

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2024-05**

**AN EMERGENCY ORDINANCE OF THE TOWN OF PALISADE,
COLORADO ESTABLISHING A TEMPORARY MORATORIUM ON THE
ESTABLISHMENT OF ANY ELECTRIC SCOOTER RENTAL
BUSINESSES IN THE TOWN; AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Section 31-15-401 and 31-23-301, C.R.S., the Town of Palisade (the "Town" or "Palisade") has broad authority to exercise its police powers to promote the health, safety and welfare of the community and its residents, and

WHEREAS, the Colorado legislature adopted HB19 1221 entitled "An Act Concerning the Regulation of Electric Scooters" that authorizes the operation of electric scooters on public streets; and

WHEREAS, the Town's streets, particularly in the Town's small business district, are overcrowded with motor vehicles much of the year, and the interaction between motor vehicles and electric scooters on the Town's streets would present a substantial risk of a collision between a motor vehicle and an electric scooter; and

WHEREAS, the operation of electric scooters on the Town's public streets would create an unsafe situation for both the operators of the electric scooters and the operators of motor vehicles and the sidewalks within the Town's small business district are often used for outdoor seating, markets and pedestrians and the Town's sidewalks are an unsafe place to leave an undocked electric scooter; and

WHEREAS, allowing for the operation of a commercial business that rents electric scooters would greatly increase the number of electric scooters that are present on the Town streets and parked undocked on sidewalks throughout the year, and thus substantially worsen the unsafe situation described in the above findings for vehicle and pedestrians

WHEREAS, Town staff has determined it necessary to amend the Palisade Municipal Code and the Town's Land Development Code to provide for and properly regulate the operation of any commercial business that rents electric scooters in the Town; and

WHEREAS, to allow staff time to draft and implement these amendments, and in order to protect the public health, safety and general welfare of the inhabitants of the Town of Palisade, the Board of Trustees finds it is necessary to enact a temporary moratorium on the establishment of any electric scooter rental businesses in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO:

Section 1. Temporary Moratorium. Upon the effective date of this Ordinance, the Town of Palisade hereby imposes a temporary moratorium on the establishment of any electric scooter

rental businesses in the Town. This temporary moratorium shall automatically terminate at midnight on **December 31, 2024**, unless terminated earlier by the Board of Trustees or extended in its duration by enactment of another Ordinance.

Section 2. Declaration of Emergency. In accordance with Section 31-16-105, C.R.S. and Section 1-55 of the Palisade Municipal Code, the Board of Trustees finds and determines that this Ordinance is immediately necessary for the preservation of the public peace, health, or safety because electric scooter rental businesses can drastically impact the Town without proper regulation. Therefore, pursuant to Section 31-16-105 C.R.S., and Section 1-55 of the Palisade Municipal Code, this Ordinance shall be in full force and effect immediately upon adoption of this Ordinance if approved by an affirmative vote of three-fourths (3/4) of the members of the Board of Trustees of the Town of Palisade. In the event this ordinance is approved, but not by an affirmative vote $\frac{3}{4}$ of the members of the Board of Trustees, this ordinance shall become effective 30 days following publication as required by law.

Section 3. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or application of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined to be inoperable. The Board of Trustees declares that it would have adopted this Ordinance and each section, sentence, clause, phrase or portion thereof, despite the fact that any one or more section sentence, clause, phrase or portion would be declared invalid or unconstitutional.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of the Trustees of the Town of Palisade, Colorado, held on August 13, 2024.

TOWN OF PALISADE, COLORADO

By: 
Greg Mikolai, Mayor

ATTEST:


Keli Frasier, Town Clerk

