

RESOLUTION NO. 78-22
CITY OF CENTERVILLE, OHIO

26th SPONSORED BY COUNCIL MEMBER Bill Serr ON THE
DAY OF September, 2022.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL
EXTENDING THE MORATORIUM ON THE PLACEMENT
OR OPERATION OF LOW-SPEED MICROMOBILITY
DEVICES IN ANY PUBLIC RIGHT-OF-WAY OR ON
PUBLIC PROPERTY, AND OFFERING THE SAME FOR
USE ANYWHERE IN THE CITY OF CENTERVILLE, OHIO,
FOR A PERIOD OF SIX MONTHS (180 DAYS).**

WHEREAS, dockless electric scooters and bicycles, available to be rented on demand from unstaffed locations (“low-speed micromobility devices”), have arrived in many cities suddenly and unexpectedly, and have since proliferated rapidly. These low-speed micromobility devices are largely unregulated; and

WHEREAS, low-speed micromobility devices cannot be used legally on sidewalks due to their status as “motor vehicles” under state law nor can they be used legally on streets due to equipment limitations and the lack of adequate mechanisms for titling, registering, and insuring them; and

WHEREAS, the 133rd Ohio General Assembly has addressed regulation of low-speed micromobility devices by enacting Am. Sub. H.B. 295, which authorizes municipalities to regulate or prohibit the operation of low-speed micromobility devices on public streets, highways, sidewalks, and shared-use paths, and portions of roadways set aside for the exclusive use of bicycles under such a municipality’s jurisdiction; and

WHEREAS, in cities where low-speed micromobility devices are available, they are frequently abandoned by users in streets, sidewalks, and other public places, creating visual clutter and serious safety concerns, especially for the most vulnerable pedestrians. Moreover, due to the spontaneous nature of these rentals and their appeal to young people, low-speed micromobility devices are nearly always operated by users—often minors— without helmets; and

WHEREAS, the City of Centerville adopted Resolution No. 25-21 on March 1, 2021, and Resolution No. 28-22, on April 4, 2022, which placed a moratorium on the operation of low-speed micromobility devices in the City of Centerville; and

WHEREAS, City Council had required time to research and consider the benefits and consequences related to the operation of low-speed micromobility devices in the public right-of-way or on public property and whether such activities

should be allowed, limited, or entirely prohibited as expressly authorized by Am. Sub. H.B. 295; and

WHEREAS, City staff requires additional time to make informed recommendations to City Council regarding potential changes to the City's Codified Ordinances based on City Council's determination whether to allow, limit, or prohibit these activities within City limits; and

WHEREAS, an extension of the moratorium of six months on the operation of low-speed micromobility devices in any public right-of-way or on public property, and offering the same for use anywhere in the City will allow City Council and staff time to accomplish the City's goals stated herein and will help ensure the public peace, health, safety, and welfare.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. City Council hereby extends its moratorium an additional six months (180 days) commencing on the date of passage of this resolution on the operation of low-speed micromobility devices in any public right-of-way or on public property, and offering the same for use anywhere in the City. The purpose of this moratorium is to allow City Council and staff time to study the operation of low-speed micromobility devices in any public right-of-way or on public property, and offering the same for use anywhere in the City limits as set forth in the recital paragraphs above and to prepare any necessary changes to the City's Codified Ordinances.

Section 2. City Council instructs the City Manager and staff to continue to study the potential shared mobility device operation within the City. City staff shall make a recommendations regarding any potential changes to the City's Codified Ordinances related to these activities for City Council's consideration.

Section 3. Council further finds that a moratorium for six (6) months (180 days) is reasonable and will allow the Centerville Planning Commission, City Manager, and City Planner to propose and initiate action to address the issues outlined herein.

Section 4. Council hereby directs and orders that no operation of low-speed micromobility devices in any public right-of-way or on public property, and offering the same for use anywhere in the City shall be allowed during the six months (180 days) period of this moratorium.

Section 5. This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS 26th day of September, 2022.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 78-22, passed by the Council of the City of Centerville, Ohio on the 26th day of September, 2022.



Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney