

**Resolution Authorizing the Amendment of Bridgeport Code of Ordinances
Chapter 12.16.245 and 12.16.250
In Relation to the
Shared Mobility Program**

WHEREAS, on September 16, 2019, the City Council of Bridgeport adopted Resolution 125-18, authorizing the City's Office of Planning and Economic Development ("OPED") to administer a Shared Mobility Pilot Program (the "Pilot") of shared bicycles, electric bicycles, and electric scooters until November 30, 2020 in furtherance of Plan Bridgeport Goal 1.1, which requires that the City work to "improve usage of transit and alternative modes of transportation;" and

WHEREAS, in establishing the Pilot, the Council authorized certain amendments to the *Bridgeport Code of Ordinances Chapter 12.16 – Street and Sidewalk Regulations*, per Item 123-18, approved September 16, 2019, and Item 194-19, approved December 7, 2020; and

WHEREAS, through a combination of feedback mechanisms, OPED has found that the Pilot, taking place between September 16, 2019, and December 31, 2021, indeed furthers *Plan Bridgeport* Goal 1.1 by providing a quality alternative mobility option and increasing quality of life for Bridgeport residents; and

WHEREAS, equitable access led to 86,000 individual rides during the two-year Pilot, with one quarter of riders using the scooters to commute to work or school, and 9 out of 10 riders satisfied with the program; and

WHEREAS, in order to establish a permanent Program, certain amendments must be made to the *Bridgeport Code of Ordinances, Chapter 12.16 – STREET AND SIDEWALK USE REGULATIONS*; and

WHEREAS, such amendments are specifically detailed in Exhibit A, attached hereto; and

WHEREAS, it is in the City's best interest to establish the permanent Program;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT: Chapter 12.16 of the Municipal Code of Ordinances – Street and Sidewalk Use Regulations – is hereby amended as per the attached Exhibit A, with such amendment to be effective immediately.

12.16.245 - Permit to Use City Streets and Sidewalks for the Shared Mobility Program.

- A. Permit Required. No person shall operate a Shared Mobility System, as defined by City Ordinance Chapter 10.32.010, for use in the City without first having obtaining approval from the Office of Planning and Economic Development.
- B. Filing of Application—Fee. Each applicant for approval to operate a Shared Mobility System, as defined by City Ordinance Chapter 10.32.010, shall file an application with the Director of the Office of Planning and Economic Development and pay a non-refundable fee in the amount of one thousand five hundred dollars (\$1,500.00) plus a Mobility Manager software maintenance fee to the City of Bridgeport upon application submission and by the first day of each subsequent calendar year. A separate fee for use of City right-of-way shall be assessed quarterly. Such applicant and usage fee revenue collected by the Office of Planning and Economic Development shall be deposited and accounted for in a City special revenue account used for Mobility Manager software costs and improving the City's bicycle infrastructure.
- C. Impoundment of Shared Mobility Devices. The Office of Planning and Economic Development shall create one or more shared mobility device pounds to which shared mobility devices may be removed at the direction of any police officer or parking enforcement officer for the city for caused specified below. The pounds to be created under this chapter shall be city-owned storage garages or such other appropriate city-owned places as shall be designated by the Office of Planning and Economic Development.
 - 1. Devices subject to impoundment:
 - (i) Those devices not removed by a Provider within the allotted time of a removal notice, specifically
 - a. In the event of extreme weather, emergencies, special events or for maintenance activities ("Event"), the owner of the device shall remove all devices from the Event area within ten hours of a notice by the Official;
 - b. When the number of devices deployed within a specific area is deemed excessive, the Provider must reduce its fleet in said area within four hours of receiving notice between 7:00 a.m. and 8:00 p.m., seven days per week. Any notice received outside of these hours will count as being received at 7:00 a.m. the next day;
 - c. Devices deemed inoperable, unsafe, or otherwise failing to meet the standards identified in the application, which the Provider does not remove from the active fleet within two hours of receiving notice between 7:00 a.m. and 8:00 p.m., seven days per week. Any notice outside of these hours will count as being received at 7:00 a.m. the next day;
 - (ii) Those devices parked in violation of the application parking requirements or in one location for more than three consecutive days;
 - (iii) Those devices used in violation of any applicable local, state or federal law, rule, or regulation;

2. Impounding fee. Before the owner or representative of the owner of any device taken into custody in accordance with Section 1 hereof shall be allowed to secure the release of such device, the owner or its representative shall pay to the Office of Planning and Economic Development fifty dollars (\$50.00) per device. Such revenue collected by the Office of Planning and Economic Development shall be deposited and accounted for in a City special revenue account used for the sole purpose of improving the City's bicycle infrastructure.

(Ord. dated 12/7/20 , Exh. A; Ord. dated 9/16/19)

12.16.250 Miscellaneous acts prohibited.

The erecting or placing of any building, gate, fence, post, box, cask, wood, brick, stone, non-motor vehicle unattached to any animal, or any other thing upon any sidewalk or street; the placing, hanging or maintaining of any flag, banner, article of merchandise or other thing except awnings and signs over or across any sidewalk or street; the opening or making of any vault or cellar in, upon or under any street; and the kindling of any fire or bonfire in any public street are prohibited without consent of the common council; provided, however, that nothing in this section shall be construed so as to prevent or hinder any person, while in the process of building or repairing any building, from placing in any street materials for such purposes under such conditions and restrictions as may be prescribed in each particular case in a permit issued therefore under this section.

A. Exemptions.

1. Nothing in Section 12.16.250, above, shall prohibit the implementation committee of any neighborhood revitalization zone whose implementation plan has been approved by the city council from seeking permission from the director of public facilities to provide trash can receptacles for placement within the public right-of-way, provided the design of the trash can has been pre-approved by the director or his or her designee; the placement of said cans is done by the staff of the public facilities department following the issuance of a written approval for said placement by said director, or his or her designee, in accordance with Section 7-148(b)(H) and City Ordinance 8.68 Littering; and conditioned upon the property owner whose property fronts where the trash can shall be located, being notified in writing ten days prior to the placement of the trash can that the acceptance of the trash can at the location requires that the trash can be emptied by the property owner through private methods. The property owners shall also be given a copy of the Municipal Ordinance 8.60 Unlawful Depositing so that they are aware that if the trash can is not maintained in a manner that does not violate that ordinance, the trash can shall be removed by order of the director of public facilities and civil penalties shall be imposed in accordance with Ordinance 8.60. In addition, nothing in this chapter shall prevent the city health director under the statutory authority granted to all municipal health directors in 19a-206, from issuing orders, requesting the imposition of equitable, civil and/or criminal penalties by requesting such action from the State Housing Court at Bridgeport, if it is found that the failure to maintain the trash can also violated the Public Health Code.

2. Nothing in Section 12.16.250, above, shall prohibit the placement of bus station shelters within the public right-of-way by the transit authority authorized to provide bus service to the citizens of Bridgeport who are entitled to such access pursuant to Section 7-148(6)(C)(ii) and Section 7-148(7)(H)(xii) of the General Statutes of Connecticut, provided that the design and placement of said shelters has been submitted to and reviewed by the public safety and transportation committee of the city council and approved by the full council. The request for such approval shall be submitted to the city clerk for referral to the city council by the director of public facilities, provided the plans for the placement and design of said shelters has been pre-filed with said director a minimum of thirty (30) days before the requested date for submission to the city council; and plans and designs for said shelters have been reviewed by an engineer assigned to the office of the city engineer, with a written recommendation or approval or disapproval provided by said engineer to said director. Following city council approval, the placement of the bus shelters shall not proceed without the issuance of an excavation permit by the public facilities department in accordance with Section 1-148(6)(C)(iii) and (iv) of the General Statutes of Connecticut and City Ordinance Chapter 12.12 Excavations.
3. Nothing in Section 12.16.250, above, shall prohibit the use or placement of a Shared Mobility Device, as defined by City Ordinance Chapter 10.32.010, within and/or on the public right-of-way. Share Mobility Device users may ride Devices on city streets, off-street bicycle lanes, multi-use paths, and sidewalks; users must dismount upon encountering pedestrians. Devices, while they may be parked on the sidewalk, shall be parked in the following manner: (a) in a balanced, upright position; (b) to allow unimpeded pedestrian travel space on a sidewalk to a width of at least five feet; (c) to allow unimpeded access to entrances to public or private property; (d) to allow unimpeded access to all accessibility ramps and fire hydrants; (e) to allow unimpeded access to all bicycles and scooter parking areas, including any stationary fixture designed for the secure attachment of bicycles and scooters or any painted area designated for bicycle and scooter parking; (f) to allow adequate area for unimpeded vehicular travel and parking on public streets; and (g) in an area or location which the City may designate.

(Ord. dated 12/7/20 , Exh. A; Ord. dated 9/16/19)

APPROVED BY THE
BRIDGEPORT CITY
COUNCIL ON:
APRIL 18, 2022

APPROVED BY MAYOR
JOSEPH P. GANIM
ON:
APRIL 18, 2022

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