

AN ORDINANCE AMENDING CHAPTER 240.020 OF THE MUNICIPAL CODE OF THE CITY OF OLIVETTE RELATING TO PARK RULES AND REGULATIONS, AND CHAPTER 375 SECTIONS 375.010 THROUGH 375.080 RELATING TO ALTERNATIVE VEHICLES.

WHEREAS, the City of Olivette maintains streets and sidewalks in the public right of way, and

WHEREAS, the City of Olivette Police Department enforces the Missouri Highway Code, and.

WHEREAS, in the interest of public safety, the City of Olivette has additional regulations for alternative vehicles, and.

WHEREAS, technological advances and inventions in alternative electric vehicles require adding definitions to the City Code, and

WHEREAS, the City of Olivette Parks and Recreation Department mission is to create community through people, parks and programs; and

WHEREAS, in fulfillment of its mission, the Parks and Recreation Department provides walking, hiking, and bicycling areas within City parks; and

WHEREAS, the Park and Recreation Commission has reviewed and recommended regulation of bicycles on paved and unpaved park pathways and trails; and

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLIVETTE, ST. LOUIS COUNTY, MISSOURI, as follows:

SECTION ONE: The City of Olivette Municipal Code is hereby amended as

Chapter 240. Parks and Recreation

Section 240.020. Rules and Regulations.

[Ord. No. 2448 §1, 2-8-2011; Ord. No. 2620,10-24-2017]

- A. The following rules and regulations shall apply to all City parks and green spaces:
1. Park hours are from dawn to dusk.
 2. Pavilions and recreation areas must be left clean and free of trash and debris after use.
 3. Golf practicing is prohibited.
 4. No motor vehicles are permitted except in designated parking or driving areas.

5. Dogs are to be always leashed (maximum six (6) foot lead) and under control except where posted.
6. All fires must be contained to the barbeque pits only; all coals shall be put completely out and shall not be thrown in the park's trash containers.
7. No glass containers or bottles are permitted in the park.
8. Alternative Vehicles are prohibited on unpaved park trails, pathways and greenways.
9. Alternative Vehicles may use paved sidewalks, park trails, pathways, and greenways, but must yield to pedestrians in all directions.
10. Maximum speed for Alternative Vehicles on paved sidewalks, park trails, pathways, and greenways is 15 MPH.
11. Alternative Vehicles must obey laws and regulations set forth in Chapter 375, Alternative Vehicles of the Olivette City Code.
12. For definitions of Alternative Vehicles, see Chapter 375, Alternative Vehicles of the Olivette City Code.

SECTION TWO: The City of Olivette Municipal Code is hereby amended as

Chapter 375. Alternative Vehicles

Section 375.010. Definitions.

[Ord. No. 2373 §§1—2(270.430a), 5-27-2008]

As used in this Section, the following terms shall mean:

ALTERNATIVE VEHICLE

Includes Bicycles, Electric Bicycles, Electric MTDs, EPAMDs, Motorized Alternative Vehicle and Non-Motorized Alternative Vehicles.

BICYCLE

Every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels, except scooters and similar devices.

ELECTRIC BICYCLE

An electric bicycle, an electrically assisted pedal cycle, or electrically powered assisted cycle, is a bicycle with an integrated electric motor used to assist propulsion.

Class I: Pedal assisted, no assistance without pedaling with a maximum speed of 20 mph

Class II: Throttle assisted, can be ridden without pedaling, maximum speed of 20 mph

Class III: Pedal assisted/ optional throttle, no assistance without pedaling, maximum speed of 28 mph. Must be sixteen (16) years of age or older to operate (RSMo 307.194).

ELECTRIC MICROMOBILITY TRANSPORTATION DEVICES (Electric MTDs)

Electric micromobility devices are small, lightweight, electric-powered transportation devices designed for short-distance travel. These devices include electric scooters (e-scooters), Electric Bicycles (see also Electric Bicycle definitions), electric skateboards, and self-balancing boards (hoverboards), play vehicles (toddler vehicle toys).

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE (EPAMD)

A self-balancing, two non-tandem wheeled device, designed to transport only one (1) person, with an electric propulsion system with an average power of seven hundred fifty (750) watts (one (1) horsepower), whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs one hundred seventy (170) pounds, is less than twenty (20) miles per hour.

MOTOR VEHICLE

A mechanical device on wheels designed primarily for use on public rights-of-way and required by Missouri law to be licensed, but excluding any motorized alternative vehicles and EPAMDs.

MOTORIZED ALTERNATIVE VEHICLES

A coaster, bicycle, play vehicle, scooter or other similar vehicle, including mini-motorcycles or pocket bikes, having an automatic transmission and a motor and a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower and is capable of propelling the device at a minimum speed of five (5) miles per hour; provided however, that this term shall not include motorized wheelchairs or other similar motorized devices designed for and used by a person with physical disabilities.

NON-MOTORIZED ALTERNATIVE VEHICLE

Any device or mechanism with wheels and designed for transportation or recreation that is not a motor vehicle or a motorized alternative vehicle; such vehicles include roller skates, roller blades, skateboards, scooters, or any similar devices but shall not include bicycles.

PUBLIC RIGHT-OF-WAY

A road, street or highway designed primarily for the use of motor vehicles, exclusive of sidewalks and parks.

SIDEWALK

Any sidewalk, trail or path, paved or unpaved, designed primarily for the use of pedestrians.

Section 375.020. Bicycles, Electric Bicycles, Electric MTDs, EPAMDs, Non-Motorized Alternative Vehicles [Ord. No. 2373 §§1—2(270.430b), 5-27-2008]

- A. No person shall operate or use an Electric MTD, EPAMD, or Non-Motorized Alternative Vehicle on Olive Blvd., Price Road, Dielman Road or Old Bonhomme Road, except while crossing a street on a crosswalk, and when so crossing such person shall be subject to all laws applicable to pedestrians.
- B. Bicycles, Electric Bicycles, Electric MTDs, EPAMDs, and Non-Motorized Alternative may be operated on paved sidewalks within the City.
- C. A person may operate or use Bicycles, Electric Bicycles, Electric MTDs, EPAMDs, and Non-Motorized Alternative Vehicles on private property with the permission of the owner.
- D. Any person operating a Bicycle or Electric Bicycle on any Public Right-of-Way is granted all the rights and is subject to all the laws applicable to the driver of a motor vehicle, except as otherwise provided in this Chapter and except further as to any laws which by their nature can have no application.

Section 375.030. Motorized Alternative Vehicles, Generally — License and Registration. [Ord. No. 2373 §§1—2(270.430c), 5-27-2008]

- A. No person shall operate or use a Motorized Alternative Vehicle on a **Public Right-of-Way** unless the person has a valid license to operate a motor vehicle.
- B. A person may operate or use a Motorized Alternative Vehicle on private property with the permission of the owner.
- C. When operating or using a Motorized Alternative Vehicle a person shall be subject to all laws applicable to the driver of a motor vehicle, except as otherwise provided in this Section and except further as to any laws which by their nature can have no application.
- D. Operators of Motorized Alternative Vehicles are not required to have vehicle registration nor required to show proof of financial responsibility, unless otherwise required by the laws of Missouri.

Section 375.040. Bicycles, Electric Bicycles, Electric MTDs, EPAMDS and Motorized Alternative Vehicles— Equipment.

[Ord. No. 2373 §§1—2(270.430d), 5-27-2008]

- A. Brakes

Every Bicycle, Electric Bicycle, Electric MTD, EPAMD, and Motorized Alternative Vehicle shall be equipped with a brake or brakes sufficient to enable the operator to stop within twenty-five (25) feet from a speed of ten (10) miles per hour on dry, level, clean pavement.

B. Lamps and Reflectors

Every Bicycle, Electric Bicycle, Electric MTD, EPAMD, and Motorized Alternative Vehicle when in use at night, shall be equipped with, and its operator shall use, the following, but the reflector provisions of this Section shall not apply to any device that complies with applicable National Highway Traffic and Safety Administration regulations:

1. A front-facing lamp which emits a white light visible from a distance of at least five hundred (500) feet to the front under normal atmospheric conditions on a straight, level, unlighted roadway;
2. A rear-facing red, white or yellow reflector, at least two (2) square inches in reflective surface area, which is visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by the operator of a vehicle under the lower beams of headlights at six hundred (600) feet; and
3. Essentially colorless or amber reflectors on both the front and rear surfaces of all pedals. Each reflector shall be recessed below the plane of the pedal or reflector housing. Each reflector shall be at least ninety-one hundredths square inch in projected effective reflex area and must be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at two hundred (200) feet; and
4. A side-facing, essentially colorless or amber, reflector shall be mounted on each of the front wheel within three (3) inches of the inside of the wheel rim, and a side-facing, essentially colorless or red reflector, shall be mounted on each side of the rear wheel within three (3) inches of the inside of the wheel rim, or continuous retro-reflective material shall be attached on each side of both tires which shall be at least three-sixteenths (3/16) of an inch wide. All such reflectors or retro-reflective tire sidewalls shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred (300) feet.

C. Other Equipment

No person shall operate or use a Bicycle, Electric Bicycle, Electric MTD, EPAMD, or Motorized Alternative unless it is constructed and equipped in accordance with the State's minimum requirements for construction and equipment for such device, including Regulation VESC-17 as required by Section 307.196, RSMo., as amended.

Section 375.050. Alternative Vehicles — Use of Rights-Of-Way.

[Ord. No. 2373 §§1—2(270.430e), 5-27-2008]

A. Any person operating an Alternative Vehicle on any Public Right-of-Way shall:

1. Not operate the vehicle on any Public Right-of-Way designated as part of the Federal interstate highway system;
2. Travel as near to the right side of the Public Right-of-Way as practicable and shall exercise due care when passing;
3. Travel not more than two (2) abreast, except when riding on paths or parts of roads set aside for and capable of such use of such devices;
4. Travel at a speed which is:
 - a. Reasonable and prudent under the existing conditions
 - b. and not in excess of the speed limit applicable for motor vehicles or 15 mph within on Olivette paved sidewalks, park trails, pathways, and greenways.
 - c. Not carry any package, bundle or article which prevents the rider from keeping at least one (1) hand on the device's steering mechanism; and
5. Not park a Bicycle, Electric Bicycle, Electric MTD, Motorized Alternative Vehicle, or EPAMD on a street, Public Right-of-Way or sidewalk in such a manner as to obstruct vehicular or pedestrian traffic.

Section 375.060. Other Regulations.

[Ord. No. 2373 §§1—2(270.430f), 5-27-2008]

A. **Any person operating or using an Alternative Vehicle shall:**

1. Have it under control at all times and shall use it in a manner which will in no way endanger any person or property;
2. Not ride other than on a permanent and regularly attached seat or platform;
3. Use the vehicle to carry more persons at one time than the number for which it is designed and equipped;
4. Latch onto a motor vehicle with the intent to secure a tow or ride;
5. When lawfully riding upon sidewalks, yield to any pedestrian and shall give audible signal before overtaking and passing such pedestrian; or
6. When emerging from an alley, private road, driveway or building:
 - a. Upon approaching a sidewalk or the sidewalk area, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and

- b. Upon entering a Public Right-of-Way, yield to all vehicles approaching on the public right-of-way.

Section 375.070. Parental Responsibility.

[Ord. No. 2373 §§1—2(270.430g), 5-27-2008]

- A. It shall be unlawful for any parent or guardian to knowingly permit or allow a child under the age of **eighteen (18) years** to operate any Alternative Vehicle in violation of this Chapter.
- B. Any Police Officer finding a child under the age of **eighteen (18)** violating the provisions of this Chapter may issue a **written citation** to the parent or guardian of such child, giving notice of the violation and advising the parent or guardian of his or her responsibility under this Chapter. A record of any such Citation shall be kept by the Police Department.
- C. Written notice provided pursuant to this Chapter shall be prima facie evidence of a presumption of knowledge on the part of the parent or guardian of the child's propensity to operate or use an **Alternative Vehicle** in violation of this Chapter.

Section 375.080. Certain Operators and Passengers to Wear Helmets.

[Ord. No. 2373 §§1—2(270.430h), 5-27-2008]

- A. It shall be unlawful for any individual to operate or be a passenger on an **Alternative Vehicle** unless the individual wears protective headgear that properly fits and is fastened securely upon the head of the operator or passenger.
- B. It shall be unlawful for a parent or guardian to permit a child under the age of **eighteen (18) years** to operate or be a passenger on an **Alternative Vehicle** unless the child shall wear protective headgear which properly fits and is fastened securely upon the head of the operator or passenger.
- C. The headgear shall meet or exceed the impact standard for protective bicycle helmets set by the U.S. Consumer Products Safety Commission, the American National Standards Institute (ANS), the Snell Memorial Foundation or the American Society of Testing and Materials (ASTM).

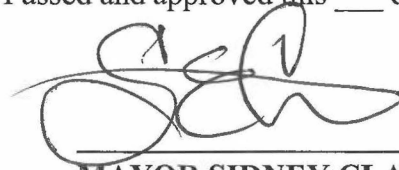
Section 375.090. Penalty For Violation.

[Ord. No. 2373 §§1—2(270.430i), 5-27-2008]

- A. Any person who shall be convicted of a violation of the provisions of this **Chapter** shall be punished as provided in Section 100.180 of this Code or as otherwise permitted or required by law.
- B. If a person violating the provisions of this Chapter is, by reason of age, not subject to the jurisdiction of the Olivette Municipal Court, then:

1. Said person may be prosecuted through the St. Louis County Juvenile Court, and
2. The Police Officers of the City are hereby authorized to impound the device involved and retain possession of same until such time as the parent or guardian of the violator shall appear at the Police Department and claim the impounded device.

Passed and approved this ___ day of August 2025.



MAYOR SIDNEY CLARK

ATTEST:



**JENNIFER CONRAD
DEPUTY CITY CLERK**