AN ORDINANCE AMENDING CHAPTER 50, ARTICLE 1, SECTION 50-10 OF THE CHESAPEAKE CITY CODE, TO AUTHORIZE THE OPERATION OF CLASS ONE AND CLASS TWO ELECTRIC POWER-ASSISTED BICYCLES ON BICYCLE OR SHARED-USE PATHS TO COMPLY WITH STATE LAW CHANGES ENACTED BY THE 2020 SESSION OF THE GENERAL ASSEMBLY-PARKS, RECREATION AND TOURISM

This ordinance was presented on February 9, 2021 and March 9, 2021 and continued for 30 days each time. A work session was presented on March 16, 2021 to provide City Council with more information regarding e-bicycles including the classifications of the bikes and examples of shared use paths.

On December 8, 2020, a number of optional amendments to City Code were presented to City Council during the work session. These are items stemming from legislation passed during the 2020 General Assembly. The attached ordinance is one such item. Adoption of this ordinance will amend Chesapeake City Code, Section 50-10, to allow Class One and Class Two electric powered-assisted bicycles (e-bikes) on paved surfaces, paths, shared use paths, and trails where conventional bikes are currently allowed. The General Assembly passed SB 871/HB 543 amending the definition for e-bikes to include three classes of such bicycles and amended Code of Virginia requiring e-bikes where bicycles are permitted. The Departments of Public Works and Development and Permits are also in support of this amendment.
E-bikes have become more common over the past few years, with few adverse incidences in our parks. Class One and Two e-bikes are relatively quiet, carry a maximum speed of 20 mph, and look very similar to pedal bicycles. Common users include mature adults and persons with disabilities, and they provide another option for citizens to enjoy our parks and trails.

There are some differing opinions about usage of trails and walkways between walkers, runners, skateboarders, and bicyclists; we will continue to look for efficient ways to safely separate hikers from cyclists where possible. Additionally, adopting this ordinance will likely have little impact on this particular concern.

There is one additional change following the work session on March 16 that clarifies that the City Manager, and the Director of Parks, Recreation and Tourism are authorized to develop rules and regulations governing the use of Class One and Two e-bicycles on trails.

Presented to City Council is an ordinance amending Chapter 50, Article 1, Section 50-10 of the Chesapeake City Code, to authorize the operation of Class One and Class Two electric powered-assisted bicycles on bicycle or shared use paths to comply with state law changes enacted by the 2020 Session of the General Assembly.

Staff: Michael D. Barber, Director of Parks, Recreation and Tourism
MEMORANDUM

TO: Christopher M. Price, City Manager

VIA: Wanda Barnard Bailey, Ph.D., Deputy City Manager

FROM: Michael D. Barber, Director of Parks, Recreation and Tourism

DATE: January 22, 2021

SUBJECT: Electric Powered-Assisted Bicycles – Request to Adopt an Ordinance to Amend Chesapeake City Code, Chapter 50, Article I, Section 50-10

As presented at the City Council Work Session on December 8, 2020, Parks, Recreation and Tourism is in support of and requests to adopt an ordinance to amend Chesapeake City Code, Chapter 50, Article I, Section 50-10, to specifically allow Class One and Two electric powered-assisted bicycles (e-bikes) on paved surfaces, paths, shared-use paths, and trails where conventional bikes are currently allowed. This recommendation is in reference to SB 871/HB 543 amending the definition for e-bikes to include three classes of such bicycles and Code of Virginia § 46.2-904.1 requiring e-bikes where bicycles are permitted. Staff from the Departments of Public Works and Development and Permits are also in support of this amendment.

These devices have become more common over the past few years, with few adverse incidences in our parks. Class One and Two e-bikes are relatively quiet, carry a maximum speed of 20 mph and look very similar to pedal bicycles. Common users include mature adults and persons with disabilities, and they provide an additional form of recreation for citizens to enjoy our parks and trails.

As with several of our public trails and walkways, we do occasionally experience some differing opinions in regards to usage between walkers, runners, skateboarders and bicyclists; however, we will continue to look for more efficient ways to safely separate hikers from cyclists where possible. Modifying this ordinance should likely have little impact on that particular area of concern.

/mb
AN ORDINANCE AMENDING CHAPTER 50, ARTICLE I, SECTION 50-10 OF THE CHESAPEAKE CITY CODE, ENTITLED “BICYCLES” TO AUTHORIZE THE OPERATION OF CLASS ONE AND CLASS TWO ELECTRIC POWER-ASSISTED BICYCLES ON BICYCLE OR SHARED-USE PATHS TO COMPLY WITH STATE LAW CHANGES ENACTED BY THE 2020 SESSION OF THE GENERAL ASSEMBLY.

BE IT ORDAINED by the Council of the City of Chesapeake, Virginia, that Chapter 50, entitled “Bicycles,” Section 50-10 of the Chesapeake City Code be amended and reordained as follows:

CHAPTER 50. PARKS, RECREATION AND TOURISM

ARTICLE I. – IN GENERAL

Section 50-10. Bicycles.

(a) No person shall ride a bicycle, including a Class One or Class Two electric power-assisted bicycle, on other than a paved vehicular road, sidewalk, shared-use path, or path designated for that purpose bike path or trail. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(b) No person shall ride a bicycle, including a Class One or Class Two electric power-assisted bicycle, other than on the right-hand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the left of any vehicle they are overtaking, pass to the right of any vehicle they are meeting and otherwise comply in all respects with applicable motor vehicle regulations of the commonwealth.

(c) No person shall leave a bicycle or an electric power-assisted bicycle lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by it.

(d) No person shall ride a Class Three electric power-assisted bicycle on a bicycle path, shared-use path, or trail.

(e) The City Manager, and his designee, the Director of Parks, Recreation and Tourism, are authorized to promulgate rules and regulations governing the use of Class One and Class Two electric power-assisted bicycles on trails.
(f) For purposes of this Section, terms shall be as defined by Section 74-4 of the City Code and Sections 46-100 and 46.2-904.1 of the Virginia Code, as amended.

ADOPTED by the Council of the City of Chesapeake, Virginia, this 13th day of April, 2021.

APPROVED:

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Mayor

ATTEST:

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Clerk of the Council

APPROVED AS TO FORM:

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City Attorney