

Agenda
City Council Operations Meeting
City of Geneva, New York

July 21, 2026

City Hall
2nd Floor Council Chambers
47 Castle Street
Geneva, NY

Executive Session Starts at 6:00 PM

To discuss the employment of a particular person or persons

Council Meeting Starts at 7:00 PM

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- I. Call to Order** – Mayor, Jim Cecere
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. City Manager's Report**
- V. Public Hearings**
 - a. 2026 CDBG Grant Applications
- VI. Public Comment**
- VII. Presentation**
 - a. Budget Gap Analysis
- VIII. Discussion**
 - a. Reassessment Update
 - b. Reassessment Phase In Process Proposal
- IX. Unfinished Business**
 - a. Resolution Regulating the Operation of Battery and Gas Powered Alternative Motorized Vehicles
- X. New Business**
- XI. Adjournment**

Resolution # 40-2026

Resolution Regulating the Operation of Battery and Gas Powered Alternative Motorized Vehicles

ADOPTING CHAPTER 336 OF THE CODE OF THE CITY OF GENEVA, ENTITLED "ALTERNATE MOTORIZED VEHICLES," ESTABLISHING REGULATIONS FOR THE OPERATION OF BATTERY POWERED AND GAS POWERED ALTERNATIVE MOTORIZED VEHICLES, INCLUDING MICROMOBILITY DEVICES, UPON PUBLIC HIGHWAYS, SIDEWALKS, AND CITY-OWNED PROPERTY WITHIN THE CITY OF GENEVA, AND PRESCRIBING PENAL PENALTIES AND IMPOUNDMENT PROCEDURES FOR VIOLATIONS THEREOF

WHEREAS, the City of Geneva has a compelling interest in promoting public safety, order, and the responsible use of public roadways, sidewalks, parks, and other city-owned property; and
WHEREAS, the proliferation of alternative motorized vehicles, including all-terrain vehicles, off-highway motorcycles, minibikes, and micromobility devices such as electric scooters, throttle-based electric bicycles, electric skateboards, hoverboards, segways, and electric unicycles, has resulted in unsafe and unlawful operation upon public highways, sidewalks, and city-owned property within the City of Geneva; and
WHEREAS, such unsafe operation poses a risk to public health, safety, and welfare, particularly to pedestrians, park users, other cyclists, and motor vehicle operators; and
WHEREAS, Article 1 of the New York State Vehicle and Traffic Law defines certain vehicle categories and governs their use, and municipalities are authorized under the New York State Municipal Home Rule Law to adopt local laws regulating the use of alternative motorized vehicles and micromobility devices to protect public safety; and
WHEREAS, the Council finds it necessary and appropriate to establish clear, uniform, and enforceable local standards governing the operation of both battery powered and gas powered alternative motorized vehicles, including minimum age requirements, speed restrictions, sidewalk and park prohibitions, and parental responsibility provisions; and
WHEREAS, the Council further finds that an effective enforcement mechanism, including the authority to impound vehicles operated in violation of this chapter and to assess redemption fees, is essential to deter repeated violations and protect the public; and
WHEREAS, the City of Geneva has determined that the adoption of Chapter 336 of the City Code, entitled "Alternative Motorized Vehicles," is in the best interests of the residents, visitors, and property owners of the City of Geneva; and
WHEREAS, the Common Council has reviewed the proposed chapter and finds that it is consistent with applicable state law and reasonably tailored to address the public safety concerns identified herein;
NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Geneva, Ontario County, New York, hereby adopts Chapter 336 of the Code of the City of Geneva, entitled "Alternative Motorized Vehicles," as set forth herein, effective immediately upon passage and filing as required by law.

Chapter 336 – Alternative Motorized Vehicles

Article I – General Provisions

336 – 1 Definitions of words and phrases

The words and phrases used in this chapter shall have the meanings ascribed to them by Article 1 of the Vehicle and Traffic Law of the State of New York. The following words and phrases not defined therein shall have the meanings set forth in this section:

A. Alternative Motorized Vehicle: Includes all-terrain vehicles (sometimes referred to as ATVs) as that term is defined in Section 2281(1) of the New York State Vehicle and Traffic Law; Off-highway motorcycles as that term is defined in Section 125-a of the New York State Vehicle and Traffic Law; Motocross or dirt bikes, dune buggies, go-carts, or minibikes; Micromobility devices which includes electric scooters, electric bicycle (throttle based) or other devices such as mopeds, electric skateboards, segways, hoverboards, and electric unicycles; and all other types of motorized trail bikes or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. This definition does not include bicycles with only electric assist.

Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles, bicycle with electric assist or any manual or electrically driven mobility assistance device, scooter, tricycle, or similar device used by a person with a disability as a substitute for walking. An "electrically driven mobility assistance device" specifically means any wheeled, electrically powered device designed to enable a person with a disability to move from place to place.

B. Battery Powered: shall mean the principle method of non-human propulsion being through a battery/electrical stored energy system. Battery powered excludes hybrid gas/electric propelled vehicles.

C. Gas Powered: shall mean the primary or exclusive method of non-human propulsion being through an internal combustion engine. Gas powered includes hybrid gas/electric propulsion systems.

D. Operate shall mean to ride in or on, other than as a passenger, or use or control the operation of an alternative motorized vehicle in any manner, whether or not said vehicle is under way.

E. Operator shall mean every person who operates or is in actual physical control of an alternative motorized vehicle.

F. Public highway shall mean any highway, road, alley, street, avenue, public place, public park, public driveway or any other public way.

G. Sidewalk means that portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

Article II – Battery Powered Alternative Motorized Vehicle

336 – 2 Prohibited Acts

The following acts are prohibited within the City of Geneva with respect to battery powered alternative motorized vehicles:

A. Any person who violates any provision of the New York State Vehicle and Traffic Law within the jurisdiction of the City of Geneva shall, in addition to any penalties imposed under state law, be subject to prosecution, fines, and penalties as prescribed under this local law. The imposition of local penalties shall not be construed to limit, supersede, or otherwise affect the authority of the State of New York to enforce its own laws, nor shall a state enforcement action bar a separate and concurrent local enforcement action arising from the same conduct.

B. No person under the age of sixteen (16) shall operate a battery powered alternative motorized vehicle upon any public highway, or city owned property.

C. Any person under sixteen (16) years of age found operating a battery powered alternative motorized

vehicle in violation of any provision of this chapter shall be presumed to have done so with the knowledge, permission, or acquiescence of his or her parent or legal guardian. The parent or legal guardian of such minor shall be subject to prosecution and, upon conviction, shall be guilty of an offense for facilitating the unlawful operation of a battery powered alternative motorized vehicle, punishable by the same fines and penalties set forth in Section 336-7 of this chapter. It shall be an affirmative defense to prosecution under this section that the parent or legal guardian took reasonable steps to prevent such operation and did not knowingly permit, authorize, or fail to prevent the minor's use of the vehicle.

D. No person shall operate a battery powered alternative motorized vehicle upon any sidewalk within the City of Geneva.

E. No person shall operate a battery powered alternative motorized vehicle upon any public highway with a posted speed limit of over 30 MPH.

F. No battery powered alternative motorized vehicle shall be operated at a speed exceeding twenty (20) miles per hour anywhere within the City of Geneva.

G. No battery powered alternative motorized vehicle shall be operated in a reckless or unsafe manner, including weaving through traffic, unsafe passing, excessive speed for conditions, or distracted operation.

H. No person shall operate an alternative motorized vehicle while the person's ability to operate such is impaired by the consumption of alcohol.

I. No person shall operate an alternative motorized vehicle while such person has .08 of 1% or more by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine, or saliva.

J. No person shall operate an alternative motorized vehicle while in an intoxicated condition or while the person's ability to operate such alternative motorized vehicle is impaired by the use of any drug(s).

K. No person shall operate a battery powered alternative motorized vehicle within or upon any city owned park, pathway, playground or cemetery.

L. This ordinance shall not apply to vehicles under the control of the City of Geneva or any other governmental agency operated in the course of a lawful municipal or governmental function, or to emergency vehicles engaged in rescue operations.

Article III – Gas Powered Alternative Motorized Vehicle

336 – 3 Prohibited Acts

The following acts are prohibited within the City of Geneva with respect to gas powered alternative motorized vehicles:

A. Any person who violates any provision of the New York State Vehicle and Traffic Law within the jurisdiction of the City of Geneva shall, in addition to any penalties imposed under state law, be subject to prosecution, fines, and penalties as prescribed under this local law. The imposition of local penalties shall not be construed to limit, supersede, or otherwise affect the authority of the State of New York to enforce its own laws, nor shall a state enforcement action bar a separate and concurrent local enforcement action arising from the same conduct.

- B. No person shall operate a gas powered alternative motorized vehicle within or upon any city owned park, pathway, playground or cemetery.
- C. No person shall operate a gas powered alternative motorized vehicle upon any public highway, or on any public property except those vehicles properly equipped and licensed to do so by the New York State Department of Motor Vehicles.
- D. No person shall operate a gas powered alternative motorized vehicle off a public highway on private property in the City of Geneva unless such person has first obtained the express consent of the owner or occupant of such property to operate the gas powered alternative motorized vehicle on the property.
- E. No person under the age of sixteen (16) shall operate a gas powered alternative motorized vehicle upon any public highway, or city owned property.
- F. Any person sixteen (16) years of age or younger found operating a gas powered alternative motorized vehicle in violation of any provision of this chapter shall be presumed to have done so with the knowledge, permission, or acquiescence of his or her parent or legal guardian. The parent or legal guardian of such minor shall be subject to prosecution and, upon conviction, shall be guilty of an offense for facilitating the unlawful operation of a gas powered alternative motorized vehicle, punishable by the same fines and penalties set forth in Section 336-7 of this chapter. It shall be an affirmative defense to prosecution under this section that the parent or legal guardian took reasonable steps to prevent such operation and did not knowingly permit, authorize, or fail to prevent the minor's use of the vehicle.
- G. No person shall operate a gas powered alternative motorized vehicle upon any sidewalk within the City of Geneva.
- H. This ordinance shall not apply to vehicles under the control of the City of Geneva or any other governmental agency operated in the course of a lawful municipal or governmental function, or to emergency vehicles engaged in rescue operations.
- Article IV – Reserved for future use.
- Article V – Reserved for future use.
- Article VI – Reserved for future use.
- Article VII – Enforcement and Penalties
- 336 – 7 Penalties for Offenses; Impoundment and redemption

- A. Any person who operates an alternative motorized vehicle in violation of this chapter shall, upon a first offense, be guilty of an offense punishable by a fine not to exceed five hundred dollars (\$500.00), or imprisonment not to exceed fifteen (15) days, or both. Upon a second offense, such person shall be punishable by a fine not to exceed seven hundred fifty dollars (\$750.00), or imprisonment not to exceed fifteen (15) days, or both. Upon a third or subsequent offense, such person shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment not to exceed fifteen (15) days, or both.
- B. In addition to the penalties set forth in subsection (a) of this section, a police officer or other law enforcement official may immediately impound an alternative motorized vehicle that has been operated in violation of this chapter. Such impounded alternative motorized vehicle shall be stored by the police department or enforcement agency pending the identification of the owner of such alternative motorized vehicle, as may be registered with the New York State Department of Motor Vehicles. Such owner shall be sent notice of such impoundment at the address on file with the New York State Department of Motor

Vehicles, or other address of residence on record with the County Clerk's office, by certified mail within five (5) business days after the impoundment.

Neither the police department impounding such off-the-road vehicle, nor the City of Geneva, nor any agent, with jurisdiction within the city, nor city employee thereof, shall be liable for any damages arising out of this provision for an erroneous name or address of such owner. The owner of the alternative motorized vehicle operated in violation of this chapter may redeem such alternative motorized vehicle upon satisfactory proof of ownership and payment of a redemption fee in accordance to the schedule in subsection C, plus any applicable towing expenses. Satisfactory proof of ownership shall be consistent with the documentation that is required by the New York State Department of Motor Vehicles, or such other documentation as may be required by the police department. An alternative motorized vehicle impounded under this subsection shall only be released to the owner of such alternative motorized vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney. If such property is not claimed and redeemed by the lawful owner within 60 days of the certified mailing, the city may sell or auction such property in accordance with state and local law. For the purposes of redeeming an impounded alternative motorized vehicle, a parent or legal guardian of a person sixteen (16) years or younger shall also be deemed to be the owner of the alternative motorized vehicle.

C. Redemption Fee Schedule

Battery Powered Vehicle

First Offense Flat Rate of \$250.00; plus
\$10.00 storage fee per day, not including the date the vehicle was impounded.

Second Offense Flat Rate of \$500.00; plus
\$10.00 storage fee per day, not including the date the vehicle was impounded.

Third & Subsequent Offense Flat Rate of \$750.00; plus
\$10.00 storage fee per day, not including the date the vehicle was impounded.

Gas Powered Vehicle

First Offense Flat Rate of \$500.00; plus
\$10.00 storage fee per day, not including the date the vehicle was impounded.

Second Offense Flat Rate of \$1000.00; plus
\$10.00 storage fee per day, not including the date the vehicle was impounded.

Third & Subsequent Offense Flat Rate of \$1500.00; plus
\$10.00 storage fee per day, not including the date the vehicle was impounded.

336 – 8 Severability

A. If any provision of this local law is adjudged invalid or unconstitutional, such judgment shall not affect or impair the validity of the remaining provisions.

To: Geneva City Council

From: Ronald Eveland, Chief of Police

Meeting Date:

Item Title: Resolution creating local law Chapter 336 – Alternative Motorized Vehicles

Action Item:

The Council is requested to review and provide direction on the adoption of proposed Chapter 336 of the City Code, entitled “Alternative Motorized Vehicles.” If the Council approves, staff recommends scheduling a public hearing and subsequent vote to formally enact this ordinance.

Background:

Over the past several months, the City of Geneva has experienced a significant increase in the use of alternative motorized vehicles on public streets, sidewalks, and city-owned property. These vehicles include all-terrain vehicles (ATVs), off-highway motorcycles, minibikes, and an expanding range of micromobility devices such as electric scooters, throttle-based electric bicycles, electric skateboards, hoverboards, segways, and electric unicycles. This increase has generated a growing number of public safety concerns, noise complaints, and conflicts between device operators and pedestrians.

Alternatives:

In the absence of this local ordinance, officers responding to complaints about reckless operation, sidewalk riding, or underage use are largely limited to verbal warnings, leaving residents without meaningful recourse and eroding public confidence in the City's ability to address these concerns.

Financial Impact:

Enforcement of Chapter 336 would be carried out by the Geneva Police Department within existing staff and resources. Impoundment and redemption fees would generate revenue. No additional appropriation is anticipated at this time.