

 **Roll Call Number**

Agenda Item Number
69

Date July 15, 2024


An Ordinance entitled, "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, is hereby amended, by amending Sections 114-695, 114-697, 114-698, and 114-699, relating to the licensing and operation of Pedicabs",

presented. **(Council Communication No. 24-287)**

Moved by _____ that this ordinance be considered and given first vote for passage. Seconded by _____.

FORM APPROVED:

(First of three required readings)


Reagan Peterson
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

ORDINANCE NO. _____

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 seats, 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. ~~However, pedicab licenses approved in 2016 will be valid from the approval date to December 31, 2017.~~

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 ~~which is not solely operated by human power.~~
- (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