

## ORDINANCE NO. 16,371

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 114-695, 114-697, 114-698, and 114-699, relating to the licensing and operation of Pedicabs.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Sections 114-695, 114-697, 114-698, and 114-699, relating to the licensing and operation of Pedicabs, as follows:

### **Sec. 114-695. Definitions.**

- (a) *Pedicab* means a device having up to four wheels that transports or is capable of transporting passengers on an attached single bench passenger seat, powered by pedals. A Pedicab may be propelled solely by human power or by human power assisted by a motor of no greater than 750 watts operating as a Class 1 low-speed electric bicycle, as defined in Section 321.1(36A) of the Iowa Code.
- (b) *Pedicab business* means the business of operating one (1) or more pedicabs for the recreational or physical transportation of the general public for profit, not-for-profit, or as a free service accepting tips or displaying advertising.

### **Sec. 114-697. License Required.**

Every pedicab shall have affixed to the back of the pedicab a current City of Des Moines pedicab license, which is clearly visible to others using the roadway. All city ordinances related to operating a business within the City of Des Moines apply.

### **Sec. 114-698. License Application.**

- (a) Applications for a pedicab license must be submitted to the City of Des Moines Traffic Engineer and approved prior to operating a pedicab.
- (b) Requirements for approval:
  - (1) Provide to the Traffic Engineer a certificate of a general liability insurance policy covering the operation of the pedicab(s) including coverage for bodily injury, death and property damage with limits of liability not less than \$1,000,000.00 per occurrence and aggregate combined single limit. Insurance must be effective for same period as the license remains valid and effective.
  - (2) The certificate of insurance referred to in this section shall provide that the insurance policy or policies have been endorsed to provide thirty (30) days advance written notice of cancellation, forty-five (45) days advance written notice of non-renewal, and ten (10) days advance written notice of cancellation due to

nonpayment of premium, and that these written notices shall be provided by e-mail, facsimile, delivery, or regular mail to the Traffic Engineer.

- (3) The cancellation or other termination of any required insurance policy shall automatically revoke and terminate the pedicab license.
- (c) The pedicab license shall be valid and effective from January 1 to December 31 of the year approved.

**Sec. 114-699. Prohibitions.**

- (a) No person under the age of sixteen (16) shall operate a pedicab.
- (b) No person shall operate a pedicab without a pedicab license.
- (c) No person shall operate a Class 2 or 3 low-speed electric bicycle as a pedicab.
- (d) No person shall operate a pedicab on a street with a posted speed limit of 35 miles per hour or greater, except for the purpose of crossing the street.
- (e) No person, while operating a pedicab, shall stop on a street with a posted speed limit of 35 miles per hour or greater in order to pick up or drop off passengers.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED: Reagan Peterson, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an Ordinance (Roll Call No. 24-1017), passed by the City Council of said City at the meeting held on July 22, 2024 and signed by the Mayor on July 22, 2024 and published and provided by law in the Business Record on August 9, 2024. Authorized by Publication Order No. 12713.

Laura Baumgartner, City Clerk