



NORWOOD, OHIO

Ordinance No. 24 20 19

ORDINANCE ENACTING CHAPTER 566 OF THE NORWOOD CODIFIED ORDINANCES ENTITLED "SCOOTERS, BICYCLES, AND REMOTE VEHICLE RENTAL BUSINESSES,"

WHEREAS, in recent years, there has been a proliferation of businesses offering short-term rentals of motorized scooters, motorized bicycles, and bicycles, without physical locations for their customers to obtain or return the rentals; and

WHEREAS, rented scooters, motorized bicycles, and bicycles have been left by these remote vehicle rental businesses and their customers on streets and sidewalks, and other public rights of way, throughout the City of Norwood; and

WHEREAS, these remote vehicle rental businesses have not sought, or received, permission from the City of Norwood to utilize the streets, sidewalks and other public rights of way for storage of their vehicles; and

WHEREAS, communities across the nation are regulating this activity, some of which have made agreements with some of these remote vehicle rental businesses; and

WHEREAS, the City of Norwood seeks to strike a fair balance between allowing this innovative business model, and maintaining an unfettered and unobstructed flow of pedestrian and vehicular traffic within the City; now, therefore,

BE IT ORDAINED by the Council of the City of Norwood, State of Ohio:

SECTION 1. Chapter 566 of the Codified Ordinances of the City of Norwood, entitled "Scooters, Bicycles, and Remote Vehicle Rental Businesses", is hereby adopted to read as follows:

CHAPTER 566 SCOOTERS, BICYCLES, AND REMOTE VEHICLE RENTAL BUSINESSES

SECTION 566.01 DEFINITIONS

(a) "Motorized scooter" as used in this Chapter means a two-wheeled device that has handlebars, a floorboard designed to be stood upon when riding, and is powered by a motor, whether electric or carbon-based fuel. "Motorized scooter" includes "electric personal assistive mobility device" as defined in Norwood Codified Ordinance 371.12(e).

(b) "Bicycle" means every device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power, upon which any person may ride having either two tandem wheels or one wheel in the front and two wheels in the rear, two wheels in the front and one wheel in the rear, any of which wheels is more than fourteen inches in diameter. (See Norwood Codified Ordinance 301.04.)

(c) "Motorized bicycle" means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled and is equipped with a helper motor of not more than fifty cubic centimeters of piston displacement which produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface. (See Norwood Codified Ordinance 301.04.)

(d) "Nest" means any location where scooters or bicycles are placed to be available for rentals during the day.

(e) "Person" means any individual, firm, partnership, corporation, limited liability company, or voluntary association of persons, whether for-profit or not for profit.

(f) "Remote vehicle rental business" means a person or his, her or its agent engaged in the short-term rental of motorized scooters, bicycles, or motorized bicycles and similar vehicles, to the general public, where users locate, rent, or obtain possession of vehicles remotely via electronic communication, without scooters or bicycles being obtained from or returned to a physical business location.

SECTION 566.02 MOTORIZED SCOOTER AND BICYCLE RENTAL

(a) Every person or his, her or its agent, operating a remote vehicle rental business shall place in a secure manner an identifying tag listing such person's business name and address on each individual scooter or bicycle under such person's ownership or control.

(b) It shall be the duty of every remote vehicle rental business to collect and store all scooters, bicycles, or motorized bicycles every night. Any such scooter, bicycle, or motorized bicycle found unattended by a rider on any public property, including streets, alleys, roadways, tree lawns (devil strips), sidewalks or other public rights of way, is hereby declared to be a public nuisance and the presence of a scooter, bicycle, or motorized bicycle on public property, including streets, alleys, roadways, tree lawns, and other public rights of way, shall constitute a prima-facie violation of this section. Each scooter, bicycle, or motorized bicycle so found shall constitute a separate violation of this section.

(c) In addition to constituting a nuisance and subject to violation of law as hereinabove provided, any scooter, bicycle, or motorized bicycle found on public property, including streets, alleys, roadways, tree lawns (devil strips) or other public rights of way, shall be picked up and collected by City of Norwood employees or representatives and deposited in a place or area to be designated by the Safety-Service Director.

(d) Any remote vehicle rental business, whose scooters, bicycles, or motorized bicycles are so collected and stored, may reclaim its vehicles upon payment of the sum of seventy-five dollars (\$75.00) for each such scooter, bicycle, or motorized bicycle so claimed.

SECTION 566.03 USE OF PUBLIC PROPERTY OR RIGHTS OF WAY IN OPERATION OF REMOTE RENTAL BUSINESS

(a) No person or his agent engaged in a remote vehicle rental business, shall place motorized scooters, bicycles, or motorized bicycles on any private property without the express written permission of the owner(s) of such property.

(b) No person or his agent engaged in a remote vehicle rental business, shall place motorized scooters, bicycles, or motorized bicycles on any public property or public right of way within the City of Norwood without the express permission of the City of Norwood, pursuant to subsection (c).

(c) The Service-Safety Director, with the approval of Norwood City Council, may enter an agreement with a person or his agent engaged in a remote rental business, for the use of designated nest areas on public property or in the public right of way within the City of Norwood under such terms and conditions as may be agreed upon. Such terms and conditions may include the payment of fees, limitations on numbers or times, or such other provisions as may be deemed proper.

PASSED May 28, 2019
Date

Donna M. Laake
Donna M. Laake
President of Council

ATTEST:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the 28th day of May, 2019 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the 29 day of May, 2019.

[Signature]
Joseph S. Geers
Clerk of Council

APPROVED 5/29/19
Date


Thomas F. Williams
Mayor

CERTIFICATION OF PUBLICATION:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this ordinance was published in the _____ on _____ and _____.
(Name of Newspaper) (date) (date)

Joseph S. Geers
Clerk of Council

1st Reading 4/23/19
Date

2nd Reading 5/14/19
Date

3rd Reading 5/28/19
Date

All 3 Readings _____
Date

Tabled _____
Date

Vetoed _____
Date