

NOTICE

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CHAPTER 478
SHARED MOBILITY DEVICES

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SECTION 478.01 PURPOSE

The purpose of this chapter is to prohibit Shared Mobility Devices from being placed in the public right-of-way or on public property, operated in the public right-of-way or on public property, or offered for use anywhere in the City, so as to allow for adequate vehicle and pedestrian traffic flow and to promote public safety and eliminate visual blight.

SECTION 478.02 DEFINITION

For purposes of this chapter, “Shared Mobility Device” means any wheeled device, other than an automobile or motorcycle, that is powered by a motor; is accessed on-demand, whether via a smartphone application, membership card, or similar method; is operated by a private entity that owns, manages, and maintains devices for shared use by members of the public; and is available to members of the public in unstaffed, self-service locations.

SECTION 478.03 PROHIBITIONS

(a) No person shall park, leave standing, leave lying, abandon, or otherwise place a shared mobility device in a public right-of-way or on public property anywhere within the City.

(b) No person shall operate a shared mobility device in a public right-of-way or on public property anywhere within the City.

(c) No person shall provide or offer for use a shared mobility device anywhere within the City.

SECTION 478.04 VIOLATIONS

(a) Violation of this Chapter shall be punishable as an unclassified misdemeanor. In addition, any violation of Section 478.03(c) shall constitute a public nuisance, and the Law Director is authorized to file for injunctive and/or other relief on the city’s behalf as necessary to abate the nuisance. Nuisance abatement costs may be recovered through any available legal process, including under ORC 715.261 and certification to the

Montgomery or Greene County Auditor for collection the same as other taxes and assessments are collected.

(b) Police Officers, Code Enforcement Officers, other city officials designated by the City Manager, and any party contracted by the City to specifically impound shared mobility devices are authorized to impound any shared mobility device that has been offered for use, placed in a public right-of-way or on public property, or operated in a public right-of-way or on public property in violation of this Chapter. Impounded devices shall be subject to impound and storage fees established by the City Manager in the same manner as other city fees.

SECTION 478.05 SUNSET PROVISION

This Chapter shall remain in full force and effect until February 28, 2021, at which time it shall become ineffective and shall be removed from the Codified Ordinances of the city of Kettering, Ohio, unless Council acts to readopt or otherwise continue the provisions herein.

LEGISLATIVE HISTORY: Ord. 4337-20; passed 2/11/20.