

ORDINANCE NO. 409

AN ORDINANCE PROHIBITING THE RIDING OF ELECTRIC SCOOTERS AND ELECTRIC BICYCLES (E-Bikes) WITH EXCEPTION OF MEDICALLY NECESSARY TRANSPORTATION ON MAIN STREET IN THE CITY OF JOHNSON CITY, KANSAS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JOHNSON CITY, KANSAS:

Section 1.

- A. It shall be unlawful for any person to ride an electric scooter or electric bike on Main Street or its sidewalks (from Highway 160 to Highland Ave) at any time, day or night. A person may walk the electric vehicle across main street or on the sidewalks, but it shall not be ridden in fashion.
 - 1. An electric scooter is any scooter with a motorized engine or electrical battery that is designed to power said device beyond the mere capability of a rider by aid of his foot/feet.
 - 2. An electric bicycle (e-bike) is any bike with a motorized engine or electrical battery that is designed to power said device beyond the mere capabilities of a rider by aid of his foot/feet.
- B. If said person fails to abide by said ordinance, then the Sheriff, his deputies, or City code enforcement personnel shall, on a **first offense**, issue a written warning to the rider and if the rider is under 18, a copy shall be furnished to the rider's parent(s)/guardian.
- C. On a **second offense**, the rider shall be issued a city citation to appear in municipal court and a copy served on the rider's parent(s)/guardian. If found guilty at trial or pleads guilty to the offense, said rider shall be assessed a Fine of \$75.00 and Court costs as currently set by the court. If the rider is under 18, the rider shall be accompanied to Court by a parent or his/her legal guardian.
- D. On a **third offense**, the rider shall be issued a city citation to appear in municipal court and a copy served on the rider's parent(s)/guardian. If found guilty, said rider shall be assessed a Fine of \$150.00 and Court costs as currently set by the court. Additionally, the electronic scooter shall be placed in confinement at the Sheriff's Office for a period of 30 days. Upon the expiration of the 30 days and prior to release of the electronic vehicle, proof of full payment to the court **MUST** be provided. If the rider is under 18, the rider shall be accompanied to Court by a parent or their legal guardian.
- E. At trial, the burden of proof is on the city to prove said rider violated this ordinance beyond a reasonable doubt.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PUBLICATION IN THE JOHNSON PIONEER NEWS ONE TIME, AND POSTING ON THE CITY OF JOHNSON WEBSITE.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF JOHNSON CITY, KANSAS, AND SIGNED BY THE MAYOR ON THIS 4 DAY OF SEPTEMBER, 2024.

Bryan Ellis, Mayor

Attest:

Kenna M. Rohrenback, City Clerk