

Ordinance No. 892-2023

By Council Members McCormack, Bishop and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 517.02 and 517.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 396-2020, passed June 3, 2020 and Ordinance No. 464-2019, passed June 3, 2019, relating to shared mobility device and bicycle vendor permit applications.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Sections 517.02 and 517.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 396-2020, passed June 3, 2020 and Ordinance No. 464-2019, passed June 3, 2019, are amended to read as follows:

Section 517.02 Shared Mobility Device and Bicycle Vendor Permit Application

(a) An application for a permit to operate as a shared mobility device and bicycle vendor shall be made to the Director of Capital Projects upon a form provided by the Director for that purpose. The application form shall include the following:

(1) The name, address, telephone number, e-mail address of the applicant and a contact person primarily responsible for the vendor's shared mobility device and bicycle operations;

(2) Images and descriptions of the devices and mobile application;

(3) Size of initial fleet at launch, including any planned fleet expansions;

~~(4) Preferred service area at launch, including any planned expansions;~~

~~(5) (4) Detailed plan for educating users on proper shared mobility device operation and parking;~~

~~(6) (5) Detailed plan for providing an equitable shared mobility device and bicycle service;~~

~~(7) (6) Detailed plan for complying with all applicable codified ordinance requirements and rules and regulations;~~

~~(8) (7) Any additional information deemed necessary by the Director.~~

(b) ~~Upon initial application, a permit shall be valid for not more than a six (6) month demonstration period. Following successful completion of the demonstration period, as determined by performance criteria established by the Director of Capital Projects in the Rules and Regulations, the permittee may apply for a six (6) month permit renewal followed by annual permits thereafter.~~ Following successful evaluation of an initial application, as determined by the Director of Capital Projects based on performance criteria established by the Director in the Rules and Regulations, a permit shall be valid up for up to three (3) years. Permits may be renewed, on a form provided by the Director, provided all the requirements of this chapter are met, and no changes have been made from the previous approved application. ~~The permit renewal fee shall be waived for the six (6) month permit following the demonstration period.~~ If there are changes to the application, a new application must be made and the appropriate permit fee shall accompany the application.

Ordinance No. 892-2023

(c) Beginning in 2021, the applications for and issuance of permits shall be in accordance with the schedules established by the Director in the rules and regulations.

(d) Permittees must remove all devices and associated equipment within thirty (30) days after the expiration of the term.

Section 517.08 Contracts

~~The Director is authorized to enter into a cooperative agreement with Cuyahoga County ("County") related to the operation of devices and, if necessary, to receive payment of the City's share of the per-trip fees charged or collected by the County under its Bicycle and Scooter Share Licensing authority.~~

(a) The Director is authorized to enter one or more cooperative agreements with, and to cause payment to, Cuyahoga County ("County") related to the operation of devices and any cost-sharing contributions for operational expenses of the shared mobility program and, if necessary, to receive payment of the City's share of the per-trip fees charged or collected by the County under its Bicycle and Scooter Share Licensing authority.

(b) The Director of Capital Projects is authorized to employ by contract or contracts one or more professional consultants or firms of professional consultants for the purpose of supplementing the regularly employed staff of the departments of the City of Cleveland to provide professional services necessary to develop, review and manage the shared mobility program. The selection of the professional consultants or firms of professional consultants shall be made by the Board of Control on the nomination of the Director of Capital Projects. The compensation to be paid for the services shall be fixed by the Board of Control.

(c) The Director of Capital Projects is authorized to enter into one or more written requirement or standard purchase contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, as may be necessary, from time to time, for items, materials, equipment, supplies, and services necessary to manage the shared mobility program, including but not limited to, informational signage and parking racks, and maintenance and licenses related thereto, including labor and materials if necessary.

(d) That under Section 108(b) of the Charter, the services and goods authorized by this section may be made through cooperative arrangements with other governmental agencies. The Director of Capital Projects may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

(e) That the cost of the contract or contracts authorized herein shall be paid from the Shared Mobility Fund and any funds approved by the Director of Finance.

Section 2. That Sections 517.02 and 517.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 396-2020, passed June 3, 2020 and Ordinance No. 464-2019, passed June 3, 2019, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ord. No. 892-2023

**By Council Members McCormack, Bishop and Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

To amend Sections 517.02 and 517.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 396-2020, passed June 3, 2020 and Ordinance No. 464-2019, passed June 3, 2019, relating to shared mobility device and bicycle vendor permit applications.

EAD FIRST TIME on AUGUST 16, 2023

**and referred to DIRECTORS of Capital Projects, Finance, Law;
COMMITTEES on Transportation and Mobility,
Municipal Services and Properties,
Finance Diversity Equity and Inclusion**

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **110** Page _____

Published in the City Record _____

**REPORT
after second Reading**

PASSAGE RECOMMENDED BY
COMMITTEE ON
**TRANSPORTATION and
MOBILITY**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**FINANCE, DIVERSITY, EQUITY
and INCLUSION**

FILED WITH COMMITTEE

