

**PARKS, RECREATION & CULTURAL SERVICES MEMORANDUM**  
**#13-2023**

**DATE:** May 22, 2023

**TO:** Honorable Mayor Meredith Leighty and City Council Members

**THROUGH:** Heather Geyer, City Manager *hmg*  
Jason Loveland, Interim Deputy City Manager *JL*

**FROM:** Amanda J. Peterson, Director of Parks, Recreation & Culture *ajp*

**SUBJECT:** CB-2008 – Electric Mobility Device Ordinance Amendment

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**PURPOSE**

To consider CB-2008, an ordinance on first reading amending Chapter 7, Article 9 of the Municipal Code to expand the definitions and allowable uses of electric mobility devices in the City.

**BACKGROUND**

Regulations regarding the use of e-scooters, e-bikes and other mobility devices were most recently brought forward in February 2021. At that time, Council adopted Ordinance No. 1812, Series of 2021, which updated the definitions of electric vehicles, including e-bikes, e-scooters, Electric Personal Assistive Mobility Devices (EPAMDs) and Other Power-Driven Mobility Devices (OPDMDs) in Chapter 7, Article 9 of the Municipal Code. The current regulations do not allow for children to ride e-scooters, nor do they allow for e-scooters to be operated on City property. In addition, the Municipal Code language indicates that OPDMDs are allowed, but only includes EPAMDs (a two-wheeled device, like a Segway) in the definition.

At the study session on Nov. 21, 2022, a discussion was held regarding possible modifications to the ordinance that would allow for an expanded definition of OPDMDs, the use of e-scooters by minors and the use of e-scooters and e-bikes on sidewalks and trails and in parks. During the study session, Council reached consensus regarding EPAMDs and OPDMDs but requested that staff conduct a survey and bring additional information regarding e-bikes and e-scooters back for further discussion.

At the study session on April 17, 2023, Council reached consensus to allow for e-bikes and e-scooters to be ridden by youth under the age of 18, and to allow for use of these devices in bike lanes, on trails and within City parks, with some exceptions. Exceptions include tennis, pickleball and basketball courts, playgrounds, athletic fields, and other locations where signs prohibiting use are posted.

In addition, Council requested that additional steps be taken to encourage proper use of e-bikes and e-scooters in parks and on trails. As a first step, staff has identified E.B. Rains Jr. Memorial Park as an area that would be appropriate to include in a pilot program as a dismount zone. Staff would utilize both signage and trail marking to clearly define the dismount zone for park goers. If successful, the program could be expanded to other parks or trails.

This amendment includes the following modifications to the ordinance:

1. Definition of electric assisted bicycle
2. Definition of OPDMDs
3. Allowance for e-scooters to be used on public streets, but not sidewalks
4. Allowance for OPDMDs to be used on public streets and on sidewalks
5. Allowance for e-scooters, e-bikes and OPDMDs to be used in certain park spaces
6. Allowance for the City to designate areas where e-scooters, e-bikes and OPDMDs are prohibited

7. Allowance for a parent or guardian to permit a minor to ride an e-scooter
8. Addition of operating regulations to address speed, dismount zones, parking and the use of helmets by minors

**BUDGET/TIME IMPLICATIONS**

There are no direct financial impacts to the City.

If CB-2008 is approved on first reading, a public hearing and second reading of the proposed ordinance will be scheduled for June 12, 2023.

If the ordinance is approved on second reading, a resolution identifying E.B. Rains Jr. Memorial Park as a dismount zone will be brought forward for consideration at a future meeting.

**STAFF RECOMMENDATION**

Staff recommends approval of CB-2008.

**STAFF REFERENCE**

If Council Members have any questions, please contact Amanda Peterson, Director of Parks, Recreation & Cultural Services, at [apeterson@northglenn.org](mailto:apeterson@northglenn.org) or 303.450.8950.

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S BILL

ORDINANCE NO.

No. CB-2008  
Series of 2023

\_\_\_\_\_  
Series of 2023

A BILL FOR AN ORDINANCE AMENDING ARTICLE 9 OF CHAPTER 7 OF THE NORTHGLENN MUNICIPAL CODE EXPANDING THE DEFINITIONS OF TYPES OF ELECTRIC OPERATING DEVICES PERMITTED TO OPERATE IN THE CITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 7-9-1 of the City of Northglenn Municipal Code is amended by the addition of the following definitions, to appear in alphabetical order as follows:

**Section 7-9-1. Definitions.**

\* \* \*

**ELECTRIC ASSISTED BICYCLE** SHALL MEAN A VEHICLE HAVING TWO OR THREE WHEELS, FULLY OPERABLE PEDALS, AND AN ELECTRIC MOTOR NOT EXCEEDING SEVEN HUNDRED FIFTY (750) WATTS OF POWER. ELECTRIC ASSISTED BICYCLES SHALL CONFORM TO THE THREE CLASSES DEFINED IN C.R.S. § 42-1-102(28.5).

**OTHER POWER DRIVEN MOBILITY DEVICE ("OPDMD")** MEANS ANY MOBILITY DEVICE POWERED BY BATTERIES, FUEL, OR OTHER ENGINES—WHETHER OR NOT DESIGNED PRIMARILY FOR USE BY INDIVIDUALS WITH MOBILITY DISABILITIES—THAT IS USED BY INDIVIDUALS WITH MOBILITY DISABILITIES FOR THE PURPOSE OF LOCOMOTION, INCLUDING GOLF CARTS, ELECTRONIC PERSONAL ASSISTANCE MOBILITY DEVICE ("EPAMDS"), SUCH AS A SEGWAY®, OR ANY OTHER MOBILITY DEVICE DESIGNED TO OPERATE IN AREAS WITHOUT DEFINED PEDESTRIAN ROUTES, BUT THAT IS NOT A WHEELCHAIR. AN ELECTRIC ASSISTED BICYCLE, AS DEFINED HEREIN, MAY BE AN OPDMD.

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Section 2. Section 7-9-2, subsection (c) of the City of Northglenn Municipal Code is amended to read as follows:

**Section 7-9-2. Use on Public Streets.**

\* \* \*

(c) Electric Scooters. ELECTRIC SCOOTERS ARE PERMITTED TO BE USED ON PUBLIC STREETS, BUT NOT ON SIDEWALKS; HOWEVER, where the City has determined

that a roadway is too highly trafficked to safely allow for electric scooters and where a suitable bike path, horseback trail, or other trail has been established parallel to or within one-fourth of a mile of that right-of-way has been established, the City may erect a sign giving notice that electric scooters are prohibited on that roadway.

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Section 3. Section 7-9-2 of the City of Northglenn Municipal Code is amended by the addition thereto of new subsections (i) and (j) to read as follows:

**Section 7-9-2. Use on Public Streets.**

\* \* \*

(i) OPDMDS. OMDMDS MAY BE OPERATED ON ANY PUBLIC ROADWAY.

(j) NO MOTORIZED TOY OR UNLICENSED VEHICLE AS DEFINED IN THIS ARTICLE, WITH THE EXCEPTION OF AN OPDM, SHALL BE PERMITTED ON A SIDEWALK WHERE SUCH SIDEWALK IS ADJACENT TO A PUBLIC ROADWAY WHERE SUCH DEVICES MAY BE OPERATED IN ACCORDANCE WITH THIS SECTION

Section 4. Section 7-9-3 of the City of Northglenn Municipal Code is repealed and reenacted to read as follows:

**Section 7-9-3. Use on City Property.**

(a) Except where otherwise posted, electrical assisted bicycles, EPAMDS, electric scooters, and OPDMDS are permitted to be used on trails and in certain park spaces, pursuant to the operating regulations set forth herein. The following spaces are excluded from use by electrical assisted bicycles, EPAMDS, electric scooters, and OPDMDS:

- (1) Playgrounds;
- (2) Tennis, basketball, pickleball, or other courts of similar nature and design; and
- (3) Athletic fields.

(b) Prohibitions. It shall be unlawful for any person to use or operate a toy vehicle, electric scooter, or unlicensed vehicle upon any property owned by the City, within any City park, or on other publicly owned recreational facility property within the City in any location where duly authorized signs have been posted prohibiting such use.

Section 5. Section 7-9-4 of the City of Northglenn Municipal Code is amended to read as follows:

**Section 7-9-4. Use on School Grounds and Private Property.**

(a) It shall be unlawful for any person to use or operate a toy vehicle, ~~electric scooters,~~ or unlicensed vehicle on any property owned by a school district or any public school grounds or campus including a parking lot unless such operation is specifically permitted by written order of the district superintendent of schools or their designated representative.

(b) It shall be unlawful for any person to use or operate a toy vehicle, ~~electric scooters,~~ or unlicensed vehicle on any private property within the City including parking lots and sidewalks unless by specific written order of the owner or designated representative of the owner of such property to the individual operating the toy VEHICLE or UNLICENSED vehicle.

Section 6. Section 7-9-6 of the City of Northglenn Municipal Code is amended to read as follows:

**Section 7-9-6. Parental Liability.** It shall be unlawful for any parent, guardian, legal custodian, or any adult to authorize, assist, permit, or encourage any minor to operate a toy vehicle, ~~electric scooters,~~ or unlicensed vehicle in violation of the provisions of this Article 9.

Section 7. The City of Northglenn Municipal Code is amended by the addition thereto of a new Section 7-9-8 to read as follows:

**Section 7-9-8. OPERATING REGULATIONS.**

PERSONS OPERATING ELECTRICAL ASSISTED BICYCLES, EPAMDS, ELECTRIC SCOOTERS, OR OPDMDS PURSUANT TO THIS CHAPTER SHALL:

(A) RIDE SAFELY AND RESPONSIBLY ACCORDING TO ANY APPLICABLE OPERATING MANUALS OR INSTRUCTIONS, AND NOT FASTER THAN FIFTEEN (15) MILES PER HOUR;

(B) RIDE ON THE RIGHT SIDE OF STREET LANES AND YIELD THE RIGHT OF WAY TO BICYCLES IN THE BIKE LANE OR BIKE PATH. IF RIDING IN THE BIKE LANE OR BIKE PATH, RIDERS SHALL MAINTAIN A SAFE DISTANCE;

(C) DISMOUNT THE ELECTRICAL ASSISTED BICYCLE, EPAMD, ELECTRIC SCOOTER, OR OPDMD IN THE AREAS PROVIDED BY RESOLUTION OF CITY COUNCIL;

(D) PARK THE ELECTRICAL ASSISTED BICYCLE, EPAMD, ELECTRIC SCOOTER, OR OPDMD UPRIGHT ON A HARD SURFACE AT A CURB OR EDGE OF THE ROAD OR ON THE EDGE OF A SIDEWALK, PROVIDED THAT NORMAL AND REASONABLE MOVEMENT OF PEDESTRIAN TRAFFIC IS NOT IMPEDED; AND

(E) WEAR A HELMET AT ALL TIMES IF THE RIDER IS UNDER EIGHTEEN (18) YEARS OF AGE.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_,  
2023.

\_\_\_\_\_  
MEREDITH LEIGHTY  
Mayor

ATTEST:

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JOHANNA SMALL, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2023.

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MEREDITH LEIGHTY  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

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COREY Y. HOFFMANN  
City Attorney