



**DOCKLESS BICYCLE SHARE
LICENSE APPLICATION**

FEE: NEW - \$258 RENEWAL - \$155

(see instructions on reverse side)

Bicycle Share Provider Name	
Address	
City, State, Zip	
Phone	Email

Local operations provider name	
Address	
Phone	Email

Public site rental locations (see map provided by City):

1.
2.
3.
4.
5.

(Attach a separate sheet if additional public locations are requested)

Description	Amount	Trans code	Qty	Total
License fee	\$258/new \$155/renewal	1450		
Per bike (one-time fee)	\$16/bike	1451		
Public site annual rental (see map)	\$206/\$103 per location	1452		
Financial guaranty per number of bicycles deployed	\$80/bike	2052		

<p>Permit period March 1 to November 30 Application fees are non-refundable/non-transferable</p> <p>Submit form with attachments and payment to: Paperwork: licensing@eauclairewi.gov Payment: www.eauclairewi.gov/payment Mail: City of EC, PO Box 909, EC, WI 54702 Drop box: 203 S. Farwell St., EC, WI 54701 Phone: 715-839-4923</p> <p>02/2022 5.64</p>	
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APPLICANT'S STATEMENT

I hereby certify that the information provided on this application are true and correct to the best of my knowledge. I agree, in the consideration of the granting of this license, to comply with the laws of the State of Wisconsin, and the provisions of the Municipal Code of Ordinances of the City of Eau Claire particularly Chapter 5.64 "Dockless Bicycle Share".

Signature _____ Date _____

Email Address _____

Required City of Eau Claire Engineering approval	Date

**DOCKLESS BICYCLE SHARE
Indemnification Agreement (required)**

_____ (Applicant), its employees, agents or affiliates shall hold harmless and indemnify the City of Eau Claire, its officers, employees, agents, and representatives, from and against any cause of action, claim, demand, liability, loss, damage or expense, including attorney's fees or expenses of any kind whatsoever, arising in connection with this license for ("Dockless Bicycle Share" – Chapter 5.64), due to the negligence, recklessness or other fault of the applicant, its employees, agents or affiliates.

Applicant signature _____ Date: _____

INSTRUCTIONS FOR OBTAINING A DOCKLESS BICYCLE SHARE LICENSE

- Complete the City of Eau Claire DOCKLESS BICYCLE SHARE license application.
- Pay license fee, per bicycle fee, and public site rental fee.
The license period is March 1 through November 30.
Fees are not prorated and are non-refundable.
- Provide Certificate of Liability Insurance with the City of Eau Claire as an additional insured.
\$2,000,000 commercial general liability insurance.
- Signed indemnification agreement with the City of Eau Claire.
- Signed authorization(s) from private property owner(s) related to bicycle parking.
- Financial Guaranty. The applicant shall provide a financial guaranty, in the form of cash on deposit with the city, upon which the city may immediately draw, in the amount of \$80 per bicycle, with a maximum of twelve thousand (\$12,000) dollars, to secure performance of the terms of this license and the provisions of Chapter 5.64 of the City of Eau Claire Code of Ordinances.

Submit form with attachments and payment to:

Paperwork: licensing@eauclairewi.gov
Payment: www.eauclairewi.gov/payment
Mail: City of Eau Claire, PO Box 909, EC, WI 54702
Drop box: 203 S. Farwell St., EC, WI 54701
Phone: 715-839-4923

Important Reminders

- Review the attached City of Eau Claire Code of Ordinances pertaining to Dockless Bicycle Share.
- Contact UWEC and CVTC for proper bicycle parking locations on campus
- You will receive a renewal notice prior to the expiration of your license. However, failure to receive a renewal notice does not excuse your responsibility to renew your license before the expiration date.

EAU CLAIRE

Dockless Bicycle Share Public Rental Locations



\$100



\$200



Bike Share
Section Boundary

NORTH

LOCATIONS

*Square footage available for bicycle parking at each location varies, 2,000 SF maximum

1. SUNDET DOG PARK
2. JEFFERS PARK
3. RIVERVIEW PARK
4. MT. SIMON PARK
5. BIRCH / STARR PARKING LOT
6. CANNERY TRAIL AREA
7. MADISON / FOREST PARKING LOT
8. PHOENIX PARK
9. N. BARSTOW PARKING RAMP
10. RAILROAD STREET PARKING LOT
11. L.E. PHILLIPS LIBRARY
12. S. FARWELL PARKING RAMP
13. CITY HALL
14. TRANSFER CENTER
15. SEAVER STREET PARKING LOT
16. BOYD PARK
17. FIRST AVE TRAIL / RIVER FRONT
18. OWEN PARK
19. CHIPPEWA STREET PARKING LOT
20. WATER STREET PARKING LOT
21. HOBBS CENTER
22. MENOMONIE STREET PARKING LOT
23. CARSON PARK
24. ROD & GUN PARK
25. SHORT STREET TRAILHEAD
26. EAU CLAIRE SOCCER PARK
27. FAIRFAX PARK
28. SOUTHEAST COMMUNITY DOG PARK

SOUTH



Chapter 5.64

DOCKLESS BICYCLE SHARE

Sections:

- 5.64.010 Purpose.**
- 5.64.020 Definitions.**
- 5.64.030. License Required.**
- 5.64.040. License Requirements.**
- 5.64.050. Licensee Requirements.**
- 5.64.060. Dockless Shared Bicycle Standards.**
- 5.64.070. Parking Dockless Shared Bicycles.**
- 5.64.080. Penalty.**

5.64.010. Purpose. The purpose of this chapter is to protect the public health, safety, and welfare to prevent or mitigate against any adverse impact that dockless shared bicycles may have to public or private property by licensing all persons who make available dockless shared bicycles in the city.

5.64.020. Definitions. For purposes of this chapter, the terms herein have the following meanings:

- A. "Customer" shall mean a user of a dockless shared bicycle.
- B. "Dockless" shall mean without a structure at a permanent, fixed location from which shared bicycles may be deployed for use by the public.
- C. "Dockless bicycle share" shall mean a transportation system providing users the ability to access bicycles via mobile technology and that do not need to be attended by the operator, allowing the user to pick up a bicycle from one location and leave it at another within a system's service area. Scooters and scooters with electric assist are specifically prohibited and shall not constitute part of a dockless bicycle share.
- D. "Dockless shared bicycle" or "shared bicycle" shall mean a bicycle or electric bicycle offered or operating in a system through which members of the public are offered for consideration the use of bicycles without the use of fixed docking facilities.
- E. "Mobile application" shall mean the software installed on a customer's mobile device that allows the customer to access dockless shared bicycles.
- F. "Operator" shall mean a person or entity who offers dockless shared bicycles.
- G. "Rebalancing" shall mean redistributing bicycles throughout the city to ensure all areas are served by dockless bicycle share.

5.64.030. License Required. Any person conducting or carrying on the business of offering a dockless bicycle share shall have first obtained a license in accordance with this chapter.

5.64.040. License Requirements. A. A license applicant under this chapter shall apply on forms available from the city clerk and pay all applicable fees established in the Fees and Licenses Schedule.

B. A license applicant shall maintain commercial general liability insurance during the period of the license in the amount of at least two (2) million dollars and shall name the City of Eau Claire as an additional insured.

C. A license applicant shall provide a financial guaranty, in the form of cash on deposit with the city, upon which the city may immediately draw, in the amount of \$80 per bicycle, with a maximum of twelve thousand (\$12,000) dollars, to secure performance of the terms of this license. If a licensed operator increases the size of its fleet as permitted by this chapter, the financial guaranty shall be adjusted appropriately before deploying additional bicycles. The financial guaranty shall be used to pay city expenses including, without limitation, the following:

1. Public property repair and maintenance costs caused by the operator's equipment;
2. Any cost for removing or storing bicycles improperly parked; and
3. Any cost to the city to remove bicycles if the applicant's license expires or is otherwise

terminated.

D. A license applicant shall sign an agreement indemnifying and holding the city harmless, on a form available from the city clerk.

E. A license applicant shall rent from the city at least one designated dockless shared bicycle parking location in each section of the city, per specifications of the license. Available locations and associated costs, including costs for installation or repair of concrete, asphalt, paint, labor or other related items, for city locations shall be available from the city engineer or her or his designee on a first come, first served basis. A licensee renewing a license shall have first opportunity to renew rental of a designated city parking location rented by licensee in the previous license year, if renewed by March 1. Licensee shall maintain at least five bikes at each city property rental location.

F. The license period shall run from March 1 through November 30.

5.64.050. Licensee Requirements.

A. A licensee shall provide, in its mobile application, a means for customers to notify the operator if there is a safety or maintenance issue with the dockless shared bicycle.

B. A licensee shall include, in its mobile application, prominently displayed notification to users that:

1. Bicycle riding on sidewalks is not permitted in certain business districts consistent with the City's code of ordinances and Walk your Wheels messaging.
2. Helmet use is encouraged while riding a bicycle;
3. Users shall yield to pedestrians on sidewalks and in crosswalks;
4. When riding on-street, users must comply with all traffic regulations, as drivers would in a motor vehicle;
5. Shared bicycles shall only be parked in bicycle racks, designated bicycle parking areas, or on private property with the consent of the property owner;
6. Electric bicycles shall not have the motor engaged while operating on sidewalks or trails; and
7. Wisconsin's intoxicated driving laws are applicable to a user operating an electric bicycle with the motor engaged.

C. A licensee shall provide users with a 24-hour customer service telephone number to report safety concerns, complaints, or ask questions.

D. A licensee shall have a staffed business location located within the City of Eau Claire, in an appropriately zoned location, for the purpose of local business operations, maintenance and rebalancing efforts.

E. A licensee shall understand and educate users regarding the laws applicable to riding and operating in the city, including that bicycles are prohibiting from operating on sidewalks in certain geographic areas.

F. A licensee shall provide direct, current contact information to the city for the licensee or local persons capable of retrieving or rebalancing shared bicycles. Licensee shall retrieve or rebalance shared bicycles within two hours of receiving a request from the city.

G. A licensee shall remove or repair any inoperable shared bicycle or shared bicycle that is not safe to operate, within 24 hours of notice by any means to the licensee.

H. A licensee shall maintain records of the number of rides sold or used in each month, the distance traveled in each ride and the geographic area covered, and provide such information monthly to the city.

I. A licensee shall not deploy more than 150 shared bicycles. Up to an additional 50 shared bicycles may be deployed if merited by data provided by the licensee and approved by the city engineer or her or his designee. Electric bicycles and traditional bicycles shall count equally toward this maximum.

J. A licensee shall rebalance shared bicycles every morning to maintain supply throughout all areas of demand in the city.

K. A licensee shall remove all shared bicycles from public right-of-way and all city property every morning by 6:00 a.m., except for those areas rented by licensee from the city.

L. A licensee shall remove all shared bicycles from use in the city during any unlicensed time period, including the months of December, January and February. All shared bicycles shall be temporarily removed from city property, if specified in the rental agreement, when a snow event is declared and may be returned after the snow event is complete. All shared bicycles shall further be temporarily removed from the public right-of-way and parking lots in the event of a snowfall two inches or greater so as not to interfere with snow removal efforts.

M. A licensee shall not offer a scooter or electric scooter as part of a dockless bicycle share.

5.64.060. Dockless Shared Bicycle Standards. No person shall offer a dockless shared bicycle for use that does not meet each standard set forth in this section and any other section of this chapter:

A. All bicycles used in a dockless bicycle share shall meet the standards outlined in the Code of Federal Regulations under Title 16, Chapter II, Subchapter C, Part 1512 and by Wisconsin Statutes, including 347.489, Wis. Stats. Additionally, the shared bicycle shall meet the safety standards outlined in International Organization for Standardization (I.S.O.) 43.150 – Cycles, subsection 4210.

B. All electric bicycles used in a dockless bicycle share shall meet the National Highway Traffic Safety Administration's definition of low-speed electric bicycles and shall further be subject to the same requirements as ordinary bicycles described in this section.

C. Speed of electric bicycles used in a dockless bicycle share shall be governed to 15 miles per hour or other speed approved or required by the chief of police or her or his designee.

D. The shared bicycle shall be equipped with technology to track ridership data required by this chapter.

E. The shared bicycle shall have affixed, in a prominent location, identifying information that includes:

1. The name, address, email address, and 24-hour customer service telephone number of the licensee; and

2. A unique identifying number or series of numbers for each shared bicycle.

5.64.070. Parking Dockless Shared Bicycles.

A. No user of a dockless shared bicycle shall park a shared bicycle in any location except where authorized by this code of ordinances. Both the licensee and user are jointly and severally liable for any parking in violation of this code of ordinances.

B. Any dockless shared bicycle left in an unauthorized location or parked in violation of this code of ordinances may be collected and disposed of by the city. The cost of such collection or disposal shall be collected from the licensee either through the financial guaranty required by this chapter or directly from the licensee if the financial guarantee is insufficient to cover the cost.

5.64.080. Penalty. Any person or corporation violating the provisions of this chapter shall upon conviction be fined a sum of not less than sixty dollars and not more than five hundred dollars, together with the costs of prosecution. (Ord. 7321, 2019)