

ORDINANCE-3831

AN ORDINANCE TO AMEND SECTIONS 7-1, 7-10 AND 7-59.1 OF THE CITY CODE PERTAINING TO WHEELED DEVICES OR VEHICLES IN THE RESORT AREA

Sections Amended: §§ 7-1, 7-10, and 7-59.1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA:

That Sections 7-1, 7-10, and 7-59.1 of the City Code of the City of Virginia Beach is hereby amended and reordained to read as follows:

Sec. 7-1. Definitions.

For the purposes of this Chapter, the terms "all-terrain vehicle," "bicycle," "electric personal assistive mobility device," "electric power-assisted bicycle," "golf cart," "highway," "low speed vehicle," "moped," "motor-driven cycle," "motorized scooter," "motorized skateboard," "vehicle," "wheelchair," and "wheel chair conveyance" are defined as set forth in Code of Virginia §§ 46.2-100 and 46.2-1993, as amended. Additionally, the following words shall have the meanings ascribed to them in this section, unless clearly indicated to the contrary:

Electric power-assisted bicycle: A vehicle that travels on not more than three wheels in contact with the ground and is equipped with (i) pedals that allow propulsion by human power, (ii) a seat for the use of the rider, and (iii) an electric motor with an input of no more than 750 watts. Electric power-assisted bicycles shall be classified as follows:

1. "Class one" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour;
2. "Class two" means an electric power-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; and
3. "Class three" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

Unless otherwise specifically stated, references to electric power-assisted bicycles includes all three classes.

45 *Electric powered utility cart:* A wheeled, externally controlled, battery powered
46 cart, used exclusively for the transportation of personal items or property and not for the
47 conveyance of persons, and that is not classified as an all-terrain vehicle, as defined in
48 Code of Virginia § 46.2-100.

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50 *Resort area:* The area, from and including, the sidewalk on the west side of
51 Pacific Avenue to the Atlantic Ocean between Rudee Inlet and 42nd Street.

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53 *Resort season:* The time period from May 1st through September 30th.

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55 *Riding:* This term is used interchangeably throughout this Chapter with the term
56 "operation".

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58 *Surrey:* A four-wheeled pedal-powered vehicle capable of seating two (2) or more
59 persons.

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63 **Sec. 7-10. Signs required at rental agencies.**

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65 (a) *Mopeds.* Each owner of a business intending to rent or lease mopeds to the public
66 shall post a clearly legible sign in a prominent place on his premises where such sign
67 will be seen and read by a reasonably observant customer. Such sign shall contain
68 the following information:

69
70 (1) Operators must be sixteen (16) years or older.

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72 (2) Valid identification is required of all customers.

73
74 (3) Customers must be familiar with and obey traffic laws. Violations will be
75 prosecuted by police.

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77 (4) Riding is prohibited on the Boardwalk and the adjacent grassy area and bicycle
78 path, oceanfront parks and plazas, the beach, all city sidewalks.

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80 ~~(5) Riding is prohibited on Atlantic Avenue from May 1st through September 30th.~~

81
82 (b) *Low-speed vehicles.* Each owner of a business intending to rent or lease low-speed
83 vehicles to the public shall post a clearly legible sign in a prominent place on his
84 premises where such sign will be seen and read by a reasonably observant
85 customer. Such sign shall contain the following information:

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87 (1) Operators must be sixteen (16) years or older to operate.

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89 (2) Valid driver's license is required of all customers.

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(3) Customers must be familiar with and obey traffic laws. Violations will be prosecuted by police.

(4) Operation is prohibited on the boardwalk and the adjacent grassy area and bicycle path, oceanfront parks and plazas, the beach, and all sidewalks.

(c) *Electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards and motorized scooters.* Each owner of a business intending to rent or lease electric personal assistive mobility devices, electric power-assisted bicycles and motorized skateboards and motorized scooters to the public shall post a clearly legible sign in a prominent place on his premises where such sign will be seen and read by a reasonably observant customer. Such sign shall contain the following information:

(1) Operator must be fourteen (14) years or older unless under the immediate supervision of a person who is at least eighteen (18) years old.

(2) Valid identification is required of all customers.

(3) Customers must be familiar with and obey traffic laws. Violations will be prosecuted by police.

(4) Riding is prohibited on the boardwalk and adjacent grassy area and bicycle path, oceanfront parks and plazas, the beach and all sidewalks in the resort area.

(5) As applicable to electric personal assistive mobility devices, motorized skateboards and motorized scooters: Riding is prohibited on Atlantic Avenue from May 1st through September 30th.

Sec. 7-59.1. Regulations pertaining to riding wheeled devices or vehicles in the resort area.

(a) During the resort season, it shall be unlawful for any person to ride an electric personal assistive mobility device, ~~electric power-assisted bicycle, moped,~~ or motorized skateboard on Atlantic Avenue.

(b) Notwithstanding the prior subsection, motorized scooters may be operated on the trolley lanes of Atlantic Avenue if riders adhere to the 10 mph speed limit.

(c) It shall be unlawful at any time for any person to ride on any sidewalk in the resort area an all-terrain vehicle, a bicycle, electric power-assisted bicycle, electric personal assistive mobility device, motorized skateboard, skateboard, scooter, or any pedal-powered vehicle that is muscle-powered or any muscle-powered device. However, the use of roller blades and roller skates is permitted. A violation of this sub-section shall be punished by a civil penalty of not more than fifty dollars (\$50.00).

137 (d) It shall be unlawful at any time to operate an electric powered utility cart on
138 Atlantic Avenue or upon the sidewalks along Atlantic Avenue, unless a permit is issued
139 by the city manager, or designee, to do so. An electric powered utility cart may be
140 operated on any sidewalk in the resort area other than Atlantic Avenue and may cross
141 Atlantic Avenue for the purpose of accessing the boardwalk or beach.
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Adopted by the Council of the City of Virginia Beach, Virginia on the ____ day
of _____, 2025.

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:

City Manager's Office

City Attorney's Office

CA16969
R-2
October 13, 2025