

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 10.04 OF THE MANITOU SPRINGS MUNICIPAL CODE TO GENERALLY PROHIBIT THE USE OF ELECTRICAL ASSISTED BICYCLES ON CITY BIKE AND PEDESTRIAN PATHS BUT TO ALLOW THE LIMITED USE OF CLASS 1 ELECTRICAL ASSISTED BICYCLES ON THE CREEK WALK TRAIL

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Section 10.04.020 of the City of Manitou Springs Municipal Code is hereby amended to replace subsection (39) and to add a new subsection (50), modifying definitions:

10.04.020 – Amendments.

The City makes the following deletions, additions and modifications to the 2010 Edition of the Model Traffic Code:

39. In Section 1412, all references to "section 111" are modified to read "C.R.S. § 42-4-111"; the reference to "Code 10" is modified to read "Article 10"; all references to "section 127" are modified to read "C.R.S. § 42-2-127"; and subsection (14) is replaced to read "Class 1, Class 2 and Class 3 electrical assisted bicycles are prohibited on bike and pedestrian paths within the city, except that Class 1 electrical assisted bicycles are permitted on the Creek Walk Trail."

50. Definitions are modified by the addition of the following defined terms:

“Electrical assisted bicycle” means a vehicle having two or three wheels, fully operable pedals, and an electric motor not exceeding seven hundred fifty watts of power.

“Class 1 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

“Class 2 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour.

“Class 3 electrical assisted bicycle” means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour.

Section 2: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 17th day of April, 2018.

/s/ Donna Kast
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the May 1, 2018, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: April 19, 2018 (in full)
City's Official Website and City Hall

Passed on second reading and adopted by City Council this 1st day of May, 2018.

/s/ Ken Jaray
Mayor, Ken Jaray

Attest: /s/ Donna Kast
City Clerk, Donna Kast

Published: May 3, 2018 (in full)
City's Official Website and City Hall