

ORDINANCE NO. 097, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTIONS 2002, 2106 AND 2108 OF THE FORT COLLINS TRAFFIC CODE
TO ADDRESS THE PARKING OF SHARED MOBILITY DEVICES
AND ELECTRIC SCOOTERS

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 the shared mobility device was 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 in such a way, 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 Section 2002 of the Fort Collins Traffic Code is hereby amended to add the following definition of “*Shared mobility device*,” which reads in its entirety as follows:

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.

Section 3. That Section 2106(2)(a) of the Fort Collins Traffic Code is hereby amended to read as follows:

2106. - Sidewalks and trails.

...

(2) (a) A person riding a bicycle, electrical assisted bicycle, shared mobility, ~~as that term is defined in City Code Section 24-178,~~ device or electric scooter upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. A person

riding a bicycle in a crosswalk shall do so in a manner that is safe for pedestrians.

...

Section 4. That Section 2108 of the Fort Collins Traffic Code is hereby amended to read as follows:

2108. - Parking.

- (1) (a) A person may park a bicycle, ~~or~~ electrical assisted bicycle, electric scooter or shared mobility device on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.
- (b) A bicycle, ~~or~~ electrical assisted bicycle, electric scooter or shared mobility device parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.
- (c) A bicycle, ~~or~~ electrical assisted bicycle, electric scooter or shared mobility device may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.
- (d) A bicycle, ~~or~~ electrical assisted bicycle, electric scooter or shared mobility device may be parked on the road abreast of another such bicycle, ~~or~~ electrical assisted bicycle, electric scooter or shared mobility device near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.
- (e) In all other respects, bicycles, ~~or~~ electrical assisted bicycles, electric scooters or shared mobility devices parked anywhere on a highway shall conform to the provisions of Part 12 of this Traffic Code regulating the parking of vehicles.
- ~~(f) Electric scooters may park only in conformance with Section 24-179 of the City Code.~~

Section 5. 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 Fort Collins Traffic Code; 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.

Mayor

ATTEST:

Chief Deputy City Clerk

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

Mayor

ATTEST:

Chief Deputy City Clerk