

ORDINANCE NUMBER #2019-536

AN ORDINANCE AMENDING CHAPTER 58 (OFFENSES AND MISCELLANEOUS PROVISIONS), OF THE CODE OF LILBURN, GEORGIA, TO ADD ARTICLE IV - SHAREABLE MOBILITY DEVICES PROVIDING REGULATIONS FOR THE OPERATION OF SHAREABLE MOBILITY DEVICES ON PUBLIC RIGHT OF WAY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Whereas**, the City of Lilburn, Georgia, is a municipality duly formed and existing pursuant to Georgia law; and

**Whereas**, the 1983 Constitution of the State of Georgia and O.C.G.A. § 36-35-3(a) provide for the self-government of municipalities without the necessity of action by the General Assembly; and

**Whereas**, the City of Lilburn, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws or which are expressly allowed by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

**Whereas**, the Mayor and Council of the City of Lilburn find that the unregulated use of commercial scooters has a significant potential detrimental impact on the safety and general welfare of residents by the congestion of busy roads and sidewalks and potential injuries by such devices; and

**Whereas**, the Mayor and Council of the City of Lilburn desire a ban on the commercial use and operation of electronic mobility devices in the City of Lilburn for a sufficient period to study the issues, impose reasonable regulations, and determine if statewide regulations will occur in the next legislative session; and

**Whereas**, it is the intent of this ordinance is to prohibit the operation of Shareable Mobility Devices on public right-of-way within the corporate limits of the City of Lilburn and to protect the welfare and safety of all citizens.

**NOW THEREFORE BE IT RESOLVED**, THE MAYOR AND COUNCIL OF THE CITY OF LILBURN, GEORGIA HEREBY ORDAIN:

That Chapter 58 (Streets, Sidewalks, and Other Public Places) of the Code of Lilburn, Georgia, shall be amended by adding Article IV - Shareable Mobility Devices, to read as follows:

## **SECTION ONE:**

Section 58 of the Code of Ordinances of the City of Lilburn shall be amended to add the following to said section:

### **ARTICLE IV. – SHAREABLE MOBILITY DEVICES**

#### **Sec. 58-120. – Definitions.**

The following words and phrases, when used in this article, shall have the meanings as set out herein:

*Shareable Mobility Device* means a motorized or human-powered device that is available for rent at a docking station at a specified location approved by the City of Lilburn and shall include but not be limited to a bicycle, motorized bicycle, scooter, motorized scooter, or other similarly operated vehicle.

*Shareable Dockless Mobility Device* means a motorized or human-powered device that permits an individual user to move or be moved freely, is available for rent to the general public via an on-demand portal without the installation of a docking station and shall include but not be limited to a bicycle, motorized bicycle, scooter, motorized scooter, or other similarly operated vehicle.

#### **Sec. 58-121. – General Provisions.**

- A. It shall be unlawful to provide any Shareable Mobility Device or Shareable Dockless Mobility Device to the general public anywhere within the City of Lilburn city limits.
- B. It shall be unlawful to operate a Shareable Mobility Device or Shareable Dockless Mobility Device anywhere within the City of Lilburn city limits.
- C. It shall be unlawful to park or abandon any Shareable Mobility Device or Shareable Dockless Mobility Device anywhere within the City of Lilburn City Limits.

## **SECTION TWO:**

**Effective Period** - The ban on the provision or operation of Shareable Mobility Devices or Shareable Dockless Mobility Devices provided for herein shall be in effect for a period of twelve months from the date of approval of this ordinance.

## **SECTION THREE:**

**Penalties** - Any violation of this ordinance shall be punishable in accordance with Section 1-8, of the Code of Ordinances of the City of Lilburn.

This Ordinance shall become effective upon the approval of the Lilburn City Council.

SO ORDAINED, this the \_\_\_\_\_ day of June, 2018.

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Johnny D. Crist, Mayor  
City of Lilburn

Attest:

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Melissa L. Penate, City Clerk

Approved as to form:

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Richard A. Carothers, City Attorney  
Carothers & Mitchell, LLC