

ADOPTED

NOV 12 2019

ORDINANCE NO. 66A-76

Board of Supervisors
James City County, VA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 13-13.1, OPERATION OF BICYCLES, ROLLER SKATES, SKATEBOARDS, MOTORIZED SKATEBOARDS OR SCOOTERS, MOTOR-DRIVEN CYCLES, AND ELECTRIC POWER-ASSISTED BICYCLES ON SIDEWALKS, CROSSWALKS, AND SHARED-USE PATHS; AND BY ADDING SECTION 13-13.2, LICENSE FOR THE OPERATION OF MOTORIZED SKATEBOARDS OR SCOOTERS, BICYCLES, OR ELECTRIC POWER-ASSISTED BICYCLES FOR HIRE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, is hereby amended and reordained by Amending Article I, In General, Section 13-13.1, Operation of bicycles, roller skates, skateboards, motorized skateboards or scooters, motor-driven cycles, and electric power-assisted bicycles on sidewalks, crosswalks, and shared-use paths; and by adding Section 13-13.2, License for the operation of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire.

Chapter 13. Motor Vehicles and Traffic

Article I. In General

Sec. 13-13.1. Operation of bicycles, roller skates, skateboards, motorized skateboards or scooters, motor-driven cycles, and electric power-assisted bicycles on sidewalks, crosswalks, and shared-use paths.

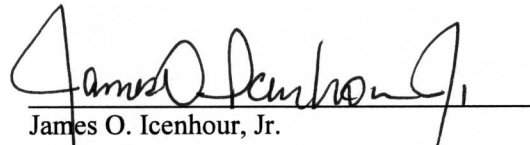
- (a) ~~No person shall use or ride~~ *The use of roller skates, or skateboards and electric personal delivery devices and/or the riding of;* bicycles, *electric personal assistive mobility devices*, motorized skateboards or scooters, motor-driven cycles, or electric power-assisted bicycles *is prohibited* on designated sidewalks or crosswalks, including those of any church, school, recreational facility, or any business property open to the public where such activity is prohibited. Signs indicating any prohibition shall be conspicuously posted in general areas where use of roller skates, ~~and~~ skateboards, *and electric personal delivery devices and, and/or bicycle, electric personal assistive mobility devices*, motorized skateboards or scooters, motor-driven cycles, or electric power-assisted bicycle riding is prohibited.
- (b) A person riding a bicycle, *electric personal assistive mobility device*, motorized skateboard or scooter, motor-driven cycle, or an electric power-assisted bicycle on a sidewalk, shared-use path, or across a roadway on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian. *An electric personal delivery device shall yield the right-of-way to any pedestrian.*
- (c) No person shall ride a bicycle, *electric personal assistive mobility device*, motorized skateboard or scooter, motor-driven cycle, or an electric power-assisted bicycle or *operate an electric personal delivery device* on a sidewalk, or across a roadway on a crosswalk, where such use of bicycles,

electric personal assistive mobility devices, electric personal delivery devices, motorized skateboards or scooters, motor-driven cycles, or electric power-assisted bicycles is prohibited by official traffic control devices. No person shall park a bicycle, electric power-assisted bicycle, or motorized skateboard or scooter in a manner that impedes the normal movement of pedestrian or other traffic or where such parking is prohibited by official traffic control devices.

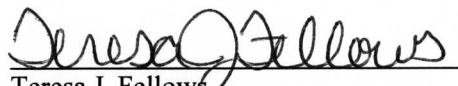
- (d) A person riding a bicycle, *electric personal assistive mobility device*, motorized skateboard or scooter, motor-driven cycle, or an electric power-assisted bicycle on a sidewalk, shared-use path, or across a roadway on a crosswalk, shall have all the rights and duties of a pedestrian under the same circumstances. *An electric personal delivery device operated on a sidewalk or shared-use path or across a roadway on a crosswalk shall have all the rights and duties of a pedestrian under the same circumstances.*
- (e) Upon application, the county administrator or his designee may designate those public sidewalks in the county upon which all or any part of such prohibition shall apply.
- (f) A violation of any ordinance adopted pursuant to this section shall be punishable by a civil penalty of \$50.

Sec. 13-13.2. License for the operation of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire.

- (a) *Definitions.*
 - 1. *“Shared Mobility Device” (SMD) means any motorized skateboard or scooter, bicycle, or electric power-assisted bicycle which is offered by the owner thereof for rent to the public for a fee.*
 - 2. *The terms “motorized skateboard or scooter,” “bicycle,” and “electric power-assisted bicycle” shall have the meaning set out for those terms in Code of Virginia, § 46.2-100.*
 - 3. *“Shared Mobility Program” (SMP) means the method by which the owner of one or more SMDs makes devices available for rental by the public.*
- (b) *Application Procedure:*
 - 1. *Any individual, organization, or entity may apply to the clerk of the board of supervisors for a license to operate a SMP and/or locate one or more SMDs in the county.*
 - 2. *At a minimum, each license application shall include the following:*
 - i. *The full legal name of the individual, organization, or entity making the application;*
 - ii. *The type and number of SMDs to be operated in the county;*
 - iii. *Each sidewalk to be used by SMDs; and*
 - iv. *An application fee of \$250.00.*
 - 3. *Following consideration of the application, the board of supervisors may approve or deny the license application. In approving the application, the board of supervisors may limit the area of operation of the SMDs and/or may impose conditions it deems necessary to protect the health, safety, and welfare of the citizens of the county.*
- (c) *Any individual, organization, or entity found to be operating a SMP in the County without first obtaining a license shall be punishable by a civil penalty of \$50.00 per unpermitted SMD. Each day of violation shall constitute a separate offense.*


James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:


Teresa J. Fellows
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SADLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MCGLENNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICENHOUR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of November, 2019.

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