

**CERTIFICATION OF CLERK**

I, Brenda K. Wolf, the duly appointed, qualified, and Deputy City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 1<sup>st</sup> day of October, 2019, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 2<sup>nd</sup> day of October, 2019.



*Brenda K. Wolf*

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Brenda K. Wolf, CMC, Deputy City Clerk



## ORDINANCE NO. 7449

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 31 OF THE CODE OF ORDINANCES RELATING TO THE RIDING AND PARKING OF BICYCLES, MICROMOBILITY DEVICES, SKATEBOARDS, AND SIMILAR DEVICES UPON CERTAIN CITY PROPERTIES; AND RELATING TO THE OPERATION OF MICROMOBILITY NETWORK COMPANIES UPON CITY PROPERTY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:

SECTION 1. That Article V of Chapter 31 shall be hereby amended and retitled to read as follows:

**ARTICLE V. Bicycles, Micromobility Devices, Skateboards, and Similar Devices**

SECTION 2. That Section 31-181 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Sec. 31-181. – Definitions.**

Unless otherwise specified within this article, terms shall have the same definition set forth in the most recently adopted version of the Standard Traffic Ordinance for Kansas Cities, incorporated by reference and amended in Article II of this chapter. The following terms shall mean:

**Digital Network** shall mean any online-enabled application, software, website, or system offered or utilized by a micromobility network company that enables the use or operation of micromobility devices.

**Micromobility Device** shall mean electric-assisted bicycles; electric-assisted scooters; motorized skateboards; electric one-wheel boards; electric personal assistive mobility devices, hoverboards, or self-balancing skateboards; and similar devices. Micromobility devices shall also mean micromobility network-company owned or operated bicycles. Micromobility devices shall not mean motorized wheelchair.

**Micromobility Network Company** shall mean a corporation, partnership, sole proprietorship, or other entity operating in Kansas that uses a digital network to connect micromobility device riders or operators to micromobility devices for transportation.

SECTION 3. That Section 31-182 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to reads as follows:

**Sec. 31-182. – Riding on certain city sidewalks, city parking lots, and city parking garages.**

- (a) No person shall ride or operate any bicycle, micromobility device, skateboard, roller skates or roller blades, or other similar device in the following locations:
  - (1) Upon any city sidewalk or city plaza within the portion of the city zoned either C-3, Aggieville Business District, or C-4, Downtown Business District; or,
  - (2) within or upon any city parking lots or city parking garages.
- (b) Any person who rides or operates any bicycle, micromobility device, skateboard, roller skates or roller blades, on a city sidewalk or city plaza not listed under subsection (a), shall:
  - (1) Yield the right-of-way to pedestrians on foot or in a wheelchair and give an audible signal before overtaking and passing pedestrians on foot or in a wheelchair; and,
  - (2) Travel at a speed that is reasonable and prudent under existing conditions, except that such person shall not travel at a speed that exceeds 15 miles per hour.

**SECTION 4.** That Section 31-183 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Sec. 31-183. – Parking Bicycles, Electric-Assisted Bicycles, Electric-Assisted Scooters, and Similar Devices on city property.**

- (a) Any person who rides or operates any bicycle, electric-assisted bicycle, electric-assisted scooter, or similar device within the portion of the city zoned either C-3, Aggieville Business District, or C-4, Downtown Business District, shall only park in racks approved by the city, or other areas approved by the city, for parking bicycles, electric-assisted bicycles, electric-assisted scooters, or similar devices.
- (b) Any person who rides or operates any bicycle, electric-assisted bicycle, electric-assisted scooter, or similar device while on public property within a residential district, business district, or other area of the city shall only park:
  - (1) On street side curbing, where not otherwise prohibited; or,
  - (2) In racks approved by the city, or designated areas approved by the city, for parking bicycles, electric-assisted bicycles, electric-assisted scooters, or similar devices.
- (c) Nothing in this section shall prevent a person from lawfully parking any bicycle, electric-assisted bicycle, electric-assisted scooter, or similar device on private property where such person has such authority.

**SECTION 5.** That Section 31-184 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Sec. 31-184. – Operation of Micromobility Network Companies**

No micromobility network company, or person on behalf of the company, shall deploy, maintain, or allow to be operated, any micromobility devices owned or

operated by the company, on any city streets, sidewalks, or right-of-way without a valid written agreement approved by the governing body of the city.

**SECTION 6.** That Section 31-185 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Sec. 31-185. – Penalty**

In addition to any penalties associated with violating this article, the micromobility company and/or any person violating Section 31-184, shall be assessed the costs associated with removal of the company's micromobility devices from city streets, sidewalks and rights-of-way.

**SECTION 7.** This ordinance shall take effect and be in force upon its publication in the official city newspaper.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS, THIS 1<sup>ST</sup> DAY OF OCTOBER, 2019.**



Michael L. Dodson, Mayor

ATTEST:

  
Gary S. Fees, MMC, City Clerk

(PUBLISHED IN *THE MANHATTAN MERCURY* ON OCTOBER 6, 2019)

**ORDINANCE NO. 7449 SUMMARY**

On October 1, 2019, the City of Manhattan, Kansas adopted the following ordinance:

**AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 31 OF THE CODE OF ORDINANCES RELATING TO THE RIDING AND PARKING OF BICYCLES, MICROMOBILITY DEVICES, SKATEBOARDS, AND SIMILAR DEVICES UPON CERTAIN CITY PROPERTIES; AND RELATING TO THE OPERATION OF MICROMOBILITY NETWORK COMPANIES UPON CITY PROPERTY.**

The Ordinance regulates the riding and parking of bicycles, micromobility devices, skateboards and similar devices upon City sidewalks, plazas, parking lots and garages, and other City properties. The Ordinance also requires a micromobility network company to obtain an agreement with the City prior to operating upon City property. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at [www.cityofmhk.com](http://www.cityofmhk.com). This Summary certified to be legally accurate and sufficient by City Attorney Katharine J. Jackson.

  
City Attorney  
Date certified: 10-1-19