

ORDINANCE NO: 102 -2018
INTRODUCED BY: Mayor Roche

**AN ORDINANCE ENACTING NEW SECTION 311.06, "OPERATION OF
MOTORIZED SCOOTERS", OF THE CODIFIED ORDINANCES, AND
DECLARING AN EMERGENCY.**

WHEREAS, the use of motorized scooters by children and adults has increased in recent years and their use on both public and private property can create a risk of harm to the general public; and

WHEREAS, the Chief of Police has recommended that the City enact regulations regarding the use of motorized scooters in the City to protect the public health, safety and general welfare of the City and its inhabitants; and

WHEREAS, this Council believes it is in the best interests of the City to enact new Section 311.06, Operation of Motorized Scooters," of the Codified Ordinances of the City of Richmond Heights to regulate the use of motorized scooters by children and adults on public and private property in the City.

NOW, THEREFORE, Be it Ordained by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1. New Section 331.06, "Operation of Motorized Scooters," of Part Three, "Traffic Code," of the Codified Ordinances of the City of Richmond Heights, Ohio is hereby enacted to read in its entirety as follows:

"311.06 OPERATION OF MOTORIZED SCOOTERS.

(a) For the purposes of this Traffic Code, "motorized scooter" means a scooter that cannot be titled and registered in accordance with Ohio motor vehicle laws and is powered by an electric driven motor with a maximum speed of fifteen miles per hour which does not have a seat or saddle. A "motorized scooter" does not include a "bicycle" or "motorized bicycle" as defined in Section 301.04 of these Codified Ordinances.

(b) No person who is under twelve years of age shall operate a motorized scooter on any public sidewalk, public property or any public street or highway within the City.

(c) No person twelve years of age or older shall operate a motorized scooter on any public street or highway within the City.

(d) No person shall operate a motorized scooter on private property without the express consent of the owner of the property.

(e) No person shall operate a gasoline powered scooter on any public street, highway, sidewalk, path, or any other property owned by the City.

(f) No operator of a motorized scooter on public property shall do any of the following:

- (1) Allow passengers on the motorized scooter while the scooter is in operation or motion.
- (2) Structurally alter the motorized scooter from the original manufacturer's design.

(g) A person exerting control of or operating a motorized scooter shall be permitted to stand or park it on a public sidewalk, without charge or restriction, provided that the motorized scooter does not impede the normal flow of pedestrian traffic.

(h) Permitted hours of operation for motorized scooters are from thirty minutes before sunrise to thirty minutes after sunset. The times for sunrise and sunset shall correspond to the times posted in a daily newspaper of general circulation in northeast Ohio.

(i) No person under twelve years of age shall operate a motorized scooter unless they are wearing shoes and a protective helmet on the person's head with the chin strap properly fastened.

(j) Nothing in this section affects or shall be construed to affect any rule of the Cleveland Metroparks Board of Commissioners governing the operation of vehicles on lands under control of the Cleveland Metroparks Director or Board, as applicable.

(k) Whoever violates any provision of this section is guilty of a misdemeanor of the second degree."

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of the City, its residents and visitors, so as to be able to immediately enforce new provisions of the Traffic Code regulating the use of motorized scooters in the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED:

September 25, 2018



David H. Roche, Mayor

APPROVED:

September 25, 2018

ATTEST:


Betsy Traben
Clerk of Council


Eloise Cotton-Henry
President of Council