

PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Jenny Rakow, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE 02, SERIES 2024 "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AMENDING TITLE 11 OF THE EAGLE MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 11.13, TO REGULATE ELECTRIC ASSISTED BICYCLES " on the Town of Eagle's web site, www.townofeagle.org, on the 13th day of March 2024.

Witness my hand and seal this 13th day of March 2024.



Jenny Rakow Town
Clerk



Ordinance Effective Date:

March 24, 2024

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 02
(Series of 2024)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO,
AMENDING TITLE 11 OF THE EAGLE MUNICIPAL CODE BY THE ADDITION OF A NEW
CHAPTER 11.13, TO REGULATE ELECTRIC ASSISTED BICYCLES

WHEREAS, the Town Council wishes to amend the Eagle Municipal Code by adding a new Chapter 11.13, establishing regulations for the operation of electric assisted bicycles.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. The Eagle Municipal Code is hereby amended by the addition of a new Chapter 11.13, to read as follows:

CHAPTER 11.13. – ELECTRIC ASSISTED BICYCLES.

Section 11.13.010. – Definitions.

For purposes of this Chapter, the following terms shall have the following meanings:

Electric assisted bicycle means a bicycle with fully operable pedals and an electric motor that conforms to one of the classes as follows:

1. *Class 1 Electric Assisted Bicycle* means an electrical assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and has a maximum speed of twenty (20) miles per hour.

2. *Class 2 Electric Assisted Bicycle* means an electrical assisted bicycle equipped with a motor that can provide assistance regardless of whether the rider is pedaling and provides less than seven hundred and fifty (750) watts of power.

3. *Class 3 Electric Assisted Bicycle* means an electrical assisted bicycle equipped with a motor capable of providing more than seven hundred and fifty (750) watts of power or capable of speeds in excess of twenty (20) miles per hour.

Operator means an individual who is in actual physical control of an electric assisted bicycle.

Section 11.13.020. – Safety and speed.

A. The speed limit for all electric assisted bicycles is fifteen (15) miles per hour in all areas of Town when operated on a designated bike path, sidewalk, or non-motorized trail. Any electric assisted bicycle operated on the roadway must abide

by the posted speed limit and be operated in compliance with the Model Traffic Code, as adopted by the Town.

- B. Helmets shall be worn for all operators, riders, and passengers of all classes of electric assisted bicycles under the age of eighteen (18).
- C. An operator shall come to a complete stop at all intersections and stop at all crosswalks with pedestrians present, before proceeding.
- D. An operator shall not use a mobile phone while operating an electric assisted bicycle, unless they are utilizing hands free methods.
- E. An operator shall not allow more passengers on an electric assisted bicycle than the electric assisted bicycle is originally designed and built for. This shall not prevent the use of aftermarket products, such as child carriers.
- F. All electric assisted bicycles shall be equipped with a permanently affixed headlight and taillight if used between dusk and dawn. Headlights and taillights shall be visible from at least two hundred (200) feet and shall be activated when electric assisted bicycles are operated between thirty (30) minutes before sunset and thirty (30) minutes after sunrise. Handheld lights and rider-worn lights are not acceptable substitutes.
- G. Operators shall at all times yield the right-of-way to pedestrians, equestrians, bicycles, wildlife, and all uphill traffic. Pedestrians have the primary right-of-way.

Section 11.13.030. – Locations for operation.

- A. Electric assisted bicycles may be used on designated bike paths, sidewalks, and non-motorized trails or operated on roadways in compliance with the Model Traffic Code, as adopted by the Town.
- B. Electric assisted bicycles are prohibited on all-natural surface (dirt, gravel, grass) trails, other than Second Gulch Trail.
- C. Electric assisted bicycles are prohibited at the BMX bike park.
- D. Electric assisted bicycles shall be operated on the right-hand side of all sidewalks, bike paths, and non-motorized paths, except where the sidewalk or path width is less than thirty-six (36) inches wide.
- E. An operator shall dismount from their electric assisted bicycle on the sidewalks in the following areas:
 - 1. Downtown Broadway: Broadway Street between Grand Avenue and 5th Street, half a block (to alleyway) in each direction from Broadway Street on cross streets and sidewalks only. The dismount zone does not include the street surface.

2. Downtown Eagle Ranch: Capitol Street between 1000 Capitol Street and Sylvan Lake Road, and two hundred (200) feet each direction along Founders Avenue, from the intersection of Founders Avenue and Capitol Street on sidewalks only. The dismount zone does not include the street surface.

F. Parks, streets, or other public spaces that are hosting special events shall be closed to electrical assisted bicycle usage beginning fifteen (15) minutes prior to the designated special event start time, as designated on the special event permit, and shall remain closed until fifteen (15) minutes after the end time of the special event, as designated on the special event permit, unless such special event is specifically for the use and primary purpose of electric assisted bicycle education, training, or competitions.

G. The Chief of Police or designee may, with or without notice, temporarily close any public space, park, or other public property to the use of electric assisted bicycles when in the interest of public safety, or due to an emergency incident.

Section 11.13.040. – Violation and penalty.

It is unlawful to violate any provision of this Chapter. Violations of this Chapter shall be punished as provided in Chapter 1.12 of this Code.

Section 2. Severability. 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 Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON MARCH 12, 2024.

ATTEST:


Jenny Rakow, Town Clerk




TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor