

City and Borough of Wrangell, Alaska

ORDINANCE NO. 1081

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADDING A NEW CHAPTER 11.39, MICROMOBILITY DEVICES, TO TITLE 11, VEHICLES AND TRAFFIC, OF THE WRANGELL MUNICIPAL CODE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown using tract changes.]

SEC. 1. Action. The purpose of this ordinance is to add a new Chapter 11.39, Micromobility Devices, to Title 11, Vehicles and Traffic, of the Wrangell Municipal Code.

SEC. 2. New Chapter. A new Chapter 11.39, Micromobility Devices, is hereby added to Title 11, Vehicles and Traffic, in the Wrangell Municipal Code as follows:

MICROMOBILITY DEVICES

Sections:

- 11.39.010 Definitions.
- 11.39.020 Operators are required to be licensed.
- 11.39.030 Prohibited areas of operation.
- 11.39.040 Helmet required.
- 11.39.050 Required equipment.
- 11.39.060 Speed limits.
- 11.39.070 Failure to stop at the direction of a peace officer.
- 11.39.080 Traffic laws.
- 11.39.090 Parking.
- 11.39.100 E-scooters
- 11.39.110 Public nuisance and impoundment.
- 11.39.120 Parental responsibility.
- 11.39.130 Owner responsibility.
- 11.39.140 Penalty for violation and impoundment.

11.39.010 Definitions.

“CBW” means the City and Borough of Wrangell, Alaska.

“City Dock,” also known as the Cruise Ship Dock, is a t-shaped dock located at the north end of downtown adjacent to the Stikine Inn. The dock face is four hundred five (405) feet with a breast

without the prior written permission of the CBW:

1. School grounds; and
2. Shooting range; and
3. Parks and playgrounds; and
4. Recreation areas; and
5. Walking/hiking trails; and
6. Sidewalks; and
7. Harbor floats, piers, fingers, docks, and ramps; and
8. Cemeteries; and
9. Wrangell Mariner's Memorial.

11.39.040 Helmet required.

It is unlawful for any person under eighteen (18) years of age to operate or drive a micromobility device on any roadway owned or maintained by the CBW, unless that person wears a certified protective helmet that is properly fitted, that is properly fastened, and that meets safety standards set by the Federal Motor Vehicle Safety Standard 218. This requirement also applies to any minor who rides in a restraining seat, trailer, backpack, or similar child restraining device, used by someone driving or operating a micromobility device. A certified protective helmet is a helmet containing a manufacturer certification stating that it meets the standards of the Federal Motor Vehicle Safety Standard 218.

11.39.050 Required equipment.

No person shall operate a micromobility device on any roadway owned or maintained by the CBW without the following equipment:

1. At least one light on the front, capable of emitting white light visible from a distance of at least five hundred (500) feet in front of the device under normal atmosphere conditions;
2. A taillight which displays a red light visible five hundred (500) feet to the rear of the device;
3. Brakes capable of causing the device to stop within twenty-five (25) feet at ten (10) miles per hour on dry, level, clean pavement;
4. Reflectors on the front and rear of the device so that the device is visible during inclement weather or darkness;

5. A bell or other audible warning device capable of being heard at a distance of at least one hundred (100) feet away;
6. A kickstand; and
7. A label that identifies the owner of the device and his or her contact information, including but not limited to phone number.

11.39.060 Speed Limits.

A. No person shall operate a micromobility device at a speed greater than the posted speed limit for the roadway or trail being used.

11.39.070 Failure to stop at the direction of a peace officer.

No person, while operating or driving a micromobility device shall fail to stop as soon as practical and in a reasonably safe manner under the circumstances when requested or signaled to do so by a peace officer.

11.39.080 Traffic laws.

The operator of a micromobility device has the same rights and is subject to the same responsibilities applicable to motor vehicle operators under the laws of the state of Alaska and the Wrangell Municipal Code, except where provisions of those laws and ordinances by their very nature can have no application to a micromobility device.

11.39.090 Parking.

Micromobility devices shall not be parked in such a manner as to obstruct or impede the movement of pedestrians or motor vehicles or to cause damage to buildings, structures, trees, scrubs, or other living plants.

11.39.100 E-scooters.

No E-scooter shall be used to carry more than one (1) person at a time.

11.39.110 Public nuisance and impoundment.

A. The primary purpose of this section is to protect the public by addressing repeated and ongoing violations of this Chapter, particularly where a micromobility device and/or its operator have demonstrated a pattern of noncompliance that constitutes a public nuisance. This section is intended to deter repeated violations, mitigate the adverse impacts of nuisance behavior, and ensure responsible use of micromobility devices. The enforcement mechanisms provided herein, including impoundment, are not intended to generate revenue for the CBW.

B. A micromobility device operated or modified in a manner that violates the Wrangell Municipal Code or Alaska state law is hereby declared a public nuisance.

C. A micromobility device that is a public nuisance may be impounded immediately by a police officer. Impoundment may be accomplished through a seizure of the micromobility device at the time the citation is issued, or pursuant to a court order. Impoundment at the time of issuance of a citation is at the discretion of the citing police officer.

D. A micromobility device operated by, or driven by, or in the actual physical control of, an individual cited for violation of this Chapter is presumed to have been so operated by the owner(s) thereof or having been operated by another person with the knowledge and consent of the owner(s). A micromobility device that is declared to be a public nuisance for which the owner(s) holds legal responsibility.

E. The owner(s) of a micromobility device may obtain the release of the device upon providing proof of ownership and payment of a \$150 impound fee with an additional \$10 per day storage fee plus any additional costs incurred during the impoundment.

F. A micromobility device that is declared to be a public nuisance shall be held in the custody of the public safety department. Any micromobility device not claimed within thirty (30) days of impoundment shall be considered abandoned and may be disposed of in accordance with WMC Section 11.72.

G. A person contesting the impoundment of a micromobility device may be heard and decided by the Borough Manager or his or her designee. Hearings before the Borough Manager or his or her designee shall take place no less than three (3) days, and no more than thirty (30) days, after a request is made. At the hearing, a person who claims an ownership interest in a micromobility device may avoid impoundment if he or she establishes by a preponderance of the evidence that:

1. The claimant had an interest in the micromobility device at the time of the alleged citation or court order;
2. A person other than the claimant was in possession of the micromobility device and was responsible for or caused the act(s) which resulted in impoundment; and

(3) That the micromobility device was used without his or her permission.

11.39.120 Parental responsibility.

A parent or guardian of a minor violates this Chapter if he or she knowingly permits, or through failure to exercise reasonable supervision or control, allows his or her child or ward to operate a micromobility device in violation of this Chapter. A pattern of disregard, lack of supervision, or failure to correct known violations may constitute insufficient control. Indifference to the activities or whereabouts of a minor or ward shall be *prima facie* evidence of insufficient control. Violations of this section are subject to citation and may contribute to a determination that the device constitutes a public nuisance under Section 11.39.110.

11.39.130 Owner responsibility.

No person who owns or controls a micromobility device shall permit a person to drive or operate the device if he or she knows or should reasonably know that it is likely to be driven or operated in violation of this Chapter.

11.39.140 Penalty for violation and impoundment.

Any person violating any provision of this Chapter is guilty of an infraction and shall be punished by the fine established in the WMC 1.20.050 fine schedule if the offense is listed in that fine schedule or by a fine of up to \$500.00 if the offense is not listed in the WMC 1.20.050 fine schedule.

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: May 13, 2025

POSTPONED IN SECOND READING: May 27, 2025