

**ORDINANCE NO. 21-096**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A REVOCABLE LICENSE AGREEMENT WITH SCOOTER DING DING, LLC, OF SANDUSKY, OHIO, FOR THE USE OF PUBLIC SPACE FOR A SCOOTER RENTAL BUSINESS; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this past May, Staff granted a Temporary Encroachment of Public Right-of-Way for the purpose of Sidewalk Dining/Outdoor Sales to Scooter Ding Ding, LLC to utilize the space immediately adjacent to property located at 215-217 East Water Street occupied by Boom Town Coffee, Zinc Brasserie, and Hearth Tavern ; and

**WHEREAS**, Scooter Ding Ding, LLC, desires to stage their electric scooters for rent at bike racks along Shoreline Drive, Market Street, Water Street, and Columbus Avenue between Shoreline Drive and Washington Row and therefore, since these locations are not contiguous with their property, are required to obtain a license prior to utilizing these locations; and

**WHEREAS**, the agreement will expire on November 30, 2021, with the option to renew or renegotiate two (2) additional terms from May 1<sup>st</sup> through November 30<sup>th</sup> in 2022 and May 1<sup>st</sup> through November 30<sup>th</sup> in 2023; and

**WHEREAS**, if approved, the City will receive \$50.00 per staging location for use of existing bike racks in the right-of-way or on city-owned public property; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the license agreement and allow Scooter Ding Ding, LLC, to expand the staging locations of the scooters to City bike racks to provide additional recreational activities in the City; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a Revocable License Agreement with Scooter Ding Ding, LLC, of Sandusky, Ohio, for the use of public space for a scooter rental business, substantially in the same

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form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the objectives of this Ordinance.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: June 28, 2021