



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

February 17, 2021

DEPARTMENT:

Police

DIVISION

Field Services Division

STRATEGIC OUTCOMES

- ☒ Safe & Prosperous
- ☒ Active & Appealing
- ☐ Respected & Responsible
- ☐ Connected & Engaged
- ☒ Unique & Creative

ACTION

- ☐ Motion
- ☐ Resolution
- ☐ Ordinance - Introduction
- ☒ Ordinance - Adoption
- ☐ Public Hearing

TITLE:

Repeal and Replace Title 21, Chapter 213, Yuma City Code

SUMMARY RECOMMENDATION:

Approve an Ordinance repealing and replacing Title 21, Section 213 of the Yuma City Code with updates to regulations relating to the use and operation of bicycles, electric bicycles, electric scooters, electric miniature scooters, electric skateboards, motorized play vehicles and similar devices. (Police) (Susan Smith)

STRATEGIC OUTCOME:

This Ordinance assists in furthering the City Council's Vision and Strategic Outcomes as it relates to Safe & Prosperous, Active & Appealing and Unique & Creative. The use of shared mobility devices and other alternative transportation devices promotes a safe and prosperous Yuma by potentially reducing congestion on City streets which may result in the reduction of automobile accidents and provides increased mobility and access for Yuma residents to local merchants. The Ordinance promotes an active and appealing Yuma by providing the regulations necessary to allow residents the option of utilizing more active alternative means of transportation, including the use of bicycles and scooters and provides regulations that make the use of these alternative devices safer for pedestrians, motorists and users. The Ordinance promotes the unique and creative strategic outcome by regulating new and emerging transportation technologies.

REPORT:

Clerk Note: A motion was approved by City Council at the February 3, 2021, Regular City Council meeting to amend Section 213-13(a) of Ordinance O2021-005 to strike the first sentence in its entirety and replace it with the following sentence: "An electric scooter that is used at nighttime shall have a lamp on the front that emits a white light visible from a distance of at least five hundred feet to the front and a lamp on the rear that emits a red light visible from the back at a distance of at least five hundred (500) feet from the back."

Over the past few years, City staff has been in discussions with shared mobility device providers seeking to introduce alternative transportation technologies to the City of Yuma. During that time, the rise in shared mobility devices, including electric scooters, electric bicycles and other similar devices has proliferated throughout Arizona and the nation. As a result of these emerging technologies, operational issues have arisen that require specific regulations to address. Specifically, due to the operational characteristics of these devices, issues relating to parking, areas of operation, safety equipment, owner responsibilities, redistribution of devices throughout the community and others have been successfully managed through targeted

regulations.

Currently, the Yuma City Code has provisions relating to the use and operation of bicycles within the City limits, an ordinance that was first adopted in 1978 and which has been amended several times since first adopted. Additionally, in 2004, in response to the rise in combustion engine motorized skateboard use, the City adopted Ordinance No. 02004-62 which regulated the use of motorized skateboards and motorized play vehicles. Both the bicycle regulations and the motorized skateboard regulations were incorporated into Title 21, Chapter 213 of the Yuma City Code.

In anticipation of the imminent arrival of shared mobility device use in the City of Yuma, Title 21, Chapter 213 of the Yuma City Code is outdated and in need of an update to address issues that arise from the use of shared mobility devices which are not addressed in the current regulations found in Title 21. Specifically, the new Chapter 213 provides for:

- Updates to the definitions section to include new mobility technologies;
- A process whereby mobility devices may be impounded for improper use;
- New regulations relating to:
 - Operation of these devices
 - Parking of the devices
 - Required safety equipment for users of these devices
 - Illegal operation of the devices, included prohibitions for impaired operators
 - Use of devices on City streets and multi-use paths.
- Penalties for violations of Chapter 213.

Approval of the attached Ordinance repealing and replacing Title 21, Chapter 213 of the Yuma City Code in its entirety will help promote the safe use of these new transportation devices and provide City personnel with the regulatory tools to respond to issues arising from the shared use of these transportation devices.

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| FISCAL REQUIREMENTS | CITY FUNDS: | \$0.00 | BUDGETED: | \$0.00 |
| | STATE FUNDS: | \$0.00 | AVAILABLE TO TRANSFER: | \$0.00 |
| | FEDERAL FUNDS: | \$0.00 | IN CONTINGENCY: | \$0.00 |
| | OTHER SOURCES: | \$0.00 \$0.00 \$0.00 | FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT/FUND/CIP: | |
| | TOTAL: | \$0.00 | | |
| | FISCAL IMPACT STATEMENT: THERE IS NO IMMEDIATE OR KNOWN FISCAL IMPACT | | | |

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| ADDITIONAL INFORMATION | SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5. | | |
| | IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input type="checkbox"/> Department <input type="checkbox"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified | | |

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| SIGNATURES | CITY ADMINISTRATOR: | DATE: |
| | Philip A. Rodriguez | 2/1/2021 |
| | REVIEWED BY CITY ATTORNEY: | DATE: |
| | Richard W. Files | 2/1/2021 |
| | RECOMMENDED BY (DEPT/DIV HEAD): | DATE: |
| Susan Smith | 2/1/2021 | |
| WRITTEN/SUBMITTED BY: | DATE: | |