THE TOWN OF ANTIGONISH

E-Scooter, E-Bike and Shared Micromobility By-Law

1. Definitions

1.1 Unless otherwise defined in this By-Law, words and expressions used in the By-Law have the same meaning as provided is the appliable provincial legislation and associated Town policy.

1.2 In this By-Law:

a) By-Law Enforcement Officer – a person appointed or authorized by the Town to enforce municipal by-laws.
b) Council – Council of the Town of Antigonish
c) E-scooter – an electric kick scooter as defined in the Nova Scotia Motor Vehicle Act.
d) E-bike – an electric bicycle as defined by the Nova Scotia Motor Vehicle Act.
e) Micromobility Device – a small, lightweight, low speed electric personal transportation device designed for short distance travel. This does not include electric, battery or motorized wheelchairs or scooters designed to help individuals with mobility challenges.
f) Shared Micromobility Service – a service that provides members of the public with access to e-scooters, e-bikes, or other approved micromobility devices for temporary or short-term use through an online booking application, mobile application, digital platform, or similar electronic system.
g) Vending Permit – an annual permit issued by the Town of Antigonish authorizing a business to offer goods or services outside of an enclosed building.

2. Purpose

The purpose of this By-Law is to:

a) Establish local requirements for the safe and responsible operation of e-scooters, e-bikes and other micromobility devices within the Town;
b) Establish restrictions on the operation of these devices in certain areas;
c) Protect pedestrians, people with disabilities and other users of public spaces;
d) Establish requirements for the parking of shared micromobility devices;
e) Establish a regulatory framework for shared micromobility services operating within the Town; and
f) Provide a framework that allows the Town to manage shared micromobility services through licensing, operational conditions, technology controls, and user-based enforcement.

3. Authority

3.1 This By-Law is made pursuant to the authority granted to the Town under applicable legislation, including the Nova Scotia Municipal Government Act and S305B of the Nova Scotia Traffic Safety Act (formerly the Motor Vehicle Act).

3.2 Nothing in this By-Law shall be interpreted as permitting an activity that is prohibited by provincial legislation.

3.3 Where a requirement of this By-Law conflicts with a requirement of provincial legislation, the provincial legislation shall prevail.

3.4 The authority to regulate e-scooter and e-bikes under this by-law is intended to compliment and not replace the requirements of the Nova Scotia Traffic Safety Act.

4. Application

4.1 This By-Law applies to:

a) Persons operating privately owned e-scooters within the Town;
b) Persons operating privately owned e-bikes within the Town;
c) Shared micromobility services operating within the Town; and
d) Operators of shared micromobility devices.

4.2 Nothing in this By-Law exempts a person from complying with any applicable provincial legislation, municipal by-law, traffic control device, sign, or other lawful requirement.

4.3 The requirements of this By-Law respecting Shared Micromobility Services apply in addition to the requirements of the Vending By-law and the associated policy.

5. General Operating Requirements

5.1 Every person operating an e-scooter, e-bike, or other micromobility device within the Town shall:

a) Comply with all provincial legislation;
b) Operate the device in a safe and responsible manner;
c) Exercise reasonable care and caution around pedestrians and other road, and multi-use pathway users;
d) Obey all applicable traffic control devices and signs; and
e) Comply with the requirements of this By-Law.

5.2 Nothing in this By-Law authorizes the operating of an e-scooter, e-bike or other micromobility device in a manner that is otherwise prohibited under provincial legislation.

6. Operating Restrictions

6.1 A person shall not operate an e-scooter, e-bike or other micromobility device in any location where operation is prohibited by applicable provincial legislation or the E-Scooter, E-Bike, and Shared Micromobility Policy.

6.2 Persons operating an e-scooter, e-bike or other micromobility device within the Town shall comply with the operating restrictions and permitted areas established in the E-Scooter, E-Bike and shared Micromobility Operating Policy.

6.3 Where an operating restriction is intended to be a condition of a Shared Micromobility Service, the restriction may also be included as a condition for obtaining a Vending Permit.

7. Speed Management

7.1 Maximum operating speeds for e-scooters shall be established in the E-Scooter, E-Bike and Shared Micromobility Operating Policy.

7.2 Where required, maximum speeds may also be identified by signage or established as a condition of a Shared Micromobility Service's Vending Permit.

7.3 Nothing in this section authorizes an e-scooter to be operated at a speed greater than the maximum speed permitted under applicable provincial legislation.

8. Parking and Accessibility

8.1 Persons operating or parking an e-scooter or e-bike within the Town shall comply with the parking and accessibility requirements established in the E-Scooter, E-Bike and Shared Micromobility Operating Policy.

8.2 Where parking or accessibility requirements apply to a Shared Micromobility Service, the requirements may also be included as conditions of the operator's Vending Permit.

9. Individual Offences

9.1 Individual users who contravene a provision of this By-Law are guilty of an offence. Penalties for individual offences are established under section 505(2) of the MGA and 45(1), 214(1) of the Traffic Safety Act.

9.2 Individual users may also be subject to fines, penalties and other enforcement measures under the Nova Scotia Motor Vehicle Act, including, but not limited to, the requirements and offences established under sections 210(2), 210(2)(1), 213(1), 2010(3), 155, 155(2), 157(1), 190(1), 214(1), and 45(1).

9.3 Nothing in this By-Law limits the application or enforcement of the Nova Scotia Traffic Safety Act or any other applicable legislation.

10. Shared Service Operator Offences

10.1 A Shared Micromobility Service operator shall comply with the requirements of this By-law, the E-Scooter, E-Bike and Shared Micromobility Operating Policy, and the terms and conditions of its Vending Permit.

10.2 A failure by a Shared Micromobility Service operator to comply with a condition of its Vending Permit constitutes a violation of the Vending By-law.

11. Administration & Enforcement

This By-Law may be enforced by a By-Law Officer for the Town of Antigonish or members of the Royal Canadian Mounted Police (RCMP) within their scope of their authority.

Date of First Reading:

Date of Advertisement of Intent to Consider:

Date of Second Reading:

Date of Advertisement of By-Law Passage and Approval:

I certify that this By-Law was adopted by Council and published as indicated above.

_____ _____

Randy Delorey
Chief Administrative Officer

Date