

**BOROUGH OF WAYNESBORO
FRANKLIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025-__

**AN ORDINANCE OF THE BOROUGH OF WAYNESBORO,
FRANKLIN COUNTY, PENNSYLVANIA, REGULATING THE USE
OF MICROMOBILITY DEVICES ON SIDEWALKS WITHIN THE
BOROUGH.**

WHEREAS, Section 1202(5) of the Borough Code, 8 Pa.C.S. § 1202(5), authorizes the Borough of Waynesboro (the “Borough”) to make regulations as may be necessary for the health, safety, morals, general welfare, cleanliness and beauty, convenience, comfort and safety of the Borough, and

WHEREAS, Section 1202(13) of the Borough Code, 8 Pa.C.S. § 1202(13), authorizes the Borough to prohibit or regulate the riding, driving, parking or other passage of any vehicle over, along and across sidewalks; and

WHEREAS, Borough Council desires to prohibit the use of micromobility devices on certain sidewalks within the Borough and regulate the use of micromobility devices on sidewalks in general; and

WHEREAS, Borough Council deems it to be in the best interest of the residents of the Borough to amend the Code of the Borough of the Waynesboro to prohibit the use of micromobility devices on certain sidewalks within the Borough and regulate the use of micromobility devices on sidewalks in general.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and is enacted and ordained as follows:

SECTION 1. The Code of the Borough of Waynesboro is hereby amended by repealing Chapter 226, entitled “Skateboards, Skates and Rollerblades,” in its entirety.

SECTION 2. The Code of the Borough of Waynesboro is hereby amended by adding a new Chapter 159, entitled “Micromobility Devices,” which shall read as follows:

Chapter 159. Micromobility Devices

§ 159-1. Short title.

This Chapter shall be known as the “Micromobility Device Regulation Ordinance.”

§ 159-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated, consistent with the definitions under the Pennsylvania Vehicle Code, 75 Pa.C.S. § 101 *et seq.*, where applicable:

BICYCLE

A pedalcycle with two or more wheels propelled solely by human-powered pedals.

BOROUGH

The Borough of Waynesboro, Franklin County, Pennsylvania.

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE (EPAMD)

A self-balancing, two-nontandem-wheeled device designed to transport only one person with an electric propulsion system.

ELECTRIC ROLLER SKATES

Roller skates or rollerblades equipped with an electric propulsion system.

ELECTRIC SCOOTER

A device weighing less than 100 pounds with handlebars and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of 25 miles per hour.

ELECTRIC SKATEBOARD

A skateboard equipped with an electric propulsion system.

ELECTRIC TRIKES

A three-wheeled vehicle equipped with an electric propulsion system, designed for personal transportation.

ELECTRIC UNICYCLE

A single-wheeled, self-balancing device equipped with an electric propulsion system.

ELECTRIC WHEELCHAIR

A motorized wheelchair designed for use by persons with mobility-related disabilities.

E-BIKE

See "Pedalcycle with Electric Assist."

HOVERBOARD

A self-balancing, two-wheeled board without handlebars, equipped with an electric propulsion system.

KICK SCOOTER

A human-powered device consisting of a footboard mounted on two wheels and a long steering handle, propelled by resting one foot on the footboard and pushing the other against the ground.

MICROMOBILITY DEVICE

Any small, low-speed, human-powered or electrically assisted transportation device designed for personal mobility, including but not limited to bicycles, skateboards, roller

skates, rollerblades, pedalcycles, motorized pedalcycles, pedalcycles with electric assist, motor-driven cycles, motor scooters, electric scooters, Segways, E-bikes, hoverboards, electric skateboards, motorized skateboards, electric unicycles, one-wheeled electric devices, self-balancing scooters, kick scooters, electric kick scooters, electric roller skates, roller skis, velomobiles, and electric trikes. This term does not include wheelchairs, electric wheelchairs, or EPAMDs when used as necessary by a person with a mobility-related disability.

MOTOR-DRIVEN CYCLE

A motorcycle, including a motor scooter, with a motor not to exceed five brake horsepower.

MOTOR SCOOTER

A two-wheeled vehicle with a motor having a seat or saddle for the rider, designed to travel on not more than three wheels in contact with the ground.

MOTORIZED PEDALCYCLE

A pedalcycle equipped with a helper motor rated no more than 1.5 brake horsepower, with a maximum speed of 20 miles per hour.

MOTORIZED SKATEBOARD

A skateboard equipped with a motor for propulsion.

ONE-WHEELED ELECTRIC DEVICE

A single-wheeled device, such as a Onewheel board, propelled by an electric motor.

PEDALCYCLE

A vehicle propelled solely by human-powered pedals or a pedalcycle with electric assist.

PEDALCYCLE WITH ELECTRIC ASSIST

A vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only.

ROLLER SKATES

Footwear or devices attached to footwear with wheels allowing the user to glide or skate.

ROLLERBLADES

Inline skates consisting of a boot with a single line of wheels.

ROLLER SKIS

Devices resembling skis with wheels, used for dry-land training or transportation, which may be human-powered or motorized.

SEGWAY

A type of EPAMD, specifically a self-balancing personal transporter.

SELF-BALANCING SCOOTER

A motorized device with or without handlebars that uses gyroscopic technology to remain upright.

SIDEWALK

That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

SKATEBOARD

A single platform mounted on wheels, propelled by human power or gravity.

VELOMOBILE

An enclosed, human-powered or electric-assisted recumbent tricycle designed for personal transportation.

WHEELCHAIR

A chair mounted on wheels, propelled by muscular power or any other means, designed for use by persons with mobility-related disabilities.

§ 159-3. Prohibited acts.

- A. It shall be unlawful for any person to use, ride, propel, or otherwise operate a micromobility device on the public sidewalks of the following streets or highways within the Borough of Waynesboro at the following locations:

Highway

Main Street
Potomac Street
Walnut Street

Between

Broad Street and Franklin Street
North Street and Second Street
E Main Street and E Third Street

- B. It shall be unlawful for any person to use, ride, propel, or otherwise operate a micromobility device on any sidewalk where signs have been erected by the Borough prohibiting such use.
- C. Operators of micromobility devices on permitted sidewalks must yield the right-of-way to pedestrians and shall not operate at a speed greater than that of an ordinary walk when approaching crosswalks, driveways, or intersections.
- D. No person shall leave or park a micromobility device on any sidewalk in a manner that obstructs pedestrian traffic or creates a hazard.
- E. Operation of micromobility devices must comply with all applicable provisions of the Pennsylvania Vehicle Code.

§ 159-4. Exceptions.

- A. This Chapter shall not apply to wheelchairs, electric wheelchairs, or EPAMDs when operated by or on behalf of a person with a mobility-related disability, as necessary for

their mobility. Such devices may be used on any sidewalk within the Borough, provided they are operated in a safe manner that does not endanger others.

- B. Police officers, emergency personnel, and Borough employees acting in the course of their official duties are exempt from the prohibitions in § 159-3.

§ 159-5. Violations and penalties.

Any person violating this Chapter shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$15 nor more than \$300, plus costs of prosecution.

§ 159-6. Enforcement.

This Chapter shall be enforced by the Borough of Waynesboro Police Department. Officers may issue citations and, at their discretion, impound the micromobility device involved in the violation, which may be retrieved upon payment of any applicable fines and acknowledgment of this Chapter's provisions.

SECTION 3. Repealer. All ordinances, or parts thereof, of the Borough of Waynesboro inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 4. Savings Clause. In all other respects, the ordinances of the Borough of Waynesboro shall remain as previously enacted and ordained.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect immediately.

ENACTED, ORDAINED and APPROVED this ____ day of _____, 2025, by the Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania.

ATTEST

BOROUGH OF WAYNESBORO

Secretary

By: _____
C. Harold Mumma, Council President

(SEAL)