

CITY COUNCIL

The City of Orange Township, New Jersey

DATE _____

NUMBER 32-2023

TITLE: AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE CITY OF ORANGE TOWNSHIP, CHAPTER 200, ENTITLED "VEHICLES AND TRAFFIC" TO PROHIBIT THE CHARGING AND STORAGE OF ELECTRIC SCOOTERS AND ELECTRIC BICYCLES IN CITY OWNED BUILDINGS. (Sponsored by Council Member Clifford Ross).

WHEREAS, the State of New Jersey previously legalized the use of electric scooters and electric bicycles; and

WHEREAS, electric scooters and electric bicycles have become an increasingly popular form of transportation and an alternative to using carbon emitting vehicles; and

WHEREAS, recently, there have been many instances where lithium ion batteries utilized in electronic scooters and electric bicycles have been found to be the cause of fast moving and devastating fires in other cities; and

WHEREAS, the City of Orange Township has experienced some serious fires over the years and believes in taking a proactive approach in preventing fires; and

WHEREAS, a determination has been made that there is a need to update the municipal code to regulate the use of electric scooters and electric bicycles in City owned buildings.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Orange Township that Chapter 200 of the municipal code be amended and supplemented as follows:

SECTION 1.

Article XVII Pocket Bikes, Electric Bicycles, and Electronic Scooters

§ 200-71.2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ELECTRIC BICYCLE

Means a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

~~Strikeouts~~ are deletions. Underlines are added material.

ELECTRIC SCOOTER

A scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour.

PRIVATE ELECTRIC SCOOTER

Any electric scooter owned and operated by a private individual.

SHARED ELECTRIC SCOOTER

Any electric scooter owned by a company permitted to offer publicly accessible electric scooters through a pay-per-ride or subscription program.

USER

Any person who is operating an electric scooter.

§ 200-71.5. Charging and storing of electric bicycles and electric scooters in City owned properties.

- A. No person shall charge or store electric bicycles or electric scooters inside any City owned buildings. This section shall not prohibit the use of electric bicycles and electric scooters outside of City owned buildings.

§ 200-71.671.5. Violations and penalties.

- A. Except as detailed in Subsection B and C below, in the event that any individual violates the terms of this article, he/she shall be subject to a fine in the Municipal Court of the City of Orange in an amount of \$100.00.
- B. If the offense is for riding on a sidewalk in violation of § 200-71.4(H); failing to obey traffic control devices in violation of § 200-71.4 (A) (1); riding in any direction other than the direction permitted for vehicular traffic in violation of § 200-71.4 (A) (3); or carrying more persons at one time than the number for which the vehicle is equipped in violation of § 200-71.4 (D), the penalty for the first offense shall be \$20.00; the penalty for the second offense shall be \$100.00; the penalty for the third offense shall be \$500.00; and the penalty for the third offense shall be \$800.00.
- C. If § 200-71.5 is violated, the penalty for the first offense shall be zero dollars. For each subsequent violation issued for the same offense on a different day within two year of the date of a first violation, a penalty of not more than \$1,000.00 may be assessed.

SECTION 2. Severability of Ordinance Provisions

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

SECTION 3. Conflict of Other Ordinance Provisions

That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

SECTION 4. Effective Date of Ordinance Provisions

That this ordinance shall take effect upon final passage upon expiration of twenty (20) days following publication unless otherwise provided

PURPOSE

To regulate the charging and storage of electric bicycles and electric scooters in any City owned buildings.

FISCAL IMPACT

Minimal.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

