

ORDINANCE NO. 5995

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING MESA CITY CODE 10-1-8 ENTITLED “RIDING ON ROADWAYS AND BICYCLE PATHS”, MESA CITY CODE 10-1-9 ENTITLED “SPEED”, MESA CITY CODE 10-1-14 ENTITLED “RIDING ON SIDEWALKS” AND MESA CITY CODE 10-1-16 ENTITLED “CITY BUILDING AND PARK RESTRICTIONS” TO, IN PART, ALLOW THE USE OF CERTAIN ELECTRIC VEHICLES IN CITY PARKS AND OTHER CITY RIGHT OF WAY, SUBJECT TO CERTAIN LIMITATIONS.

Whereas, the use of electric bicycles and electric scooters is currently not allowed in City parks.

Whereas, the use of electric bicycles and electric scooters has grown in popularity across the United States as a means of recreation and transportation.

Whereas, the Parks, Recreation and Community Facilities Department (“PRCF”), after considering community input requesting the use of electric bicycles and electric scooters in City parks, has proposed an amendment to the Public Park Regulations (Mesa City Code Title 6, Chapter 10) for City Council approval to allow the use of certain electric bicycles and electric scooters in City parks and/or shared-use paths, subject to certain limitations.

Whereas, in addition to the amendments to Mesa City Code Title 6, Chapter 10, additional amendments to the City Traffic Code, specifically Mesa City Code 10-1-8 (Riding on Roadways and Bicycle Paths), Mesa City Code 10-1-9 (Speed), Mesa City Code 10-1-14 (Riding on Sidewalks), and Mesa City Code 10-1-16 (City Building and Park Restrictions) are needed to provide clarity for the benefit of City Departments and the public, including, but not limited to, an amendment to allow certain electric bicycles in City parks and shared-use paths, to set the maximum speed for certain vehicles in in city parks and shared-use paths, to allow certain motorized electric vehicles in shared-use paths, and require the use of safety helmets for drivers, operators and riders under the age of eighteen (18) years old in city right of way, bicycle paths, city parks and shared use paths.

Now therefore, be it ordained by the City Council of the City of Mesa, Maricopa County, Arizona, as follows:

Section 1: Mesa City Code Section 10-1-8 (Riding on Roadways and Bicycle Paths) is amended as set forth below. All portions of 10-1-8 not explicitly amended below remain unchanged.

10-1-8: RIDING ON **RIGHT OF WAY**, ROADWAYS AND BICYCLE PATHS

- (A) Every person **DRIVING, RIDING, OR** operating a bicycle, electric bicycle, electric standup scooter, electric miniature scooter, motorized skateboard, or SATV upon a **RIGHT OF WAY** ~~roadway~~ **OR BICYCLE**

PATH shall ride as near to the right-hand side of the **RIGHT OF WAY** ~~roadway~~ **OR BICYCLE PATH** as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

- (B) Persons **DRIVING**, riding, **OR OPERATING** a bicycle, electric bicycle, electric standup scooter, electric miniature scooter, motorized skateboard, or SATV upon a **RIGHT OF WAY** ~~roadway~~ **OR BICYCLE PATH** shall not ride more than two (2) abreast except on paths or parts of **THE RIGHT OF WAY** set aside for the exclusive use of bicycles.
- (C) **A PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS OLD DRIVING, RIDING OR OPERATING A BICYCLE, ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, OR SATV UPON A RIGHT OF WAY OR BICYCLE PATH SHALL AT ALL TIMES WEAR A PROTECTIVE HELMET ON THEIR HEAD IN AN APPROPRIATE AND SAFELY SECURED MANNER.**

Section 2: Mesa City Code Section 10-1-9 (Speed) is amended as set forth below. All portions of 10-1-9 not explicitly amended below remain unchanged.

10-1-9: Speed, **EXCEPTIONS**

- (A) No person shall **DRIVE, RIDE, OR** operate an electric bicycle **UPON A RIGHT OF WAY** in excess of the posted speed limit or at a speed greater than is reasonable and prudent under the circumstances then existing.
- (B) **NO PERSON SHALL DRIVE, RIDE, OR OPERATE A CLASS 1 ELECTRIC BICYCLE, CLASS 2 ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE SCOOTER IN A PARK AT A SPEED GREATER THAN FIVE MILES PER HOUR.**
- (C) No person shall **DRIVE, RIDE, OR** operate an **ELECTRIC BICYCLE**, electric standup scooter, electric miniature scooter, motorized skateboard, or SATV that is not an electric bicycle at a speed greater than fifteen miles per hour **UPON A SHARED USE PATH.**

Section 3: Mesa City Code Section 10-1-14 (Riding on Sidewalks) is amended as set forth below. All portions of 10-1-14 not explicitly amended below remain unchanged.

10-1-14: Riding on Sidewalks, **EXCEPTIONS**

- (A) No person shall operate an electric bicycle upon a sidewalk **EXCEPT A PERSON MAY DRIVE, RIDE, OR OPERATE A CLASS 1 ELECTRIC BICYCLE, CLASS 2 ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE**

SCOOTER IN A SAFE MANNER UPON A SIDEWALK WITHIN A PARK.

- (B) When signs are erected giving notice thereof, no person shall ride a bicycle, electric standup scooter, electric miniature scooter, skateboard, motorized skateboard, or SATV upon a sidewalk within a Pedestrian Overlay Area (POA). The City Traffic Engineer is authorized to erect signs on any sidewalk within a POA prohibiting the **DRIVING, riding, OR OPERATING** of bicycles, electric bicycles, electric standup scooters, electric miniature scooters, skateboards, motorized skateboards, scooters, or SATVS thereon by any person. The boundaries of the POA are the east side of Country Club Drive to the west side of Centennial Way, the south of 1st Street to the north side of 1st Avenue. The centerline of the aforementioned streets shall be construed to be the boundaries.

Section 4: Mesa City Code Section 10-1-16 (City Building and Park Restrictions) is amended as set forth below. All portions of 10-1-16 not explicitly amended below remain unchanged.

10-1-16: CITY BUILDING AND PARK RESTRICTIONS, EXCEPTIONS

- (A) Every bicycle, electric bicycle, electric standup scooter, electric miniature scooter, motorized skateboard, or SATV when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.
- (B) No person shall operate an electric bicycle, electric standup scooter, electric miniature scooter, or motorized skateboard in any City parking structure or City park ~~except for use on public roadways within a city park.~~ **A PERSON MAY DRIVE, RIDE, OR OPERATE A CLASS 1 ELECTRIC BICYCLE, CLASS 2 ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE SCOOTER IN A PARK OR SHARED-USE PATH, OR A PUBLIC ROADWAY OR TRAIL WITHIN A PARK OR SHARED-USE PATH, AS DEFINED AND IN CONFORMANCE WITH TITLE 6, CHAPTER 10 OF THE PUBLIC PARK REGULATIONS OF THE MESA CITY CODE AND THIS TRAFFIC CODE.**
- (C) **A PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS OLD DRIVING, RIDING OR OPERATING A BICYCLE, CLASS 1 ELECTRIC BICYCLE, CLASS 2 ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE**

SCOOTER IN A PARK OR SHARED-USE PATH, OR A PUBLIC ROADWAY OR TRAIL WITHIN A PARK OR SHARED-USE PATH, SHALL AT ALL TIMES WEAR A PROTECTIVE HELMET ON THEIR HEAD IN AN APPROPRIATE AND SAFELY SECURED MANNER.

Section 5: AMENDED LANGUAGE. In this Ordinance, language added to the Mesa City Code is shown in **BOLD ALL CAPS** and language deleted from the Mesa City Code is shown in ~~strikethrough~~.

Section 6: POLICE POWERS AND DUTIES. Nothing in this Ordinance shall be interpreted to limit any police officer powers and duties established by law.

Section 7: RECITALS. The recitals above are fully incorporated in this Ordinance by reference.

Section 8: EFFECTIVE DATE. The effective date of this Ordinance will be thirty (30) days following adoption by the Mesa City Council.

Section 9: PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect the rights and duties that matured, penalties incurred, or proceedings begun before the effective date of this Ordinance.

Section 10: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of any material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Passed and adopted by the City Council of the City of Mesa, Maricopa County, Arizona, this 12th day of January, 2026.

APPROVED:

Mayor

ATTEST:

City Clerk