

**An Ordinance Amending the Town Code Related
to the Operation of Bicycles, Electric Bicycles, and
Regulated Devices on Town Streets,
Sidewalks, Parks and Greenways**

WHEREAS, the Town is committed to ensuring all public streets, sidewalks, greenways, and parks remain accessible and compliant with the Americans with Disabilities Act (ADA), and finds it necessary to update regulations governing bicycles, e-bikes, recreational devices, and motorcycles to protect safe and equitable access for all users, including individuals with disabilities;

WHEREAS, the Waxhaw Board of Commissioners finds it necessary to promote the safety, welfare, and convenience of pedestrians, bicyclists, and motorists using the public streets and sidewalks of the Town with the authority allowed by G.S. §160A-174, §160A-175, §160A-296 and §160A-300;

WHEREAS, the Town seeks to establish clear rules governing the operation of bicycles, skateboards, roller blades, scooters, and similar recreational devices on Town streets, sidewalks and public areas; and

WHEREAS, the Waxhaw Board of Commissioners hereby repeal certain ordinances adopted on July 14, 1993, August 14, 1995, December 14, 1998, and July 7, 2014, regulating bicycles, skateboards and similar recreational devices on public streets and sidewalks.

NOW THEREFORE, BE IT ORDAINED, by the Waxhaw Board of Commissioners of the Town of Waxhaw, North Carolina that Chapter 66: Sections 66-55 and 66-56 of the Town Code is hereby amended as follows:

Section 1. Definitions

For the purposes of this ordinance:

- (a) Bicycle shall mean any human-powered vehicle with two or more wheels, designed for transportation.

- (b) Class 1 & 2 Electrical Bicycle or E-Bike with pedals (electric-assisted bicycles) shall mean a bicycle with two or three wheels that is equipped with a seat or saddle for use by the rider, fully operable pedals for human propulsion, and an integrated electric motor of not more than 750 watts that can assist the rider's pedaling, whose maximum speed on a level surface when powered solely by such motor is no greater than 20 miles per hour. E-bikes are not subject to registration, licensing, or insurance requirements that apply to motor vehicles.
- (c) Moped/Scooter shall mean any gas or electric powered vehicle with an integrated motor greater than 750 watts or up to 50cc piston displacement, which cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface.
- (d) Recreational Device shall mean a skateboard, roller skate, human-propelled scooter, in-line skate, or similar device that does not contain any gas or electric motor and is not classified as a motor vehicle.
- (e) Motorized Recreational Devices shall mean a onewheel electric skateboard, skateboards, electric scooter, hoverboard or similar devices.
- (f) Motorcycle shall mean a vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including autocycles, motor scooters, and motor-driven bicycles, but excluding tractors and utility vehicles equipped with an additional form of device designed to transport property, three-wheeled vehicles while being used by law-enforcement agencies, electric assisted bicycles, and mopeds as defined herein,
- (g) Regulated devices shall include Bicycles, Electrical Bicycles, Moped/Scooter, Recreational Device, Motorized Recreation Device and Motorcycles.
- (h) Operator shall mean any person who uses or controls a Regulated Device.

Section 2. Operation on Streets

- (a) Bicycles and Recreational Devices may be operated on public streets, subject to all traffic laws applicable to motor vehicles, except where otherwise provided.
- (b) Operators shall ride as near to the right side of the roadway as practicable, except when passing another vehicle or preparing for a lawful left turn.
- (c) No person shall operate more than two abreast on any public street, except on designated bicycle lanes or paths.

Section 3. Operations on Sidewalks

- (a) Bicycles and Recreational Devices may be operated upon sidewalks except where otherwise posted.
- (b) Electrical Bicycles, Moped/Scooters, Motorized Recreational Devices and Motorcycles shall not be operated upon sidewalks.
- (c) Operators shall always yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.
- (d) Operators shall travel at a safe speed, not to exceed 10 miles per hour on sidewalks, and shall exercise due care to avoid collisions.

Section 4. Operations in Parks and Greenways

This subsection does not apply to baby strollers, baby carriages, or devices reasonably necessary to assist disabled persons. It also does not apply to wheeled vehicles operated under the authority of the Police Department, the Department of Parks and Recreation, or emergency medical personnel. In addition to the provisions herein, Chapter 54 of the Town's Code of Ordinances governs the use of parks and greenways.

- (a) An operator of a Regulated Device within any Town of Waxhaw Park or upon any public greenway shall not exceed a maximum speed limit of 15 miles per hour.
- (b) Walkers and runners have the right of way within any Town of Waxhaw Park or upon any public greenway.
- (c) Bicyclists shall ride on the right-hand side of paved roadways or designated bicycle trails, except when passing another vehicle or preparing for a left-hand turn. When two or more bicycles are traveling together, they must ride in single file. Bicyclists may walk or push their bicycles by hand in areas designated for pedestrian use only, including without limitation landscaped or grassy areas, wooded trails, or paved paths reserved for pedestrians.
- (d) Operators under the age of 16 shall wear a properly fitted bicycle helmet when riding on streets, sidewalks, or public property. The Town encourages parents and guardians to ensure safety and compliance with this section. All helmets must meet or exceed U.S. Consumer Product Safety Commission safety standards.
- (e) No person shall leave a bicycle or other Regulated Device unattended except in a designated space or rack for same. Bicycles shall not be left on the ground, against trees, or in any location or position that could cause a tripping hazard or pose a risk of injury to others.

Section 5. Prohibited Conduct

- (a) No operator shall attach themselves or their device while in operation to any motor vehicle upon a street.
- (b) No person shall operate a Bicycle, E-bike, Motorcycle, or Recreational Device in a reckless or negligent manner, or in a way that endangers the safety of any person or causes damage to public or private property
- (c) No person shall operate any Regulated Device in any Town park, plaza, or public facility where signage prohibits such activity.

Section 6. Safety Equipment

Every Regulated Device operated on a street at night shall be equipped with a white front light visible from at least 300 feet and a red rear reflector or rear light visible from at least 300 feet.

Section 7. Enforcement and Penalties

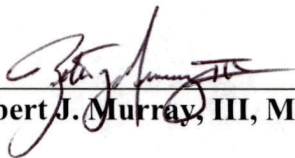
- (a) The violation of this section shall constitute an infraction as provided by G.S. 14-4. In addition, the Town may enforce this Ordinance by any one or more of the remedies authorized and prescribed by G.S. 160A-175.

Chapter 66: Section: 66-55 and 66-56
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- (b) Any violation of this Ordinance shall constitute an infraction punishable by a civil penalty of not more than \$50.00 for each violation.
- (c) Law enforcement officers may impound any Regulated Device operated in violation of this Ordinance until such penalty is satisfied or corrective action is taken by the operator or parent/guardian.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS APPROVAL AND ADOPTION.

Effective Date: This ordinance shall be effective on the 10th day of February 2026.



Robert J. Murray, III, Mayor

ATTEST:


Barbara Bruce, Town Clerk

