

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 8, SERIES 2026**

**AN ORDINANCE AMENDING MUNICIPAL CODE
TO IMPLEMENT WHICH WHEELS GO WHERE POLICY**

WHEREAS, the Town of Timnath (the “Town”) is a home rule municipality operating under the Timnath Home Rule Charter (the “Charter”) adopted on November 7, 2006 and the Town’s Municipal Code (the “Code”). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, in recent years and months, the Town has seen a dramatic increase in the number of electronic micromobility devices, including electrical assisted bicycles, low-power scooters, off-road vehicles, and toy vehicles being used by residents within Town parks, streets, trails and sidewalks; and

WHEREAS, such increased uses have resulted in damage to Town parks and posed safety risks to users of the vehicles and other Town residents, including pedestrians; and

WHEREAS, the Town wishes to amend the Town Code to clarify which micromobility devices may be operated where and other restrictions on use, in order to increase public safety; and

WHEREAS, the Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:

ARTICLE 1 – MUNICIPAL CODE AMENDMENT

The Town Council hereby amends Sections 7-1-10, Sections 8-6-10–8-6-90, Sections 11-1-30 and 11-1-50 of the Code, as shown in **Attachment A**.

ARTICLE 2 - SEVERABILITY

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

ARTICLE 3 – EFFECTIVE DATE

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, ADOPTED BY THE TIMNATH TOWN COUNCIL ON FIRST READING, AND ORDERED PUBLISHED BY TITLE APRIL 28, 2026, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON MAY 12, 2026 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON MAY 12, 2026.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:

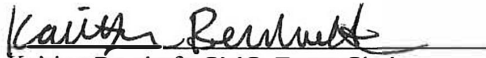

Kaitlyn Bernhoft, CMC, Town Clerk

Exhibit A

Section 7-1-10 of the Town Municipal Code is amended to read as follows:

CHAPTER 7 *Health, Sanitation and Animals*

ARTICLE 1 *Administration and Abatement of Nuisances*

Sec. 7-1-10. - Definitions

Motor vehicle or motorized vehicle means any self-propelled vehicle which, as originally built, was designed primarily for travel on the public highways and was generally and commonly used to transport persons and property over the public highways, including, without limitation, automobiles, trucks, buses, motor homes, motorized campers, motorcycles, electric motorcycles registered with the department of motor vehicles, low-power scooters, tractors, or autocycles, except that the term does not include electrical assisted bicycles, electric scooters, wheelchairs, or human-powered vehicles, toy vehicles, snowmobiles, dune buggies and other off-highway vehicles.

Section 8-1-30 of the Town Municipal Code is amended to add new subsections (4) and (5), as follows:

CHAPTER 8 *Vehicles and Traffic*

The Town Code is amended to add a new Article 6 to Chapter 8, to read as follows:

ARTICLE 6 *Micromobility Operations*

Sec. 8-6-10. Purpose; relationship to state law.

- (a) The purpose of this Article is to establish clear, enforceable rules for where bicycles, electrical assisted bicycles, electric scooters, and other small-wheeled devices may operate within Town limits, including sidewalks, bicycle lanes, separated bikeways, and roadways.
- (b) The restrictions set forth in this Chapter 8, Article 6 shall be in addition to any restrictions or regulations under state law or under the Municipal Traffic Code, as adopted by the Town.
- (c) Consistent with C.R.S. Title 42, the Town may regulate electric scooters; however, any Town regulation of electric scooters shall be no more restrictive than the manner in which the Town regulates the operation of a Class 1 electrical assisted bicycle.

Sec. 8-6-20. Definitions.

For purposes of this Article, the following terms shall have the meanings set forth below. Any term not defined herein shall have the meaning set forth in C.R.S. Title 42, where applicable.

- (a) *Bicycle* means a vehicle propelled by human power applied to pedals upon which a person may ride having two tandem wheels or two parallel wheels and one forward wheel, all of which are more than fourteen inches in diameter.
- (b) *Designated roadway* means a roadway / driveway within a Town-owned facility intended and signed/posted for vehicular travel or internal access.
- (c) *Designated bicycle lane* means a bicycle lane or separated bikeway that is signed/marked for bicycle travel.
- (d) *Dismount zone* means an area designated by the Town for walking (not riding) certain devices, identified by posted signs, pavement markings, official traffic control devices, or other notice.
- (e) *Electrical assisted bicycle* (also “electric bicycle” or “e-bike”) means an electrical assisted bicycle as defined in C.R.S. section 42-1-102 and shall be one of the following classifications:
 - (1) Class 1: provides assistance only when the rider is pedaling and ceases to provide assistance at 20 miles per hour.

(2) Class 2: may provide assistance whether or not the rider is pedaling and ceases to provide assistance at 20 miles per hour.

(3) Class 3: provides assistance only when the rider is pedaling and ceases to provide assistance at 28 miles per hour; and is equipped with a speedometer.

(f) *Electric scooter* means a device:

- (1) Weighing less than one hundred pounds;
- (2) With handlebars and an electric motor;
- (3) That is powered by an electric motor; and
- (4) That has a maximum speed of twenty miles per hour on a paved level surface when powered solely by the electric motor.

But does not include an electrical assisted bicycle, EPAMD, motorcycle, or low-power scooter.

(g) *Human-powered vehicle* means any wheeled device propelled exclusively by human power, other than a bicycle, that is used by a person for transportation, including but not limited to skateboards, roller skates, in-line skates, and non-motorized scooters.

(h) *Low-power scooter* means a self-propelled vehicle, including without limitation mopeds, designed primarily for use on the roadways with not more than three wheels in contact with the ground, no manual clutch, and either of the following:

- (1) A cylinder capacity not exceeding fifty cubic centimeters if powered by internal combustion; or
- (2) A wattage not exceeding four thousand four hundred seventy-six if powered by electricity.

But does not include a toy vehicle, bicycle, electrical assisted bicycle, electric scooter, wheelchair, or any device designed to assist people with mobility impairments who use pedestrian rights-of-way.

(i) *Off-highway vehicle* means any self-propelled vehicle that is designed to travel on wheels or tracks in contact with the ground, designed primarily for use off of the public highways, and generally and commonly used to transport persons for recreational purposes. Except as described in subsection (i)(6) of this section, "off-highway vehicle" includes surplus military vehicles as defined in section 42-6-102. "Off-highway vehicle" does not include the following:

- (1) Vehicles designed and used primarily for travel on, over, or in the water;
- (2) Snowmobiles;
- (3) Golf carts;
- (4) Vehicles designed and used to carry individuals with disabilities;
- (5) Vehicles designed and used specifically for agricultural, logging, or mining purposes;

- (6) A surplus military vehicle, as defined in section 42-6-102 (20.5), that is owned or leased by a municipality, county, or fire protection district, as defined in section 32-1-103 (7), for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.
- (j) *Paved trail* means a hard-surfaced trail (including asphalt or concrete). *Natural-surface trail* means an unpaved trail surface, including but not limited to gravel, dirt, or similar surfaces.
- (k) *Pedestrian* means any person afoot or using a wheelchair or in a hand-pushed stroller / buggy. Wheel chairs and hand-pushed strollers / buggies are not included in the definition of human-powered vehicle.
- (l) *Regional trail* means regional trail, as depicted on the Town's current PROST Trail Plan.
- (m) *Town-owned/operated facilities* means any Town-owned and/or operated parcel, lot or tract, park, trail, recreation facility, open space, or similar public property managed by the Town, including without limitation the Town Parks, the Timnath Reservoir, Town Center property, the Town Recreation Center property, the Town Public Works building property, and the Town Police Station property, but does not include streets as defined in Section 1-2-10.
- (n) *Toy vehicle* means any vehicle that has wheels and is not designed for use on public highways or for off-road use, that is propelled by an electric motor or internal combustion engine, and that is not classified as a motor vehicle, electric scooter, low-power scooter, off-highway vehicle, snowmobile, or electrical assisted bicycle. The definition of toy vehicle includes, but is not limited to, electric skateboards, one-wheels, and kamikaze boards.

Sec. 8-6-30. Sidewalks; crosswalks; dismount zones.

- (a) *Yielding; audible signal.* A person operating a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle upon and along a sidewalk or pathway, or across a roadway upon and along a crosswalk, shall:
 - (1) Yield the right-of-way to any pedestrian;
 - (2) Give an audible signal before overtaking and passing such pedestrian; and
 - (3) Operate in a manner that is safe and reasonable for pedestrians.
- (b) *Prohibited where signed/posted.* No person shall ride a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, upon and along a sidewalk or pathway, or across a roadway upon and along a crosswalk, where such use is prohibited by official traffic control devices, posted signs, markings, dismount zones, or local ordinance.
- (c) *Dismount zones.*
 - (1) Where a sign is posted or an area is otherwise designated as a dismount zone, no person shall ride a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, within the dismount zone and such person shall walk the device through the zone.

- (2) The Town Manager or designee is authorized to designate temporary dismount zone locations, to be marked by temporary signs, for special events or unusual conditions.
- (e) *Sidewalk prohibitions for motorized vehicles.* No person shall operate a low-power scooter, toy vehicle, golf cart, off-highway vehicle, or motor vehicle upon a sidewalk or sidewalk area, except:
 - a. Upon a permanent or duly authorized temporary driveway or except as authorized by Section 8-6-50(c); or
 - b. Electric skateboards and one-wheels may be operated upon a sidewalk or sidewalk area.
 - c. A toy vehicle designed for use by a child with a maximum speed of five miles per hour may be operated on a sidewalk or within a Town-owned facility where device operation is otherwise permitted under this Code, provided such toy vehicle is operated at a safe speed, is supervised by a parent, guardian, or other responsible adult, and yields to pedestrians at all times.
- (f) *Disability accommodation.* Nothing herein shall be interpreted to prohibit or restrict the use of wheelchairs or other devices designed and used to assist mobility-impaired persons.

Sec. 8-6-40. Bicycle lanes; paved shoulders; separated bikeways.

- (a) Designated bicycle lanes, separated bikeways, and paved shoulders suitable for bicycle travel may be used by:
 - (1) Bicycles;
 - (2) Electrical assisted bicycles; and
 - (3) Electric scooters.
 - (4) Human-powered vehicles, only on roads with speed limits of 25 mph or less.
- (b) Unless the Town posts signs expressly authorizing such use, it is unlawful to operate the following within a designated bicycle lane or separated bikeway:
 - (1) Low-power scooters;
 - (2) Toy vehicles;
 - (3) Motor vehicles, including without limitation motorcycles;
 - (4) Off-highway vehicles; or
 - (5) Human-powered vehicles on roads with speed limits over 25 mph.

Sec. 8-6-50. Roadways.

- (a) *Bicycles, electrical assisted bicycles, and electric scooters.* Bicycles, electrical assisted bicycles, and electric scooters may be operated upon Town streets in compliance with applicable traffic laws and regulations.
- (b) *Human-powered vehicles.*

(1) Human-powered vehicles may be operated upon and along sidewalks and pathways as provided in this Article.

(2) Unless the Town posts signs expressly authorizing roadway operation, it is unlawful to operate a human-powered vehicle upon a street, including without limitation in bicycle lanes, except to cross a roadway at a crosswalk or at an intersection in a manner consistent with pedestrian movements, or on roads with speed limits of 25 mph or less.

- (c) *Toy vehicles and Off-Highway Vehicles.* It is unlawful for any person to operate toy vehicle or off-highway vehicle upon or within any Town street, shoulder, median, public right-of-way, or other Town-owned or Town-controlled property, except:

(1) As part of Town operations or Town-authorized programming.

Sec. 8-6-60. Parking; obstruction of sidewalks and paths.

- (a) A person may park a bicycle, electrical assisted bicycle, or electric scooter on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.
- (b) No such device may be parked in a manner that impedes the normal and reasonable movement of pedestrian traffic, ADA access, or other traffic, or blocks access to curb ramps, building entrances, bus stops, crosswalk approaches, fire hydrants, or traffic control devices.
- (c) It shall be unlawful to park motor vehicles, toy vehicles, off-highway vehicles, and low-powered scooters on a sidewalk within the Town.

Sec. 8-6-70. Parental responsibility.

- (a) It is unlawful for any parent or guardian to knowingly permit their minor child or ward to operate a toy vehicle, low-power scooter, electric scooter, electrical assisted bicycle, bicycle, human-powered vehicle or off-highway vehicle in violation of the provisions of this Article or state law.
- (b) For the purposes of this Section 8-6-70, a parent or guardian is presumed to have knowingly permitted their minor child or ward to operate a toy vehicle, low-power scooter, electric scooter, electrical assisted bicycle, bicycle, human-powered vehicle, or off-highway vehicle, if the parent or guardian knew or reasonably should have known that the minor child or ward was operating the vehicle.

Sec. 8-6-80. Parks, trails, recreation facilities, and open space—special rules.

- (a) *Applicability; relationship to other provisions.* This Section applies only within Town-owned facilities, except for that portion in the street right-of-way. The rules in this Section are in addition to the other provisions of this Article. Where a conflict exists, this Section shall control within Town-owned facilities.
- (b) *Where operation is allowed.* Except as allowed for Town programming purposes or as authorized by the Town Manager or designee pursuant to subsection (f), it is prohibited to operate any bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, on any surface within a Town-owned facility other than:

- (1) Paved trails and sidewalks; or
- (2) Designated roadways; or
- (3) Designated bicycle lanes.
- (c) *Natural-surface trails and open space surfaces.* Unless expressly authorized by posted signs or written designation, it is prohibited to operate any bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, on any natural-surface trail or other open space surface within a Town-owned facility.
- (d) *Class 3 electrical assisted bicycles, , toy vehicles, , or off-highway vehicle.* It is prohibited to operate any Class 3 electrical assisted bicycle, , toy vehicles, , or off highway vehicle, on any paved trail, sidewalk, or natural-surface trail within a Town-owned facility or any regional trail, except for electric skateboards and one wheels. Class 3 electrical assisted bicycles may be operated only on designated roadways and designated bicycle lanes within Town-owned facilities unless expressly authorized by posted signs or written designation.
- (e) *Motor vehicles.* It is prohibited to operate any motor vehicle on any trail, sidewalk, open space surface, or paved trail within a Town-owned facility, except as part of Town operations or where expressly authorized by posted signs or written designation.
- (f) *Town Manager/designee authority.* The Town Manager or designee may designate permitted routes, restrict specified device types, establish dismount zones, and implement temporary or seasonal closures or restrictions when necessary to protect public health, safety, and welfare; prevent damage to facilities or natural resources; manage special events; or maintain consistency with regional trail management. Restrictions under this subsection shall be posted by signage or published notice where practicable.
- (g) *Speed limits within Town-owned facilities.* Unless otherwise posted, the following are recommended speed limits for any type of vehicle:
 - (1) Any parking lot or area, drive, trail, or designated roadway within a Town-owned facility: ten (10) miles per hour.
 - (2) Any other trail: fifteen (15) miles per hour.
- (h) *Disability accommodation.* Nothing in this Section shall be construed to prohibit the use of a wheelchair or other mobility device by an individual with a mobility disability, subject to safe operation and posted closures applicable to all users.

Sec. 8-6-90. Enforcement; penalties.

- (a) Violations of this Article may be enforced by law enforcement officers and any other Town personnel authorized to issue citations under Town Code.
- (b) Except as otherwise provided herein, any person who violates any provision of this Article shall be deemed guilty of a traffic infraction and, upon conviction, be fined in accordance with the provisions of Section 1-4-20 of this Code.

Sec. 8-6-100. General Requirements

- (a) Any paved trails, natural-surface trails, regional trails, roadways, sidewalks and parks within the Town which are open to the public may be used only by the same types of devices as defined in Article 6 and will be subject to the same restrictions as specified in Article 6.
- (b) No bicycle, electrical assisted bicycle, electric scooter, toy vehicle, off-highway vehicle, or human-powered vehicle shall be used to carry more persons at one time than the number for which it is designed or equipped.
- (c) A person riding upon a bicycle, electrical assisted bicycle, electric scooter, toy vehicle, off-highway, or human-powered vehicle shall attach the vehicle or the rider to any motor vehicle upon a roadway.
- (d) The driver of a bicycle, electrical assisted bicycle, electric scooter, toy vehicle, off-highway vehicle, or human-powered vehicle involved in a traffic accident resulting in injury to, serious bodily injury to, or death of any person or any property damage shall, provide their name and address and give immediate notice of the location of such accident and such other information as is specified in section 42-4-1603 (2), C.R.S. to the Timnath Police Department and, if so directed by the police authority, shall immediately return to and remain at the scene of the accident until said police have arrived at the scene and completed their investigation thereat. Failure to comply with this section is a class 2 misdemeanor traffic offense.
- (e) Requirements for Class Three Electrical Assisted Bicycle:
 - (1) A person under sixteen years of age shall not ride a class 3 electrical assisted bicycle upon any street, highway, or bike or pedestrian path; except that a person under sixteen years of age may ride as a passenger on a class 3 electrical assisted bicycle that is designed to accommodate passengers.
 - (2) A person shall not operate or ride as a passenger on a class 3 electrical assisted bicycle unless:
 - a. Each person under eighteen years of age is wearing a protective helmet of a type and design manufactured for use by operators of bicycles;
 - b. The protective helmet conforms to the design and specifications set forth by the United States consumer product safety commission or the American Society for Testing and Materials; and
 - c. The protective helmet is secured properly on the person's head with a chin strap while the class 3 electrical assisted bicycle is in motion.
- (f) *E-bike label compliance.* No person shall operate an electrical assisted bicycle unless it bears the classification label required by Colorado law, including the bicycle's classification, top assisted speed, and motor wattage, and such label is not missing, damaged, or illegible. Any modification to an electrical assisted bicycle that changes the speed capability or motor wattage requires an updated label. Violations shall be traffic infractions.

- (g) Except as provided herein, a person who violates this Sec. 8-6-100 commits a class 2 misdemeanor traffic offense.

Sec. 8-6-110. Reckless or Careless Driving Prohibited

- (a) *Reckless Driving.* A person who drives, rides, or operates a motor vehicle, electrical assisted bicycle, electric scooter, low-power scooter, toy vehicle, or off-highway vehicle in a street, bicycle lane or paved shoulder, sidewalk, sidewalk area, path, bikeway, trail, park, open space, parking lot or any other location within the Town in such a manner as to indicate either a wanton or a willful disregard for the safety of the persons or property is guilty of reckless driving.
- (b) *Careless Driving.*
 - (1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, electric scooter, low-power scooter, toy vehicle, or off-highway vehicle in a street, bicycle lane or paved shoulder, sidewalk, sidewalk area, path, trail, park, bikeway, open space, parking lot or any other location within the Town in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving.
 - (2) Violations.
 - a. Except as otherwise provided in paragraphs b and c of this Subsection (2), any person who violates any provision of this section commits a class 2 misdemeanor traffic offense.
 - b. If the person's actions are the proximate cause of bodily injury to another, such person commits a class 1 misdemeanor traffic offense.

Sections 11-1-30 and 11-1-50 of the Town Code are amended to read as follows:

CHAPTER 11 Streets, Sidewalks and Public Property

ARTICLE 1 Sidewalks

Sec. 11-1-30. - Sidewalk area maintenance and repair to protect traveling public.

- (a) If it appears to the Town that any sidewalk area is so much out of repair or maintenance as to endanger the traveling public, the Town Engineer or designee or the Code Enforcement Officer may order that the same be repaired or maintained forthwith. In the event the sidewalk is not repaired within three days after notice given thereof to the owner, the Town may repair the sidewalk and assess the costs thereof against the adjacent property and the owner thereof. If the assessment is not paid within 30 days, the Town shall certify and collect the same as provided in Chapter 7, Article 1 of this Code.
- (b) Maintenance of the sidewalk area, including but not limited to cutting, trimming, watering and weeding landscaping and freeing debris from drainage gullies, shall be the responsibility of the adjacent property owner.

Sec. 11-1-50. - Operation of wheeled devices on sidewalks; prohibited uses.

- (a) Animals. No person shall ride or drive any horse, burro, or other animal upon any public sidewalk.
- (b) Prohibited wheeled devices. It is unlawful for any person to operate or drive any vehicle prohibited under Section 8-6-30 upon any public sidewalk or sidewalk area.
- (c) Permitted devices must be operated in compliance with:
 - (1) Any official traffic control devices, signs, markings, or posted dismount zones that prohibit riding; and
 - (2) The operating rules and restrictions set forth in Chapter 8, Article 6 of this Code.
- (d) Penalty. Any person who violates this Section shall be deemed guilty of a misdemeanor and, upon conviction, be fined in accordance with the provisions of Section 1-4-20 of this Code

Section 7-1-10 of the Town Municipal Code is amended to read as follows:

CHAPTER 7 Health, Sanitation and Animals
ARTICLE 1 Administration and Abatement of Nuisances

Sec. 7-1-10. - Definitions

Motor vehicle or motorized vehicle means any self-propelled vehicle which, as originally built, was designed primarily for travel on the public highways and was generally and commonly used to transport persons and property over the public highways, including, without limitation, automobiles, trucks, buses, motor homes, motorized campers, motorcycles, ~~e-moto~~electric motorcycles registered with the department of motor vehicles, low-power scooters, tractors, or autocycles, except that the term does not include electrical assisted bicycles, electric scooters, wheelchairs, or human-powered vehicles, toy vehicles, snowmobiles, dune buggies and other off-~~road~~ highway vehicles.

Section 8-1-30 of the Town Municipal Code is amended to add new subsections (4) and (5), as follows:

CHAPTER 8 Vehicles and Traffic

The Town Code is amended to add a new Article 6 to Chapter 8, to read as follows:

ARTICLE 6 Micromobility Operations

Sec. 8-6-10. Purpose; relationship to state law.

- (a) The purpose of this Article is to establish clear, enforceable rules for where bicycles, electrical assisted bicycles, electric scooters, and other small-wheeled devices may operate within Town limits, including sidewalks, bicycle lanes, separated bikeways, and roadways.
- ~~(b) Except as otherwise provided herein, bicycles, electrical assisted bicycles, and electric scooters are regulated by applicable provisions of C.R.S. Title 42, and by this Code.~~
- ~~(b) The restrictions set forth in Sec. 8-6-10 this Chapter 8, Article 6 shall be in addition to any restrictions or regulations under state law or under the Municipal Traffic Code, as adopted by the Town.~~
- (c) Consistent with C.R.S. Title 42, the Town may regulate electric scooters; however, any Town regulation of electric scooters shall be no more restrictive than the manner in which the Town regulates the operation of a Class 1 electrical assisted bicycle.

Sec. 8-6-20. Definitions.

For purposes of this Article, the following terms shall have the meanings set forth below. Any term not defined herein shall have the meaning set forth in C.R.S. Title 42, where applicable.

- (a) *Bicycle* means a vehicle propelled by human power applied to pedals upon which a person may ride having two tandem wheels or two parallel wheels and one forward wheel, all of which are more than fourteen inches in diameter.
- (b) *Designated roadway* means a roadway / driveway within a Town-owned facility intended and signed/posted for vehicular travel or internal access.
- (c) *Designated bicycle lane* means a bicycle lane or separated bikeway that is signed/marked for bicycle travel.
- (d) *Dismount zone* means an area designated by the Town for walking (not riding) certain devices, identified by posted signs, pavement markings, official traffic control devices, or other notice.
- ~~(e) E-moto means an electric vehicle with pedals and/or foot pegs that is required to be insured and registered with the Colorado Department of Motor Vehicles for use on roads, including without limitation low-power scooters and motorcycles, but not including bicycles or electrical assisted bicycles, and electric scooters.~~
- (e) *Electrical assisted bicycle* (also "electric bicycle" or "e-bike") means an electrical assisted bicycle as defined in C.R.S. section 42-1-102 and shall be one of the following classifications:
 - (1) Class 1: provides assistance only when the rider is pedaling and ceases to provide assistance at 20 miles per hour.
 - (2) Class 2: may provide assistance whether or not the rider is pedaling and ceases to provide assistance at 20 miles per hour.

(3) Class 3: provides assistance only when the rider is pedaling and ceases to provide assistance at 28 miles per hour; and is equipped with a speedometer.

(f) *Electric scooter* means a device:

- (1) Weighing less than one hundred pounds;
- (2) With handlebars and an electric motor;
- (3) That is powered by an electric motor; and
- (4) That has a maximum speed of twenty miles per hour on a paved level surface when powered solely by the electric motor.

But does not include an electrical assisted bicycle, EPAMD, motorcycle, or low-power scooter.

(g) *Human-powered vehicle* means any wheeled device propelled exclusively by human power, other than a bicycle, that is used by a person for transportation, including but not limited to skateboards, roller skates, in-line skates, and non-motorized scooters.

(h) *Low-power scooter* means a self-propelled vehicle, including without limitation mopeds, designed primarily for use on the roadways with not more than three wheels in contact with the ground, no manual clutch, and either of the following:

- (1) A cylinder capacity not exceeding fifty cubic centimeters if powered by internal combustion; or
- (2) A wattage not exceeding four thousand four hundred seventy-six if powered by electricity.

But does not include a toy vehicle, bicycle, electrical assisted bicycle, electric scooter, wheelchair, or any device designed to assist people with mobility impairments who use pedestrian rights-of-way.

~~(j) — Motorcycle means a motor vehicle that:~~

- ~~(1) Is designed primarily for travel on the public highways;~~
- ~~(2) Uses handlebars connected to the front wheel or wheels to steer;~~
- ~~(3) Has a seat the rider sits astride;~~
- ~~(4) Is designed to travel on not more than three wheels in contact with the ground; and~~
- ~~(5) Does not include a farm tractor, low-speed electric vehicle, or low-power scooter.~~

~~(i) — Motor vehicle means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways, including, without limitation, automobiles, trucks, buses, motor homes, motorized campers, motorcycles, low-power scooters, tractors, low-speed electric vehicles, or autocycles; except that the term does not include electrical assisted bicycles, electric scooters, low-power scooters, wheelchairs, or human-powered vehicles, or toy vehicles.~~

~~(m)(i)~~ *Off-highway vehicle* means any self-propelled vehicle that is designed to travel on wheels or tracks in contact with the ground, designed primarily for use off of the public highways, and generally and commonly used to transport persons for recreational purposes. Except as described in subsection ~~(i3)~~(6A) of this section, "off-highway vehicle" includes surplus military vehicles as defined in section 42-6-102. "Off-highway vehicle" does not include the following:

- (1) Vehicles designed and used primarily for travel on, over, or in the water;
- (2) Snowmobiles;
- ~~(3) Repealed.~~
- ~~(4)(3)~~ Golf carts;

~~(5)(4)~~ Vehicles designed and used to carry individuals with disabilities;

~~(6)(5)~~ Vehicles designed and used specifically for agricultural, logging, or mining purposes;

~~(7) Vehicles registered pursuant to article 3 of title 42; or~~

~~(8)(6)~~ A surplus military vehicle, as defined in section 42-6-102 (20.5), that is owned or leased by a municipality, county, or fire protection district, as defined in section 32-1-103 (7), for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

~~(nj)~~ *Paved trail* means a hard-surfaced trail (including asphalt or concrete). *Natural-surface trail* means an unpaved trail surface, including but not limited to gravel, dirt, or similar surfaces.

~~(ok)~~ *Pedestrian* means any person afoot or using a wheelchair or in a hand-pushed stroller / buggy. Wheel chairs and hand-pushed strollers / buggies are not included in the definition of human-powered vehicle.

~~(pl)~~ *Regional trail* means regional trail, as depicted on the Town's current PROST Trail Plan.

~~(qm)~~ *Town-owned/operated facilities* means any Town-owned and/or operated parcel, lot or tract, park, trail, recreation facility, open space, or similar public property managed by the Town, including without limitation the Town Parks, the Timnath Reservoir, Town Center property, the Town Recreation Center property, the Town Public Works building property, and the Town Police Station property, but does not include streets as defined in Section 1-2-10.

~~(rn)~~ *Toy vehicle* means any vehicle that has wheels and is not designed for use on public highways or for off-road use, that is propelled by an electric motor or internal combustion engine, and that is not classified as ~~an~~ **motor vehicle**, electric scooter, low-power scooter, off-highway vehicle, snowmobile, or electrical assisted bicycle. The definition of toy vehicle includes, but is not limited to, electric skateboards, one-wheels, and kamikaze boards.

Sec. 8-6-30. Sidewalks; ~~pathways; crosswalks; public trails;~~ dismount zones.

(a) *Yielding; audible signal.* A person operating a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle upon and along a sidewalk or pathway, or across a roadway upon and along a crosswalk, shall:

(1) Yield the right-of-way to any pedestrian;

(2) Give an audible signal before overtaking and passing such pedestrian; and

(3) Operate in a manner that is safe and reasonable for pedestrians.

(b) *Prohibited where signed/posted.* No person shall ride a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, upon and along a sidewalk or pathway, or across a roadway upon and along a crosswalk, where such use is prohibited by official traffic control devices, posted signs, markings, dismount zones, or local ordinance.

(c) *Dismount zones.*

(1) Where a sign is posted or an area is otherwise designated as a dismount zone, no person shall ride a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, within the dismount zone and such person shall walk the device through the zone.

(2) The Town Manager or designee is authorized to designate temporary dismount zone locations, to be marked by temporary signs, for special events or unusual conditions.

(e) *Sidewalk prohibitions for motorized vehicles.* No person shall operate a low-power scooter, toy vehicle, golf cart, off-highway vehicle, or motor vehicle upon a sidewalk or sidewalk area, except:

a. Upon a permanent or duly authorized temporary driveway or except as authorized by Section 8-6-50(c); or

b. Electric skateboards and one-wheels may be operated upon a sidewalk or sidewalk area.

c. A toy vehicle designed for use by a child with a maximum speed of five miles per hour may be operated on a sidewalk or within a Town-owned facility where device operation is otherwise permitted under this Code, provided such toy vehicle is operated at a safe speed, is supervised by a parent, guardian, or other responsible adult, and yields to pedestrians at all times.

(f) Disability accommodation. Nothing herein shall be interpreted to prohibit or restrict the use of wheelchairs or other devices designed and used to assist mobility-impaired persons.

~~(g) Toy vehicles and Off-Highway Vehicles. It is unlawful for any person to operate toy vehicle or off-highway vehicle upon or within any Town street, shoulder, median, sidewalk, pedestrian way, multi-use path, bicycle lane or path, trail, park, open space, public right-of-way, or other Town-owned or Town-controlled property, except:~~

~~—(1) On private property with the permission of the property owner; or~~

~~—(2) A toy vehicle designed for use by a child with a maximum speed of five miles per hour may be operated on a sidewalk or within a Town-owned facility where device operation is otherwise permitted under this Code, provided such toy vehicle is operated at a safe speed, is supervised by a parent, guardian, or other responsible adult, and yields to pedestrians at all times.~~

Sec. 8-6-40. Bicycle lanes; paved shoulders; separated bikeways.

(a) Designated bicycle lanes, separated bikeways, and paved shoulders suitable for bicycle travel may be used by:

(1) Bicycles;

(2) Electrical assisted bicycles; and

(3) Electric scooters.

(4) Human-powered vehicles, only on roads with speed limits of 25 mph or less.

(b) Unless the Town posts signs expressly authorizing such use, it is unlawful to operate the following within a designated bicycle lane or separated bikeway:

(1) Low-power scooters;

(2) Toy vehicles;

(3) Motor vehicles, including without limitation motorcycles;

(4) Off-highway vehicles; or

(5) Human-powered vehicles on roads with speed limits over 25 mph.

Sec. 8-6-50. Roadways.

(a) *Bicycles, electrical assisted bicycles, and electric scooters.* Bicycles, electrical assisted bicycles, and electric scooters may be operated upon Town streets in compliance with applicable traffic laws and regulations.

(b) *Human-powered vehicles.*

(1) Human-powered vehicles may be operated upon and along sidewalks and pathways as provided in this Article.

(2) Unless the Town posts signs expressly authorizing roadway operation, it is unlawful to operate a human-powered vehicle upon a street, including without limitation in bicycle lanes, except to cross a roadway at a crosswalk or at an intersection in a manner consistent with pedestrian movements, or on roads with speed limits of 25 mph or less.

- (c) *Toy vehicles and Off-Highway Vehicles.* It is unlawful for any person to operate toy vehicle or off-highway vehicle upon or within any Town street, shoulder, median, public right-of-way, or other Town-owned or Town-controlled property, except:

(1) As part of Town operations or Town-authorized programming.

Sec. 8-6-60. Parking; obstruction of sidewalks and paths.

- (a) A person may park a bicycle, electrical assisted bicycle, or electric scooter on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.
- (b) No such device may be parked in a manner that impedes the normal and reasonable movement of pedestrian traffic, ADA access, or other traffic, or blocks access to curb ramps, building entrances, bus stops, crosswalk approaches, fire hydrants, or traffic control devices.
- (c) It shall be unlawful to park motor vehicles, toy vehicles, off-highway vehicles, and low-powered scooters on a sidewalk within the Town.

Sec. 8-6-70. Parental responsibility.

- (a) It is unlawful for any parent or guardian to ~~authorize or~~ knowingly permit their minor child or ward to operate a toy vehicle, low-power scooter, electric scooter, electrical assisted bicycle, bicycle, human-powered vehicle or off-highway vehicle in violation of the provisions of this Article or state law.
- (b) For the purposes of this Section 8-6-70, a parent or guardian is presumed to have knowingly permitted their minor child or ward to operate a toy vehicle, low-power scooter, electric scooter, electrical assisted bicycle, bicycle, human-powered vehicle, or off-highway vehicle, if the parent or guardian knew or reasonably should have known that the minor child or ward was operating the vehicle.

Sec. 8-6-~~89~~90. Parks, trails, recreation facilities, and open space—special rules.

- (a) *Applicability; relationship to other provisions.* This Section applies only within Town-owned facilities, except for that portion in the street right-of-way. The rules in this Section are in addition to the other provisions of this Article. Where a conflict exists, this Section shall control within Town-owned facilities.
- (b) *Where operation is allowed.* Except as allowed for Town programming purposes or as authorized by the Town Manager or designee pursuant to subsection (f), it is prohibited to operate any bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, on any surface within a Town-owned facility other than:
- (1) Paved trails and sidewalks; or
 - (2) Designated roadways; or
 - (3) Designated bicycle lanes.
- (c) *Natural-surface trails and open space surfaces.* Unless expressly authorized by posted signs or written designation, it is prohibited to operate any bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle, ~~or lightweight electric vehicle~~ on any natural-surface trail or other open space surface within a Town-owned facility.

- (d) *Class 3 electrical assisted bicycles, ~~e-motos~~, toy vehicles, ~~or low-powered scooters~~, or off-highway vehicle.* It is prohibited to operate any Class 3 electrical assisted bicycle, ~~e-moto~~, toy vehicles, ~~or low-powered scooters~~, or off highway vehicle, on any paved trail, sidewalk, or natural-surface trail within a Town-owned facility or any regional trail, ~~except for electric skateboards and one wheels~~. Class 3 electrical assisted bicycles may be operated only on designated roadways and designated bicycle lanes within Town-owned facilities unless expressly authorized by posted signs or written designation.
- (e) *Motor vehicles.* It is prohibited to operate any motor vehicle on any trail, sidewalk, open space surface, or paved trail within a Town-owned facility, except as part of Town operations or where expressly authorized by posted signs or written designation.
- (f) *Town Manager/designee authority.* The Town Manager or designee may designate permitted routes, restrict specified device types, establish dismount zones, and implement temporary or seasonal closures or restrictions when necessary to protect public health, safety, and welfare; prevent damage to facilities or natural resources; manage special events; or maintain consistency with regional trail management. Restrictions under this subsection shall be posted by signage or published notice where practicable.
- (g) *Speed limits within Town-owned facilities.* Unless otherwise posted, the following are recommended speed limits for any type of vehicle:
 - (1) Any parking lot or area, drive, trail, or designated roadway within a Town-owned facility: ten (10) miles per hour.
 - (2) Any other trail: fifteen (15) miles per hour.
- ~~(h)~~ *(hi) Disability accommodation.* Nothing in this Section shall be construed to prohibit the use of a wheelchair or other mobility device by an individual with a mobility disability, subject to safe operation and posted closures applicable to all users.

Sec. 8-6-~~980~~. Enforcement; penalties.

- (a) Violations of this Article may be enforced by law enforcement officers and any other Town personnel authorized to issue citations under Town Code.
- (b) Except as otherwise provided herein, any person who violates any provision of this Article shall be deemed guilty of a traffic infraction and, upon conviction, be fined in accordance with the provisions of Section 1-4-20 of this Code.

Sec. 8-6-100. General Requirements

- (a) Any paved trails, natural-surface trails, regional trails, roadways, sidewalks streets and parks within the Town which are open to the public may be used only by the same types of devices ~~vehicles as Town-owned property / facilities~~ defined in Article 6 and will be subject to the same restrictions ~~on use as Town-owned property / facilities as specified in Article 6.~~
- (b) ~~A micromobility device~~ No bicycle, electrical assisted bicycle, electric scooter, toy vehicle, off-highway vehicle, or human-powered vehicle shall ~~not~~ be used to carry more persons at one time than the number for which it is designed or equipped.
- (c) ~~A person riding upon a micromobility device~~ bicycle, electrical assisted bicycle, electric scooter, toy vehicle, off-highway, or human-powered vehicle shall ~~not~~ attach the vehicle or the rider to any motor vehicle upon a roadway.
- (d) ~~The driver of a micromobility device~~ bicycle, electrical assisted bicycle, electric scooter, toy vehicle, off-highway vehicle, or human-powered vehicle involved in a traffic accident resulting in injury to, serious bodily injury to, or death of any person or any property damage shall, provide their name and address and give immediate notice of the location of such accident and such other information as is specified in section 42-4-1603 (2), C.R.S. to the Timnath Police Department and, if so directed by the police authority,

shall immediately return to and remain at the scene of the accident until said police have arrived at the scene and completed their investigation thereat. Failure to comply with this section is a class 2 misdemeanor traffic offense.

(e) Requirements for Class Three Electrical Assisted Bicycle:

(1) A person under sixteen years of age shall not ride a class 3 electrical assisted bicycle upon any street, highway, or bike or pedestrian path; except that a person under sixteen years of age may ride as a passenger on a class 3 electrical assisted bicycle that is designed to accommodate passengers.

(2) A person shall not operate or ride as a passenger on a class 3 electrical assisted bicycle unless:

- a. Each person under eighteen years of age is wearing a protective helmet of a type and design manufactured for use by operators of bicycles;
- b. The protective helmet conforms to the design and specifications set forth by the United States consumer product safety commission or the American Society for Testing and Materials; and
- c. The protective helmet is secured properly on the person's head with a chin strap while the class 3 electrical assisted bicycle is in motion.

(a)(f) ~~E-bike label compliance.~~ No person shall operate an electrical assisted bicycle ~~within a Town-owned facility~~ unless it bears the classification label required by Colorado law, including the bicycle's classification, top assisted speed, and motor wattage, and such label is not missing, damaged, or illegible. Any modification to an electrical assisted bicycle that changes the speed capability or motor wattage requires an updated label. ~~Violations shall be traffic infractions.~~

(g) Except as provided herein, a person who violates this Sec. 8-6-100 commits a class 2 misdemeanor traffic offense.

Sec. 8-6-110. Reckless or Careless Driving Prohibited

(a) ~~Reckless Driving.~~ A person who drives, rides, or operates a motor vehicle, electrical assisted bicycle, electric scooter, low-power scooter, toy vehicle, or off-highway vehicle in a street, bicycle lane or paved shoulder, sidewalk, sidewalk area, path, bikeway, trail, park, open space, parking lot or any other location within the Town in such a manner as to indicate either a wanton or a willful disregard for the safety of the persons or property is guilty of reckless driving.

(b) ~~Careless Driving.~~

(1) A person who drives a motor vehicle, bicycle, electrical assisted bicycle, electric scooter, low-power scooter, toy vehicle, or off-highway vehicle in a street, bicycle lane or paved shoulder, sidewalk, sidewalk area, path, trail, park, bikeway, open space, parking lot or any other location within the Town in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic, and use of the streets and highways and all other attendant circumstances, is guilty of careless driving.

(2) ~~Violations.~~

a. Except as otherwise provided in paragraphs b and c of this Subsection (2), any person who violates any provision of this section commits a class 2 misdemeanor traffic offense.

b. If the person's actions are the proximate cause of bodily injury to another, such person commits a class 1 misdemeanor traffic offense.

c. ~~If the person's actions are the proximate cause of death to another, such person commits a class 1 misdemeanor traffic offense.~~

Sections 11-1-30 and 11-1-50 of the Town Code are amended to read as follows ~~(additions are underlined and deletions have a strikethrough):~~:

CHAPTER 11 Streets, Sidewalks and Public Property

ARTICLE 1 Sidewalks

Sec. 11-1-30. - Sidewalk area maintenance and repair to protect traveling public.

- (a) If it appears to the Town ~~Council~~ that any sidewalk area is so much out of repair or maintenance as to endanger the traveling public, ~~it may, by resolution,~~ the Town Engineer or designee or the Code Enforcement Officer may order that the same be repaired or maintained forthwith. In the event the sidewalk is not repaired within three days after notice given thereof to the owner, the Town may repair the sidewalk and assess the costs thereof against the adjacent property and the owner thereof. If the assessment is not paid within 30 days, the Town shall certify and collect the same as provided in Chapter 7, Article 1 of this Code.
- (b) Maintenance of the sidewalk area, including but not limited to cutting, trimming, watering and weeding landscaping and freeing debris from drainage gullies, shall be the responsibility of the adjacent property owner.

~~Sec. 11-1-50 - Riding of animals and vehicles on sidewalk prohibited.~~

~~Any person who rides or drives any horse, burro or other animal upon any public sidewalk, or any person who rides a bicycle, motorcycle or other riding machine or vehicle upon any public sidewalk, shall be deemed guilty of a misdemeanor and, upon conviction, be fined in accordance with the provisions of Section 1-4-20 of this Code.~~

Sec. 11-1-50. - Operation of wheeled devices on sidewalks; prohibited uses.

- (a) Animals. No person shall ride or drive any horse, burro, or other animal upon any public sidewalk.
- (b) Prohibited wheeled devices. It is unlawful for any person to operate or drive any ~~motor vehicle, golf cart, low power scooter, or toy vehicle prohibited under Section 8-6-30~~ upon any public sidewalk or sidewalk area, ~~except upon a permanent or duly authorized temporary driveway or as authorized by Section 8-6-50(e).~~
- ~~(c) Permitted micromobility devices. A person may operate a bicycle, electrical assisted bicycle, electric scooter, or human-powered vehicle (as those terms are defined in Section 8-6-20), upon and along a public sidewalk and across a roadway upon and along a crosswalk, subject to:~~
- (c) Permitted devices must be operated in compliance with:
 - (1) Any official traffic control devices, signs, markings, or posted dismount zones that prohibit riding; and
 - (2) The operating rules and restrictions set forth in Chapter 8, Article 6 of this Code.

~~For avoidance of doubt, operation within Town-owned facilities is additionally subject to Section 8-6-90, and any restrictions posted thereunder.~~

- ~~(d)~~ (d) Penalty. Any person who violates this Section shall be deemed guilty of a misdemeanor and, upon conviction, be fined in accordance with the provisions of Section 1-4-20 of this Code.