**★ Roll Call Number**

Date_____December 23, 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 114-1 and 114-327, relating to non-vehicular traffic, including pedestrian conveyances and bicyclists' right-of-way at certain crosswalks",

presented. **(Council Communication No. 24-511)**

Moved by_____ that this ordinance be considered and given first vote for passage.

Second by _____.

FORM APPROVED:

(First of three required readings)

*Reagan Peterson*

Reagan Peterson
Assistant City Attorney

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

_____ Mayor

**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.

_____ 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, is hereby amended, by adding Sections 114-1 and 114-327, relating to non-vehicular traffic, including pedestrian conveyances and bicyclists' right-of-way at certain crosswalks.

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, is hereby amended, by

adding Sections 114-1 and 114-327, relating to non-vehicular traffic, including pedestrian

conveyances and bicyclists' right-of-way at certain crosswalks, as follows:

## Sec. 114-1.    Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
. . . . .
*Bicyclist* means a person operating a bicycle as defined by the Iowa State Code.
. . . . .
*Pedestrian* means a any person going on foot or a person using a pedestrian conveyance. *Pedestrian conveyance* means any human-powered device by which a pedestrian may move other than by walking or by which a pedestrian may move another person, including but not limited to a wheelchair, stroller, skateboard, scooter, or other similar device. *Pedestrian conveyance* also includes an electric personal assistive mobility device, and any other device used to move a person sitting or standing on the device regardless of whether the device is powered by an electric motor, so long as the electric motor produces less than seven hundred fifty watts. *Pedestrian conveyance* does not include a bicycle.
. . . . .
*Vehicle* means every self-propelled device in, upon, or by which any person or property is or may be transported or drawn upon a public highway or street, excepting devices moved by human power, including a low-speed electric bicycle and a pedestrian conveyance or used exclusively upon stationary rails or tracks. Terms such as "car," "automobile," "truck," "bus" and "motorcycle" shall be synonymous with the term "vehicle."

## Sec. 114-327. Right-of-way.

Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian or a person riding a bicycle crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

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