

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER DOZEMAN
COUNCIL BILL NO. 30
ORDINANCE NO. 1660
Series 2018

TITLE: AN ORDINANCE AMENDING CHAPTER 17 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING PARKS AND RECREATION TO ADDRESS THE USE OF ELECTRICAL ASSISTED BICYCLES

WHEREAS, the City of Wheat Ridge (the "City") is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

WHEREAS, the Council previously adopted and amended Chapter 17 of the Wheat Ridge Code of Laws (the "Code") concerning parks and recreation; and

WHEREAS, the Council now wishes to further amend Chapter 17 of the Code to address and include the use of electrical assisted bicycles within the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Section 17-1 of the Wheat Ridge Code of Laws concerning "Definitions," is hereby amended by the addition of the following definitions in the appropriate alphabetical order:

Bicycle means a vehicle propelled by human power applied to pedals upon which a person may ride having two tandem wheels or two parallel wheels and one forward wheel, all of which are more than fourteen inches in diameter, and such definition shall include Class 1 and Class 2 electrical assisted bicycles.

Electrical Assisted Bicycle means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power. Electrical assisted bicycles are further required to conform to one of three classes as follows:

- (a) "Class 1 electrical assisted bicycle" means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour. Class 1 electrical assisted

bicycles shall be considered and treated in the same manner as bicycles in this Chapter.

(b) "Class 2 electrical assisted bicycle" means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour. Class 2 electrical assisted bicycles shall be considered and treated in the same manner as bicycles in this Chapter.

(c) "Class 3 electrical assisted bicycle" means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour. Class 3 electrical assisted bicycles shall be considered and treated in the same manner as motorized vehicles in this Chapter.

Motorized Vehicle means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; except that the term does not include Class 1 and Class 2 electrical assisted bicycles, low-power scooters, wheelchairs, or vehicles moved solely by human power. Class 3 electrical assisted bicycles shall be considered motorized vehicles in this Chapter.

Section 2. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 6 to 0 on this 22nd day of October, 2018, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for November 26, 2018 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 26th day of November, 2018.

SIGNED by the Mayor on this 26th day of November, 2018.




Bud Starker, Mayor

ATTEST:



Janelle Shaver, City Clerk
Robin Eston, Deputy City Clerk



Approved as to Form


Gerald E. Dahl, City Attorney

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