle release fee established by City Council Resolution.

(G) Exceptions.

This section shall not apply to:

- Authorized City personnel performing official duties.
- Emergency responders.
- Individuals operating devices as part of a permitted event approved by the city.

(H) Enforcement.

This section may be enforced by any peace officer or authorized code enforcement officer.

SECTION 4. Section 72.09, Administrative Appeal, of Chapter 72, Bicycles, of Title VII, Traffic Code, shall be added to the Riverbank Municipal Code and shall read as follows:

§ 72.09 Administrative Appeal.

(A) Requesting an appeal hearing. Any impound may be contested by the vehicle owner by filing an appeal hearing request with Riverbank Police Services within 10 days of the date of the impound.

(B) Hearing Officer. The appeal shall be heard by a police supervisor within Riverbank Police Services. After consideration of all testimony and evidence submitted at the hearing, the Hearing Officer shall issue a decision to uphold, modify, or reverse the impound, and shall state the reasons therefor.

(C) Finality of the appeal's decision.

(1) If an appellant is not satisfied with the action of the Hearing Officer, a request for an appeal hearing before the Chief of Police may be made by filing an appeal request with Riverbank Police Services within ten calendar days following the date of the Hearing Officer's decision.

(2) The Chief of Police is the final reviewing authority, and no further administrative appeal is applicable. This subsection does not limit any right to seek judicial review as otherwise provided by law.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have

passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

SECTION 6: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least fifteen (15) days prior to its effective date.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on September 8, 2026. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the 22nd day of Septemeber, 2026; motioned by Councilmember Luis Uribe, seconded by Councilmember Stacy Call; moved said ordinance by a City Council vote of 5/0:

AYES: **Councilmember, District 1 Luis Uribe**
Councilmember, District 2 Cindy Fosi
Councilmember, District 4 Stacy Call
Vice Mayor, (CM-D3) John Pimentel
Mayor, Rachel Hernandez

NAYS: **None**

ABSENT: **None**

ABSTAINED: **None**

ATTEST:

Gabriela Hernandez,CMC
City Clerk

APPROVED:

Rachel Hernandez
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan
City Attorney

4934-2840-9799, v. 2