

Presented by: The Manager
Introduced: 12/16/2019
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-02(b)

An Ordinance Regulating Commercial Rental, Provision, and Use of Shared Micromobility Devices.

WHEREAS, the Assembly enacted Ordinance 2019-12, which temporarily prohibited the commercial rental or provision of dockless vehicles until February 1, 2020, to research how the City and Borough of Juneau should regulate these vehicles; and

WHEREAS, City and Borough of Juneau staff presented their research and recommendations to the Assembly Committee of the Whole on December 2, 2019; and

WHEREAS, the Assembly Committee of the Whole considered interests and concerns regarding the commercial rental of the devices, including, but not limited to, business interests, tourism, types of devices, topography, infrastructure design and capacity, parking, life-span of devices, device storage and disposal, accessibility, traffic congestion, and aesthetics; and

WHEREAS, when considering these factors, it was apparent that similar interests and concerns facing the deployment of dockless vehicles in Juneau were present with docked vehicles and commercial tours with micromobility devices; and

WHEREAS, consistent with the direction from the Assembly Committee of the Whole, the following regulatory structure best balances the economic, health, safety, and welfare concerns related to commercial rental, provision, and use of micromobility devices in the City and Borough of Juneau; and

WHEREAS, the Assembly recognizes micromobility device technology and the shared economy market is rapidly changing such that the regulations created by this ordinance should be reviewed as the need arises.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Title. Title 20, Business Regulations, is amended by adding a new chapter to read:

Chapter 20.20

MICROMOBILITY DEVICES

20.20.010 Applicability of chapter.

This chapter does not apply to the following:

- (1) Use of a micromobility device on private property;
- (2) A business located on private property within the area described in section 20.20.030 from renting or providing micromobility devices for use outside the area described in section 20.20.030;
- (3) A micromobility device provided to a person with a mobility disability;
- (4) A person—unaffiliated with a commercial tour—using a micromobility device in the area described in section 20.20.030;
- (5) A business that picks up or drops off customers provided no use of a micromobility device occurs in the area described in section 20.20.030;
- (6) Commercial passenger vehicles with a Class C endorsement pursuant to chapter 20.40; or
- (7) A permit issued pursuant to Title 19 or Title 49 related to use of private property.

20.20.020 Prohibitions.

(a) No permit, lease, license, or similar authorization may be issued from the City and Borough for locating or operating a business to rent, to provide, to offer or lead tours with, or to use micromobility devices on City and Borough property or right-of-ways in the area described in section 20.20.030. Any permit, lease, license, or similar authorization related to micromobility devices is void.

(b) On public property or right-of-ways within the area described in section 20.20.030, no person or business may

- (1) Rent or provide a micromobility device from a dockless or docked facility;
- (2) Offer or lead tours with micromobility devices; or
- (3) Engage in the commercial business of renting or providing for use a micromobility device.

20.20.030 Commercial Micromobility Device Prohibition Area.

(a) The Commercial Micromobility Device Prohibition Area Map described in Exhibit A to Ordinance 2020-02(b) depicts the prohibition area as the public land, streets, parks, sidewalks,

seawalk and similar public facilities bound between the following streets, including the outermost sidewalks, and Gastineau Channel of:

- (1) Jacobsen Drive from the AJ Dock to Mt. Roberts Street;
- (2) Mt. Roberts Street from Jacobsen Drive to Thane Road;
- (3) Thane Road at Mt. Roberts Street through Franklin Street to Fifth Street;
- (4) Fifth Street from Franklin Street to Main Street;
- (5) Main Street from Fifth Street to Egan Drive; and
- (6) Egan Drive from Main Street to Glacier Avenue adjacent to Gold Creek.

20.20.040 Penalty.

Any person violating section 20.20.020(b) shall be subject to civil fine as follows:

- (1) First Offense: \$100
- (2) Second Offense: \$300
- (3) Third Offense and subsequent offense is the maximum fine imposed: \$500
- (4) Each day that a violation continues is a separate offense.

20.20.050 Definitions.

The following words and phrases, when used in this chapter, shall have the meaning respectively ascribed to them in this section unless the context clearly indicates otherwise.

Bicycle shall have the same meaning as set under CBJ 72.28.010.

Commercial renting, using, or provisioning of a micromobility device means using a micromobility device, marking, or otherwise apparently making available for use a micromobility device for the transportation of a person for compensation.

Electric assist means an electric motor affixed to a mobility unit that assists the efforts of the driver upon pedaling or steering the mobility unit.

Scooter shall mean a mobility unit consisting of a footboard mounted on two or more wheels that is designed to be stood upon when riding and that has handlebars.

Micromobility device means a bicycle, a bicycle with an electric assist, a scooter, a scooter with an electric assist, a Segway, and similar micromobility devices.

Section 3. Amendment of Section. Section 03.30.070 Violations; civil fines, is amended by adding the following:

CBJ	Type of Violation	Civil Fine
20.20	Micromobility Devices	
20.20.020(b)	Commercial rental, offer, tour, provision, or use of micromobility device in prohibited area	
	1st offense	100.00
	2nd offense	300.00
	3rd and subseq.	500.00

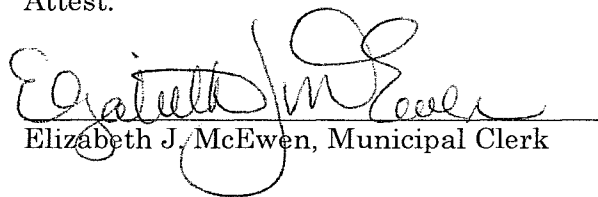
Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 24th day of February, 2020.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk

EXHIBIT A
Ord.2020-02(b)



EGAN DR

FIFTH ST

MAIN ST

FRANKLIN ST

JACOBSEN DR

MT ROBERTS ST



0 1,000 2,000 Feet