

Ordinance

Approved By
City Council On
OCT 30 2019

24244



Version 2.9 released on 9/5/19
Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.

CITY COUNCIL USE ONLY		CITY CLERK USE ONLY	
Date Received:	Tracking #: <u>19-1027-1</u>	Date:	<u>11-06-2019</u>
Committee Date: <u>10-23-19</u>	Committee: <u>ULEB</u>	Item #:	<u>2151</u>
1 st Agenda Date: <u>10-23-19</u>	Hearing Date:		
	2 nd Agenda Date: <u>10-30-19</u>		

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Dept. Tracking No.	Board Approval	Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Mayors Office	Contact Name Nick Doctor	Email nddoctor@cityoftulsa.org	Phone 9185967483
Subject (Description) Title 21, Chapter 25 - Shared Active Transportation		Ordinance Type Amending Previous Ordinance	
Section	Township	Range	Lot
Block	Address		BA / CT Number
Amending Ord. No.	TRO Title No. 21 e.g. 43	TRO Subtitle e.g. G	Property/Non-Property
Council District	Zoning No.	PUD No.	Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project Sting-Amount (144104.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:		Date:	<u>9/23/2019</u>
Legal:	<u>(M. SWINEY)</u>	Date:	<u>SEPT. 23, 2019</u>
Board:		Date:	
Mayor:		Date:	<u>SEP 23 2019</u>
Other:		Date:	

Policy Statement

Background Information
Revises Title 21, Chapter 25, "Shared Active Transportation," to allow a portion of required permit fees to be used for public education efforts; and to clarify the provisions which apply to Free Operators.

Provide background information on the requested action.

Summation of the Requested Action
Request approval by the Mayor and City Council.

Summarize the pertinent details of the requested action.

Emergency Clause?

Yes No

Reason for Emergency Clause
This amendment impacts public safety and the need to provide clear information to the public.
Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- Mail vendor copy (add'l signature copies attached)
- Must be filed with other governmental entity
- Add'l governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the Tulsa World,

November 10, 2019).

ORDINANCE NO. 24244

AN ORDINANCE, AMENDING TITLE 21, TULSA REVISED ORDINANCES, "LICENSES", CHAPTER 25, "SHARED ACTIVE TRANSPORTATION"; AMENDING SECTION 2501, "DEFINITIONS", BY DELETING ALPHABETICAL SUBSECTIONS FOR EACH DEFINITION AND CORRECTING A SCRIVENER'S ERROR IN THE DEFINITION OF "DOCKLESS SMALL VEHICLE SHARING SYSTEM", ERRONEOUSLY REFERENCING SECTION 2406; AMENDING SECTION 2502, "PERMIT REQUIRED; PERMIT TERM AND FEES", SUBSECTION E., BY STATING THE EDUCATIONAL PURPOSE OF THE REQUIRED FEES; AMENDING SECTION 2502, "PERMIT REQUIRED; PERMIT TERM AND FEES", SUBSECTION F., BY EXEMPTING FREE OPERATORS AND PROGRAMS OPERATED BY FREE OPERATORS, FROM THE APPLICATION OF CERTAIN OTHER PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 21 Tulsa Revised Ordinances, "Licenses", Chapter 25, "Shared Active Transportation", Section 2501, titled "Definitions" be and the same is now amended to read as follows:

"Section 2501. Definitions.

For the purposes of this chapter, the following words, terms, and phrases shall have the meanings prescribed in this section, unless otherwise expressly written:

Bicycle means a human-powered or electric bicycle, as defined in Title 37, Tulsa Revised Ordinances, Chapter 1, Section 100.

City means the City of Tulsa.

Docked small vehicle sharing system means a shared active transportation program in which companies distribute small vehicles via a stationary location and the small vehicles must be returned at specific stationary locations. Small vehicles are tracked via GPS.

Dockless small vehicle sharing system means a small vehicle share program in which companies distribute small vehicles throughout a city to be rented per trip. The small vehicles

can be locked at any lawful location, and not at a set location, subject to Section 2506 of this chapter. Small vehicles are tracked via GPS and can be located by users.

Electric scooter means a device designed to be stood upon, is powered by an electric motor, and is propelled at no more than fifteen (15) miles per hour, as further defined in Title 37, Tulsa Revised Ordinances, Chapter 1, Section 100.

Geo-fencing means the use of Global Positioning System ('GPS') or Radio Frequency Identification ('RFID') technology to create a virtual geographic boundary, enabling software to trigger a response when a mobile device enters or leaves a particular area.

Free operator means a company, person, or philanthropic organization that engages in or operates a shared active transportation program but does not charge for the use of their program.

Operator means a company or person that engages in or operates a shared active transportation program business or enterprise.

Shared active transportation permit means a permit issued by the City of Tulsa as provided in this chapter.

Shared active transportation program means a transportation program ideal for short distance, point-to-point trips providing users the ability to pick up a Small Vehicle from one location and leave it at another within a system's service area. The system provides users unencumbered access to Small Vehicles within a defined system area. Small Vehicles can be remotely accessed via a smart phone application or other credentials and do not need to be attended by the operator.

Small vehicle means bicycles, electric bicycles, and electric scooters as defined in Title 37, Tulsa Revised Ordinances, Chapter 1, Section 100."

Section 2. That Title 21, Tulsa Revised Ordinances, "Licenses", Chapter 25, "Shared Active Transportation", Section 2502, titled "Permit Required; Permit Term and Fees", Subsections E. and F. be and the same are now amended to read as follows:

"E. All operators shall also pay the City a public infrastructure and education fee of Thirty Dollars (\$30.00) per small vehicle, per year, calculated based upon the maximum fleet size requested and approved in the permit application. Should an increase in fleet size be approved in accordance with Section 2505 of this chapter, this fee amount shall also be increased to reflect the new maximum fleet size. This fee is to provide funding for capital costs associated with the implementation of the City's bicycle and pedestrian master plan and for educating the public regarding related provisions of the Tulsa Revised Ordinances.

F. Shared active transportation programs that are:

1. Managed by free operators, or:
2. Are incorporated as a nonprofit organization and receive public financial assistance,

shall be exempt from the fees required in Subsections D. and E. of this section for each fiscal year in which the shared active transportation program continues to meet these criteria. Furthermore, Free Operators and the Shared Active Transportation Programs operated by Free Operators shall be exempt from Subsections 2504 A., B. and C., Subsections 2505 A. and B., Subsection 2506.G., Subsections 2507. A., D. and E., Section 2508 and Section 2509 of this chapter.”

Section 3. SEVERABILITY CLAUSE. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety by reason whereof this ordinance shall take effect immediately from and after its adoption, approval and publication.

ADOPTED, by the Council on this 30th day of October 2019.

Paul A. ...
Chair of the Council

ADOPTED, as an emergency measure, on this 30th day of October 2019.

Paul A. ...
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time


G.T. Bynum, Mayor

By: _____
Secretary

STAMP: POLICE, OCT 31 11:13, CITY OF ...

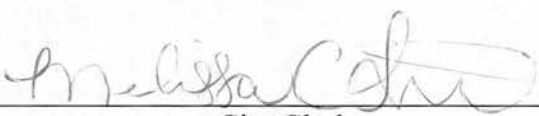
APPROVED by the Mayor of the City of Tulsa, Oklahoma: NOV 06 2019,
Date

at _____
Time



Mayor


ATTEST:



City Clerk



APPROVED:



City Attorney *OK-MDS*