

ORDINANCE NUMBER _____ (CCS)
(City Council Series)

AN EMERGENCY ORDINANCE OF THE
CITY COUNCIL OF THE CITY OF SANTA MONICA LIMITING RENEWALS OF
PERMITS AND BUSINESS LICENSES AUTHORIZING RENTALS OF SHARED
MOBILITY DEVICES UNDER EXISTING LAW TO FACILITATE TRANSITION TO A
NEW SHARED MOBILITY REGULATORY PILOT PROGRAM

WHEREAS, the City consists of just over eight square miles of land, which is home to 90,000 residents, the job site of 300,000 workers, and a destination for as many as 500,000 visitors on weekends and holidays; and

WHEREAS, the City's public rights-of-way are designed to accommodate a multimodal transportation system and are heavily utilized by residents, workers and visitors; and

WHEREAS, in recent months, in part due to rapid technological advancements, the City's public rights-of-way have been flooded with new, unpermitted commercial Shared Mobility Systems and Devices; and

WHEREAS, the rapid proliferation of such systems and devices created serious safety hazards for pedestrians, bicyclists and drivers; and

WHEREAS, the proliferation of such systems and devices impeded pedestrian circulation and paths of travel, and created hazards in the public rights-of-way for persons with disabilities and others, especially when left unattended; and

WHEREAS, such devices blocked paths of travel, sidewalks, driveways and parkways; and

WHEREAS, such devices created safety hazards especially for persons with disabilities attempting to navigate past all such hazards; and

WHEREAS, such devices had been involved in a number of traffic accidents, some of which resulted in serious injuries; and

WHEREAS, on March 6, 2018 the City Council adopted Emergency Ordinance No. 2570 which provided for emergency interim regulations and enhanced enforcement tools in order to preserve the public peace, health and safety; and

WHEREAS, since March 6, 2018, the City has monitored the implementation of Ordinance 2570; and

WHEREAS, while Ordinance 2570 has enhanced public safety, additional regulations are necessary to ensure safe and orderly operations of Shared Mobility Devices in public; and

WHEREAS, the City Council intends to consider adoption of additional regulations at its June 12, 2018 meeting; and

WHEREAS, such new regulations, if adopted, should be implemented as soon as possible to protect public peace, health and safety; and

WHEREAS, without immediate action, permits issued pursuant to Ordinance No. 2570 would be entitled to renewal for a twelve-month period by June 30, 2018, which would likely conflict with the anticipated new regulations and create unnecessary regulatory confusion; and

WHEREAS, it is necessary to take emergency action to establish an early expiration date for permits issued pursuant to Ordinance No. 2570 to effectuate new operating requirements for Shared Mobility Devices in order to protect and preserve the public peace, health and safety.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES ORDAIN AS FOLLOWS:

SECTION 1. Shared Mobility Vending Permit Renewal and Expiration

Notwithstanding Santa Monica Municipal Code Chapter 6.04 regarding permit and business license expiration and renewal, any permit or business license issued to any person or entity authorizing the vending of Shared Mobility Devices, as defined in Ordinance Number 2570, may be renewed only until September 16, 2018 ("Expiration Date"), unless otherwise extended pursuant to Section 2 of this Ordinance. After the Expiration Date, all such permits and business licenses shall terminate and be of no further force or effect.

SECTION 2. Shared Mobility Permit Renewal and Expiration

The Director of Planning and Community Development may extend the Expiration Date for up to 90 days if he or she finds that the new Shared Mobility Operator Permit Pilot Program requires more time to implement.

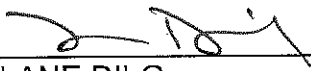
SECTION 3. The City Council finds, based on the findings above and the reasons set forth in the Staff Report accompanying this Ordinance, that it is necessary to adopt this Ordinance as an emergency measure to preserve the public peace, health and safety.

SECTION 4. Any provision of the City of Santa Monica Municipal Code or appendices thereto, inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause this Ordinance, or a summary thereof to be published once in the official newspaper within 15 days. This Ordinance shall be immediately effective upon adoption.

APPROVED AS TO FORM:



LANE DILG
City Attorney