

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING TITLE 13 OF THE RIVERSIDE MUNICIPAL CODE TO
PROHIBIT THE OPERATION OF SHARED MOBILITY DEVICE
BUSINESSES WITHIN THE PUBLIC RIGHT OF WAY

The City Council of the City of Riverside does ordain as follows:

Section 1: Chapter 13.22 is hereby added to the Riverside Municipal Code as follows:

“13.22 SHARED MOBILITY DEVICES

13.22.010 Findings and Purpose.

The proliferation of shared mobility devices has created nuisance and safety concerns in the public right-of-way. Additional study is needed prior to the implementation of a regulatory program. Unregulated use of the public right-of-way will continue to create nuisance and safety concerns in the City. The purpose of this chapter is to prohibit shared mobility devices from being placed or abandoned in the public right-of-way or in public areas, operated in the public right-of-way or in public areas, or offered for use anywhere in the City, so as to allow for adequate pedestrian traffic flow and to promote public safety.

13.22.020 Definitions

A. "Abandon" shall mean leaving an item unattended for any length of time.

B. “Operator” shall mean any person, nonprofit, or business entity that offers Shared Mobility Devices for rent or use in a Public Area or the Public-Right-of-Way.

C. "Public Area" shall mean any outdoor area that is open to the public for public use, whether owned or operated by the City or a private party.

D. "Public Right-of-Way" shall mean any public alley, parkway, public transportation path, roadway, sidewalk, curb ramp, crosswalk, or street that is owned, granted by easement, operated, or controlled by the City.

E. “Shared Mobility Device” shall mean an electrically motorized board as defined in Section 313.5 of the California Vehicle Code, motorized scooter as defined in Section 407.5 of the California Vehicle Code, electric bicycle as defined in Section 312.5 of the California Vehicle Code, bicycle as defined in Section 231 of the California Vehicle Code, or any other similar personal

1 transportation device by which a person can be propelled, moved or drawn, that is displayed, offered
2 or placed for rent or use by the public in any Public Area or Public Right-of-Way, except that a
3 "Shared Mobility Device" does not include a car share vehicle, taxicab, or the City-owned bike share
4 bicycles.

5 **13.22.050 Prohibition of Shared Mobility Device Operations**

6 It is unlawful to provide, place, abandon, or offer for use a Shared Mobility Device, or
7 operate as a Shared Mobility Device Operator, in any portion of the Public Right-of-Way or in any
8 Public Area within the City.

9 **13.22.100 Impoundment of Devices**

10 A. A Shared Mobility Device that is displayed, offered, made available for rent or use, or
11 abandoned, in the Public Right-of-Way or a Public Area in violation of this Chapter shall be subject
12 to immediate impoundment by the City.

13 B. The City Council may adopt impound fees by Resolution, which shall reflect the
14 City's enforcement, investigation, storage, and impound costs.

15 C. Upon impoundment of a Shared Mobility Device, the City shall notify the Operator of
16 the impoundment, if the identity of the Operator can be reasonably determined. The Operator shall
17 retrieve the impounded Shared Mobility Device within fifteen (15) days of receiving notice from the
18 City. No person shall retrieve any impounded Shared Mobility Device except upon demonstrating
19 proper proof of ownership of the Device and payment of applicable impound fees.

20 D. Any impounded Shared Mobility Device not retrieved within fifteen (15) days after
21 notification to the Operator may be sold or otherwise disposed of by the City without further notice
22 to the Operator.

23 **13.22.110 Enforcement**

24 A. Any person or Operator who violates any provision of this Chapter shall be guilty of
25 an infraction or a misdemeanor, which shall be punishable in accordance with Chapter 1.01 of this
26 Code.

27 B. Any person or Operator who violates any provision of this Chapter shall be subject to
28 administrative fines and administrative penalties pursuant to Chapter 1.17 of this Code."

Section 2: The City Council has reviewed the matter and, based upon the facts and information contained in the staff reports, administrative record, and written and oral testimony, hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor have a significant impact on the environment.

Section 3: The City Clerk shall certify to the adoption of this ordinance and cause publication once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

ADOPTED by the City Council this _____ day of _____, 2019.

Mayor of the City of Riverside

Attest:

City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing
2 ordinance was duly and regularly introduced at a meeting of the City Council on the _____ day of
3 _____, 2019, and that thereafter the said ordinance was duly and regularly adopted at a
4 meeting of the City Council on the _____ day of _____, 2019, by the following vote,
5 to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
11 City of Riverside, California, this _____ day of _____, 2019.
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14 _____
15 City Clerk of the City of Riverside
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