

ORDINANCE NO. 098, 2023  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
REPEALING CHAPTER 24, ARTICLE VI, PARKING OF SHARED MOBILITY DEVICES,  
OF THE CODE OF THE CITY OF FORT COLLINS

WHEREAS, FC Moves is a department within the City's Planning, Development, and Transportation Service Area that exists to advance mobility solutions to increase walking, bicycling, transit use, shared and environmentally sustainable modes; and

WHEREAS, in 2021, the City of Fort Collins and Colorado State University (CSU) selected Spin as the sole provider of shared electric bikes and electric scooters in Fort Collins in a competitive selection process; and

WHEREAS, Spin began operating in Fort Collins in 2021 on a one-year contract that is renewable for up to five years total, and which has been renewed by the City and CSU two years in a row; and

WHEREAS, during the first year of Spin operations, the City received complaints about improperly parked Spin e-bikes and e-scooters, prompting FC Moves, in collaboration with a CSU graduate student intern, to conduct a study of Spin parking behavior, collecting photos and observations of over 400 Spin electric scooters and electric bikes; and

WHEREAS, the Spin parking study evaluated whether shared mobility devices were parked in compliance with City regulations, namely Code Section 24-179, which specifically addresses the parking of shared mobility devices; and

WHEREAS, the Spin parking study also evaluated whether the parked device blocked a path or access, and whether the parked device blocked a path or access for individuals with disabilities; and

WHEREAS, the Spin parking study found that eighty-seven percent (87%) of shared mobility devices were not parked in compliance with City Code regulations and, for eighty-four percent (84%) of devices that were not parked in compliance, there was no parking spot compliant with Section 24-179 available nearby; and

WHEREAS, while collecting data for the Spin parking study, FC Moves staff noted that, throughout most of the City, streets with unmetered, unmarked parking often are the best option to park electric bikes and electric scooters; and

WHEREAS, using the data from the Spin parking study, FC Moves and Spin developed a parking management program that includes creating designated parking areas on streets with unmetered, unmarked parking, assessing penalties for improper parking, and educating riders on better parking practices; and

WHEREAS, currently, the parking of personally owned electric scooters and shared mobility devices (whether bicycles, electric bicycles, or electric scooters) is regulated by Section 24-179 of the City Code; however, the parking of personally owned bicycles and electric bicycles, however, is regulated by Section 2108 of the Traffic Code; and

WHEREAS, upon recommendation of City staff, the City Council has determined that it is in the best interests of the City to repeal Sections 24-178 and 24-179 of the City Code relating to parking of shared mobility devices and to amend Sections 2002, 2106, and 2108 of the Traffic Code so that parking regulations for bicycles, electric bicycles, and electric scooters are the same regardless of whether they are shared or personally owned devices; and

WHEREAS, by repealing Sections 24-178 and 24-179 of the City Code and amending the Traffic Code as described, Spin shared mobility devices can be parked in designated zones on streets, thereby providing more options for parking in compliance with City regulations, and with the expectation that this also will reduce the number of parked shared mobility devices blocking paths or access.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Chapter 24, Article VI – Parking of Shared Mobility Devices, consisting of Section 24-178 and 24-179 of the Code of the City of Fort Collins is hereby deleted in its entirety.

**~~Sec. 24-178. – Definitions.~~**

~~The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:~~

~~*Driveway* shall mean any area, paved or unpaved between the roadway or the street and private or public property that can be utilized by a vehicle or shared mobility device to access the private or public property.~~

~~*Electric scooter* shall mean a device weighing less than one hundred (100) pounds with handlebars and an electric motor that is powered by an electric motor and that has a maximum speed of twenty (20) miles per hour on a paved level surface when powered solely by the electric motion. *Electric scooter* does not include an electrical assisted bicycle, electric personal assistance mobility device (EPAMD), motorcycle, or low power scooter.~~

~~*Parkway* shall mean the space between the roadway and the adjacent property line, with the exception of any existing sidewalk in such space.~~

~~Roadway shall mean the paved, improved or proper driving portion of a street, designed or ordinarily used for vehicular travel.~~

~~Shared mobility device shall mean any conveyance or device, including but not limited to electric scooters, skateboards and other toy vehicles, that integrates on board technology allowing an individual to obtain the conveyance or device, either in person or remotely, from private property or the public right of way, whether or not such conveyance or device is human or motor powered.~~

~~Shared mobility device parking area shall mean an area specifically designed for and designated as parking for shared mobility devices.~~

~~Street shall mean a public way (whether publicly or privately owned) used or intended to be used for carrying vehicular, bicycle and pedestrian traffic and shall include the entire area within the public right of way and/or public access easement.~~

~~User shall mean any person using, operating, or handling a shared mobility device.~~

**~~Sec. 24-179. -- Parking of shared mobility devices and electric scooters.~~**

~~(a) — No person shall park, nor direct another to park, a shared mobility device or an electric scooter in any manner contrary to any law or contrary to any provision of this Article.~~

~~(b) — A user shall park shared mobility devices or an electric scooter upright on hard surfaces in the parkway, beside a bicycle rack, or in another area specifically designated for shared mobility device and electric scooter parking.~~

~~(c) — A user may not park shared mobility devices or an electric scooter in such a manner as to block the pedestrian zone area of the sidewalk, any fire hydrant, call box or other emergency facility, bus bench, or utility pole.~~

~~(d) — A user may not park shared mobility devices or an electric scooter in a manner that impedes or interferes with the reasonable use of any commercial window display, sign display, or access to or from any building.~~

~~(e) — A user may not park shared mobility devices or an electric scooter in a manner that impedes or interferes with the reasonable use of any bicycle rack or newsrack, or parkway that requires pedestrian access, including, but not limited to, benches, parking pay stations, and transit information signs.~~

~~(f) — A user may not park shared mobility devices or an electric scooter on blocks without sidewalks or in on-street parking spaces except in a designated shared mobility device or an electric scooter parking area.~~

~~(g) — A user may not park shared mobility devices or an electric scooter in the parkway directly adjacent to or within the following areas:~~

- ~~(1) — Transit zones, including, but not limited to, bus stops, shelters, passenger waiting areas, bus layover and staging zones, except at existing bicycle racks;~~
- ~~(2) — Loading zones;~~
- ~~(3) — Disabled parking zones;~~
- ~~(4) — Curb ramps;~~
- ~~(5) — Entryways; or~~
- ~~(6) — Driveways.~~

Section 3. That the City Attorney and the City Clerk are authorized to modify the formatting and to make such other amendments to this Ordinance as necessary to facilitate the publication in the Code of the City of Fort Collins; provided, however, that such modifications and amendments shall not change the substance of the Code provisions.

Introduced, considered favorably on first reading and ordered published this 18th day of July, 2023, and to be presented for final passage on the 15th day of August, 2023.

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Mayor

ATTEST:

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Chief Deputy City Clerk

Passed and adopted on final reading this 15th day of August, 2023.

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Mayor

ATTEST:

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Chief Deputy City Clerk