

1 CITY OF HAPEVILLE

2 STATE OF GEORGIA

3 RESOLUTION NO. _____

4 A RESOLUTION PROVIDING FOR A MORATORIUM ON SHAREABLE MOBILITY
5 DEVICES WITHIN THE CITY LIMITS OF THE CITY OF HAPEVILLE; TO
6 AUTHORIZE THE MAYOR TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO
7 EFFECTUATE THIS RESOLUTION; TO AUTHORIZE THE CITY CLERK TO ATTEST
8 SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; TO
9 REPEAL INCONSISTENT RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE
10 DATE; AND FOR OTHER PURPOSES.

11 *W I T N E S S E T H:*

12 WHEREAS, the City of Hapeville (“City”) is a municipal corporation duly organized and
13 existing under the laws of the State of Georgia; and

14 WHEREAS, the Mayor and Council of the City of Hapeville find that the unregulated use
15 of commercial scooters has a significant potential detrimental impact on the safety and general
16 welfare of residents by the congestion of busy roads and sidewalks and potential injuries by such
17 devices; and

18 WHEREAS, the Mayor and Council of the City of Hapeville desire a ban on the
19 commercial use and operation of electronic mobility devices in the City of Hapeville for a
20 sufficient period to study the issues, impose reasonable regulations, and determine if statewide
21 regulations will occur in the next legislative session; and

22 WHEREAS, the intent of this resolution is to prohibit the operation of Shareable Mobility
23 Devices within the corporate limits of the City of Hapeville for a period of twelve (12) months;
24 and

25 WHEREAS, the Mayor and Council of the City of Hapeville, in the exercise of their sound
26 judgment and discretion, after giving thorough consideration to all the implications involved, and
27 keeping in mind the public interest and welfare of the citizens of the City, have determined that
28 they would like to establish a moratorium on shareable mobility devices for a period of twelve (12)
29 months.

30 THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY
31 OF HAPEVILLE, GEORGIA, AS FOLLOWS:

32 1. **Incorporation of Pre-Amble.** The pre-amble is incorporated herein as fully set
33 forth above.

34
35 2. **Definitions.** The following words and phrases, when used in this resolution, shall
36 have the meanings as set out herein:

37 *Shareable Mobility Device* means a motorized or human-powered device that is available
38 for rent at a docking station and shall include but not be limited to a bicycle, motorized bicycle,
39 scooter, motorized scooter, or other similarly operated vehicle.
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41 *Shareable Dockless Mobility Device* means a motorized or human-powered device that
42 permits an individual user to move or be moved freely, is available for rent to the general public
43 via an on-demand portal without the installation of a docking station and shall include but not be
44 limited to a bicycle, motorized bicycle, scooter, motorized scooter, or other similarly operated
45 vehicle.
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47 **3. General Restrictions.**

- 48 a. It shall be unlawful to provide any Shareable Mobility Device or Shareable
49 Dockless Mobility Device to the general public anywhere within the city limits
50 of the City of Hapeville.
51 b. It shall be unlawful to operate a Shareable Mobility Device or Shareable
52 Dockless Mobility Device anywhere within the city limits of the City of
53 Hapeville.
54 c. It shall be unlawful to park or abandon any Shareable Mobility Device or
55 Shareable Dockless Mobility Device anywhere within the city limits of the City
56 of Hapeville.
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58 **4. Authorization for Mayor.** That the Hapeville City Council hereby authorizes the
59 Mayor to execute any and all documents necessary to effectuate this Resolution. A copy of said
60 documents shall be filed with the City Clerk.
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62 **5. Attestation.** That the Hapeville City Council hereby authorizes the City Clerk or
63 Assistant City Clerk to attest the signature of the Mayor appearing on the documents, to affix the
64 official seal of the City thereto as necessary to effectuate this Resolution, and to place this
65 Resolution and an executed copy of all documents among the minutes or official records of the
66 City for future reference.
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68 **6. Authorization for Attorney.** That the Hapeville City Council hereby authorizes
69 the City Attorney to approve this Resolution as to its form and review or draft any and all
70 documents necessary for the City of Hapeville and to ensure all documents conform to state law.
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72 **7. Severability.** To the extent any portion of this Resolution is declared to be invalid,
73 unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
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75 **8. Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the
76 extent they are inconsistent with this Resolution.
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78 **9. Effective Date.** This Resolution shall take effect immediately.
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80 **RESOLVED** this ____ day of _____, 2019.
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82 CITY OF HAPEVILLE, GEORGIA

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ALAN HALLMAN, MAYOR

ATTEST:

CRYSTAL GRIGGS-EPPS, CITY CLERK
(seal)

APPROVED BY:

CITY ATTORNEY

DRAFT