

## BY-LAW NO. 2022 - XXX

A by-law of the City of Ottawa to amend By-law No. 2020-174 regulating the operation and use of electric kick-scooters in the City of Ottawa.

The Council of the City of Ottawa enacts as follows:

1. By-law No. 2020-174 entitled “A by-law of the City of Ottawa regulating the operation and use of electric kick-scooters in the City of Ottawa” is amended by repealing the word “operator” and replacing it with “rider” where it appears.

2. The said By-law No. 2020-174 is amended by repealing the phrase “highways, sidewalks, trails, paths, walkways, parks, exhibition grounds or multi-use pathway trails under the jurisdiction of the City” and replacing it with “City property” where it appears.

3. Section 1 of the said By-law No. 2020-174 is amended by adding the following definitions:

“City property” means all highways, sidewalks, trails, paths, walkways, parks, exhibition grounds or multi-use pathway trails, or property within the jurisdiction of the City;

“Municipal By-law Enforcement Officer” means a person appointed by City Council to enforce the provisions of this by-law;

“person” means any individual, association, firm, partnership, corporation or agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law;

4. Section 6 of the said By-law No. 2020-174 is amended by repealing the phrase “, unless permitted by official sign”.

5. Section 17 of the said By-law No. 2020-174 is amended by adding the phrase “, or where parking is permitted within the furniture zone” so the provision reads as follows:

17. No person shall park or stop an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped on City property, except where electric kick-scooter parking facilities are provided, or where parking is permitted within the furniture zone.

6. Section 18 of the said By-law No. 2020-174 is repealed and the following substituted therefore:

18. No person shall park or stop an electric kick-scooter or permit an electric kick-scooter to remain parked or stopped within a furniture zone, unless the furniture zone is located within a sidewalk that is at least two (2) meters wide.

7. Section 21 of the said By-law No. 2020-174 is repealed and the following substituted therefore:

21. The rider of an electric kick-scooter shall not drive at a speed that is markedly greater than the speed of the pedestrians or other users of City property, who are proximate to the electric kick-scooter.

8. The said By-law No. 2020-174 is further amended by adding the following section 24A immediately after section 24:

#### REMOVAL AND IMPOUNDING OF ELECTRIC KICK-SCOOTER

- 24A. (1) The City may remove or cause to be removed any electric kick-scooter placed, left, deposited or stopped on City property in contravention of the provisions of this by-law and may impound such electric kick-scooter in a facility.
- (2) Upon the impoundment of any electric kick-scooter pursuant to subsection (1), the City shall provide written notice to the owner, if identified, by means of electronic transmission, regular mail or notice delivered to the owner to indicate that the owner's electric kick-scooter has been impounded and setting out a reasonable period of time for the owner to retrieve the electric kick-scooter at the storage facility.
- (3) A storage fee as set out in Schedule "A" shall apply to every electric kick-scooter impounded and stored pursuant to this by-law, and such fee shall become due and payable by the owner on the date the electric kick-scooter is impounded.
- (4) The City shall release or cause to be released an electric kick-scooter to its owner or the owner's agent upon presentation by the owner or the owner's agent of satisfactory identification and full payment of the storage fee set out in Schedule "A".

- (5) If an electric kick-scooter has been impounded for at least 60 days and its owner cannot be identified by the City, the City may dispose of the electric kick-scooter.
- (6) If notice has been provided to an owner under subsection (2) and the electric kick-scooter remains unclaimed by the owner for at least 60 days, the City may dispose of the electric kick-scooter pursuant to the *Repair and Storage Liens Act*, R.S.O. 1990, c.R. 25, as amended.

6. The said By-law No. 2020-174 is further amended by adding the attached Schedule "A" thereto.

7. This by-law shall come into force and take effect upon enactment.

ENACTED AND PASSED this     day of                     , 2022.

CITY CLERK

MAYOR

**Schedule "A"**

**Storage Fee**

<b>Fee</b>	<b>Amount</b>
<p><b>Storage Fee</b></p> <p>Includes removal of electric kick-scooter from highway, sidewalk or other City property; impoundment and storage; administration and management of notices, retrievals; enforcement.</p>	<p>\$75 for each electric kick-scooter</p>

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Enacted by City Council at its meeting  
of [insert date], 2022.

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Legal Services:  
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COUNCIL AUTHORITY: