

VILLAGE OF DOWNERS GROVE

Report for the Village

SUBJECT:	9/9/2025	SUBMITTED BY:
Micromobility – Discussion and Draft Ordinance		Dave Fieldman Village Manager

SYNOPSIS

An ordinance has been prepared to regulate micromobility devices.

STRATEGIC PLAN ALIGNMENT

The Goals for 2023 to 2025 include *A Safe Community*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the August 12, 2025 Village Council meeting. Based on Council direction, the following changes were made to the Ordinance:

1. The definition of bicycle has been amended to be more consistent with the new State law that was signed into law on August 1, 2025.
2. Further clarification on low vs. high speed e-scooters
3. Changes to permitted location of class 1 and 2 e-bikes vs. class 3 e-bikes as shown in the table below:

	Streets	Shared-use Paths	Sidewalks
Human-powered devices	Y	Y	Y
E-bikes (Class 1 and 2)	Y	Y	N
E-bikes (Class 3)	Y	N	N
Low-speed e-scooter	Y	Y	Y
Other devices	Y	N	N

The following is the additional information requested by the Village Council:

1. **Pursuant to its home rule powers, can the Village allow the operation of e-bikes on sidewalks?** Yes, staff's opinion is that the Village has the authority to allow the operation of e-bikes on sidewalks pursuant to its home rule authority. As drafted, the ordinance currently prohibits the operation of e-bikes on sidewalks.

2. **Pursuant to its home rule powers, can the Village reduce the age for the operation of low speed electric scooters from 18 to 16?** Staff is of the opinion that the Village cannot exercise its home rule powers to reduce the age from 18 to 16. As drafted, the ordinance requires operators of low speed electric scooters to be at least 18 years of age.
3. **Can electric scooters that exceed 10 mph be operated in the Village?** Currently, State law only defines “low-speed electric scooters”, and the definition specifically contemplates a maximum speed of no more than 10 mph. State law regulates other forms of gas powered scooters, such as mopeds or motor-driven cycles, which require a valid driver’s license and insurance and are only authorized to be operated on streets. If the Village Council would like to allow the operation of electric scooters that exceed 10 mph within the Village limits, staff recommends adding a definition for electric scooters and providing for the same rules and regulations as those applicable to low-speed electric scooters. Staff is of the opinion that the Village cannot rely on its home rule authority to modify any laws pertaining to low speed electric scooters, so a separate definition for electric scooters with a maximum speed in excess of 10 mph is recommended even if the rules and regulations are to be the commensurate with those for low-speed electric scooters. As drafted, the ordinance currently prohibits the operation of electric scooters with a maximum speed in excess of 10 mph in the Village.

Minutes of the August 12, 2025 Council meeting can be found on page 4 of this pdf.

Staff recommends approval on the September 9, 2025 Active Agenda.

BACKGROUND

The Guiding DG Comprehensive Plan and Guiding DG Active Transportation Plan (ATP) both reference the management of micromobility devices through regulations and infrastructure. On [July 1, 2025](#), Council received a presentation and discussed considerations to provide staff feedback ahead of preparing a draft ordinance for review.

The proposed draft ordinance includes provisions for micromobility devices. This includes:

- definitions for low-speed electric bicycles, low-speed electric scooters, personal assistance mobility devices, personal mobility devices, toy vehicles, and shared-use paths;
- incorporates State law regarding [electric bicycles](#) and [scooters](#);
- regulations on operating devices, including parking;
- location restrictions for operating devices;
- equipment requirements;
- parental/guardian responsibility;
- fines and impoundment.

The table below outlines where particular devices are permitted by facility type:

	Streets	Shared-use paths	Sidewalks
Human-powered devices	Y	Y	Y
E-bikes	Y	N	N
E-scooters	Y	Y	Y
Other devices	Y	N	N

At the July 1st meeting, Council also requested additional background information on the neighboring jurisdictions' regulations, provided below:

Burr Ridge

- Ordinance adopted on March 10, 2025, banning all devices and e-scooters except bikes and e-bikes on public roads.
- The subject was brought forward again on July 14, Council supported the addition of a driver's license requirement for e-bikes and prohibition of distracted use.

Darien

- Ordinance approved on August 4, 2025.
- Bicycles permitted on street, sidewalk, or trail, e-bikes only permitted on street, not permitted on sidewalks or trails.
- Personal mobility devices only permitted on sidewalk or trail, not permitted on streets or alleys.

Glen Ellyn

- Ordinance adopted on April 28, 2025.
- Allows bicycles, e-bikes, and personal mobility devices on any street or sidewalk in the Village except for the central business district.

Hinsdale

- Ordinance updated July 16, 2025, mirroring State law, restricting class 3 e-bikes to 16 and older, and e-scooters to 18 and older.
- The update integrated license requirements for all bicycles, e-bikes and e-scooters.

Lombard

- Ordinance adopted May 1, 2025.
- E-scooters are limited to persons 18 and older, and only permitted on public roads with speed limits of 30 mph or lower and fewer than four lanes.
- All of downtown Lombard and five specific streets are governed by a "walk your wheels" ordinance, requiring devices to be walked on sidewalks.
- Riding on sidewalks is generally discouraged, but only prohibited in the downtown and five particular streets.

Woodridge

- Ordinance pending final review, presented July 17, 2025.
- Sets a minimum age of 16 for e-bikes and gas bikes, as defined in their ordinance.
- E-scooters are limited to persons 18 or older and requires helmets for users under 21.
- Prohibits riding on sidewalks, bike paths, and multi-use paths when using motorized power.
- Standard traffic laws apply to all motorized devices.

ATTACHMENTS

August 12 Village Council Meeting Minutes

Ordinance

July 1 Village Council Meeting Minutes

8. First Reading

ORD 2025-10879 A. Ordinance: Establishing Regulations for Micromobility Devices

Village Manager Dave Fieldman introduced Transportation Manager Emily Ericson. Ms. Ericson presented via PowerPoint. She provided the background information on this item and provided an overview of the draft ordinance that mirrors the Illinois Vehicle Code.

Public Comments

Laura Temple, a resident, asked if personal assistance devices were prohibited for use on the sidewalk.

Attorney Petrarca responded that they are not prohibited from use on the sidewalk.

Scott Richards returned to the podium and expressed his frustration with children wearing all black riding bicycles with no lights on the street and sidewalks. He explained it made it difficult to see them in the dark. He said he wants regulations in place and enforced.

Village Council Comments

Mayor Barnett opened the conversation about Section 6.5a of the new draft ordinance - regarding equipment related to bicycles, low-speed electric bicycles, low-speed scooters, and personal mobility devices.

Commissioner Davenport emphasized that concerns go beyond just children. He noted that the local ordinance aligns with existing State law, which applies regardless of local adoption. He stressed the importance of education and supported allowing Class 1 and 2 e-bikes on shared use paths, but opposed their use on sidewalks. He also expressed agreement with the matrix included in the agenda packet.

Commissioner Sarver appreciated the detail in the draft ordinance, particularly its provisions for addressing the nighttime use of bikes and devices. She opposed allowing any devices to be used on sidewalks, including scooters, with the exception of personal assistance devices.

Commissioner Sadowski-Fugitt highlighted that e-scooters would only be allowed for individuals aged 18 and over, per the draft ordinance. She acknowledged enforcement challenges with age restrictions for Class 1 and 2 e-bikes, but suggested that a strong education campaign could serve as a deterrent. She also expressed that the age restriction would alleviate her concerns about e-bike use on shared paths and even potentially sidewalks, due to connectivity issues. She supported the matrix and was open to allowing Class 1 and 2 e-bikes on sidewalks, with signage listing allowable devices and age restrictions and max speed limits. She noted that she favored banning all other devices from both sidewalks and streets.

Commissioner Roe expressed agreement with Commissioner Davenport, supporting the allowance of Class 1 and Class 2 e-bikes on shared-use paths, particularly due to the minimum

age restriction. He noted that sidewalks on main roads, such as Ogden Avenue, differ from those on side streets because of the higher traffic volume. He also shared that he owns an e-scooter capable of reaching 18 miles per hour and questioned whether such a device would be permitted under the ordinance.

Attorney Petrarca clarified that the ordinance applies only to low-speed e-scooters with a maximum speed of 10 miles per hour. She explained that Commissioner Roe's scooter, which exceeds that limit, falls under the Illinois Vehicle Code (IVC) and is classified differently; it must be operated on the street and requires the operator to be licensed and insured, with the vehicle registered.

Commissioner Gilmartin clarified that the determining factor in regulation is the type of device rather than just its speed. He supported allowing Class 1 and Class 2 pedal-assist e-bikes on both shared-use paths and sidewalks, noting that the age restriction of 18 is higher than the legal driving age, even though automobiles pose greater risks. He emphasized that adult cyclists, including himself, sometimes use sidewalks depending on traffic and road conditions. He also pointed out that these regulations do not apply to the downtown area, where different rules are in place, and voiced concern about the 18-year age restriction for scooters.

Attorney Petrarca responded that the ordinance reflects State law, which sets the age at 18. Commissioner Gilmartin argued that because Downers Grove has Home Rule authority, the Village should be able to lower the age to 16.

Commissioner Tully clarified that while Home Rule authority allows municipalities to be more restrictive than State law, it does not allow them to be less restrictive. Attorney Petrarca confirmed that reducing the minimum age to 16 would indeed make the ordinance less restrictive than State law, but shared that she would look into it.

Commissioner Tully expressed support for the ordinance as written, stating he is open to future adjustments, if needed.

Mayor Barnett reviewed the draft ordinance's definition of a bicycle and suggested a slight revision. He asked about the classification of on-street bike paths—lanes marked on the side of the street—which Attorney Petrarca confirmed are considered part of the street, even if marked. Mayor Barnett noted that he can personally reach speeds of up to 20 mph on a traditional bicycle and stated that, despite concerns, he believes e-bikes should be permitted on sidewalks to encourage riders to travel throughout the Village while remaining protected from traffic and road conditions. He added that the current proposal may not fully address public feedback and emphasized the importance of promoting non-vehicular travel options.

Commissioner Gilmartin asked whether reconsideration could be given to allowing e-bikes on shared use paths. Manager Fieldman noted that a majority, Commissioners Davenport, Roe, Sadowski-Fugitt, Gilmartin, and Mayor Barnett, expressed support in allowing staff to explore the idea of allowing Class 1 and 2 e-bikes on shared use paths.

Attorney Petrarca cautioned that, from an enforcement standpoint, it could be difficult to distinguish between a Class 1 and a Class 3 e-bike. Manager Fieldman indicated that staff would further analyze the issue before the next meeting. Commissioner Sadowski-Fugitt referenced Senate Bill 285 as a potential resource for incorporating e-bikes into the Village's definitions. Mayor Barnett noted that enforcement would primarily serve as a tool to correct bad behavior. Manager Fieldman reiterated that staff would take a deeper look at the matter and bring it back for a vote, with further discussion about classification and enforcement issues at that time.

Commissioner Davenport shared that even though he feels comfortable with bicycles on the sidewalk, he understands that many pedestrians may not feel safe. He cited McCullom Park during COVID as an example of where bike restrictions made sense due to high pedestrian traffic, but reiterated that sidewalks are primarily intended for walking. He admitted this ordinance is not exactly what he would have drafted, but sees it as a solid starting point and asked Staff to look into Class 1 & 2 e-bikes on shared use paths.

Mayor Barnett pointed out that McCullom Park is a denser, higher-volume environment than the Park District may regulate at its discretion. He added that people walking and riding across town encounter a different environment than that of McCullom Park.

Commissioner Sarver raised concerns about young teens riding their bikes on sidewalks and posing risks to pedestrians. Commissioner Gilmartin said, as a father of a 13-year-old, kids often prefer riding on the street and questioned whether resident complaints are truly about pedal-assist bikes. He suggested reviewing fines for dirt bike offenders. Attorney Petrarca said those violations fall under State law. Police Chief DeVries added that current charges could include the operation of a vehicle without a license, operation without insurance, and potentially reckless driving. Chief DeVries said those are significant charges that could affect the graduated driver's license of a minor. He added that the ordinance also allows for the impoundment of those vehicles, in addition to the possible citation of the parent. He said that a parent allowing an unlicensed person to drive these vehicles could still be subject to a State violation. Chief DeVries also explained that there has been enough public education on this, so the Village would continue to use the State violations when it comes to dirt bikes.

Commissioner Davenport suggested a 10 mph speed limit on sidewalks to be enforced by radar guns, but Chief DeVries explained that enforcing speed limits, especially by radar, would not be possible and he reminded the Council that State law prohibits e-bikes on sidewalks.

Mayor Barnett and Chief DeVries agreed that monitoring speeds on sidewalks is not practical, especially since most bikes and scooters do not have speedometers.

Commissioner Davenport asked whether the Village could override State law to allow e-bikes on sidewalks. Commissioner Gilmartin pointed out that Glen Ellyn allows them. Attorney Petrarca said she would look into it and noted Glen Ellyn made that decision with legal risk.

Mayor Barnett asked that School Districts 58 and 99 be included in the education efforts. Manager Fieldman confirmed this would be possible and shared that Staff would do some additional research and bring updates to the September 2, 2025, Village Council meeting.

VILLAGE OF DOWNERS GROVE

COUNCIL ACTION SUMMARY

INITIATED: Village Attorney **DATE:** September 9, 2025
 (Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
 (Board or Department)

NATURE OF ACTION:

- ☒ Ordinance
- ☐ Resolution
- ☐ Motion
- ☐ Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE
 ESTABLISHING REGULATIONS FOR
 MICROMOBILITY DEVICES", as presented.



SUMMARY OF ITEM:

Adoption of this ordinance shall establish regulations for micromobility devices.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING REGULATIONS FOR
MICROMOBILITY DEVICES

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by ~~redline/underline~~; deletions by ~~strikeout~~):

Section 1. That Article 6 is hereby amended to read as follows:**6 BICYCLES, LOW-SPEED ELECTRIC BICYCLES, LOW-SPEED ELECTRIC SCOOTERS, AND PERSONAL MOBILITY DEVICES**Sec 6.1 Short TitleSec 6.2 DefinitionsSec 6.3 Applicability Of ChapterSec 6.4 RegistrationSec 6.5 InspectionSec 6.6 Attachment Of Registration TagSec 6.7 Transfer Of OwnershipSec 6.8 Rental AgenciesSec 6.9 DealersSec 6.10 Altering NumbersSec 6.11 Traffic Laws ApplicableSec 6.12 Operation GenerallySec 6.13 ParkingSec 6.14 Riding On SidewalksSec 6.15 EquipmentSec 6.16 Impounding; Sale When UnclaimedSec 6.17 Penalties**Sec 6.1 Short Title**

This Chapter shall be known and may be cited as the "Downers Grove Bicycle Code" or the "Bicycle Code".

(Ord. No. 1798, § 1.)

Sec 6.2 Definitions

For the purposes of the Bicycle Code adopted by this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Bicycle. Any device propelled solely by human power upon which any person may ride, composed of two (2) or more wheels, propelled by pedals and steered with handlebars and designated seats for transportation of persons. Every vehicular device propelled by human power upon which a

~~person or persons may ride and which has one (1) or more wheels, each fourteen (14) or more inches in diameter.~~

Low-speed electric bicycle: A bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts, and that meets the requirements of one of the three (3) classifications set forth in Section 1-140.10 of the Illinois Vehicle Code, 625 ILCS 5/1-140.10, as amended.

Low-speed electric scooter: A device weighing less than one hundred (100) pounds, with two (2) or three (3) wheels, handlebars, and a floorboard that can be stood upon while riding, that is powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is no more than ten miles per hour (10 mph). “Low-speed electric scooter” does not include a moped or motor-driven cycle.

Personal assistance mobility device: Manual wheelchairs, power wheelchairs, and electric scooters and manually powered mobility aids such as a walkers, crutches, cane, braces, and other similar devices used by a person with a disability.

Personal mobility device: Any electric-powered or electric assisted device other than a low-speed electric bicycle, low-speed electric scooter or electric scooter, designed to transport one or more persons with an electric propulsion system, such as a motorized or motor-assisted skateboard, motorized unicycles, hover boards, electric personal assistive mobility devices, as defined by 625 ILCS 5/1-117.7, as amended, and any other similar devices, which are propelled by any type of motor or engine whatsoever and include a platform or other space on which an operator or passenger may ride. The following shall be exempt from this definition: (1) personal assistance mobility devices as defined herein; (2) personal mobility devices used by the United States Postal Services to deliver United States mail; (3) personal mobility devices used by governmental entities for public safety purposes or by a Village employee in the performance of the employee’s official duties; and, (4) toy vehicles as defined below.

Shared-use path: A pathway eight feet (8’) or wider physically separated from motorized vehicle traffic and designed for use by the general public to support active transportation users.

Toy Vehicles: battery-powered devices designed for children under eight (8), with a maximum speed of ten miles per hour (10 mph).

~~Bicycle inspector. The Village employee assigned the responsibility of making bicycle inspections pursuant to this Chapter by the Village Manager.~~

~~Rental agency. Any person, firm or corporation engaged in the business of providing bicycles to the public for rent or hire.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.3 Applicability Of Chapter

- ~~1. The provisions of this Chapter shall be applicable to all bicycles operated on streets, alleys and other public property in the Village excluding bicycles operated by police and fire department personnel in the performance of their duties.~~
- ~~2. No parent or guardian of any minor shall authorize or knowingly permit such minor to violate any of the provisions of this Chapter.~~

~~(Ord. No. 1798, § 1.) (4042, Amended, 06/15/1998)~~

Sec 6.2 Operation of bicycles, low-speed electric bicycles, low-speed electric scooters and personal mobility devices

a. *Riding on bicycles, low-speed electric bicycles, low-speed electric scooters and personal mobility devices:* A person operating a bicycle or low-speed electric bicycle shall not ride other than upon or astride the permanent and regular seat attached thereto, nor carry any other person or persons upon such bicycle or low-speed electric bicycle other than upon a firmly attached and regular seat designed and intended for such purpose. No bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device shall be used to carry more than one (1) person unless specifically designed and equipped for more than one (1) person. A bicycle rider or low-speed electric bicycle rider eighteen (18) years of age or older may carry a child securely attached to their person in a sling, or in a device specifically designed to securely attach to the bicycle or a low-speed electric bicycle, as the case may be, and designed to transport a passenger, such as a bike trailer, child seat, or other similar device.

b. *Class 3 low-speed electric bicycle age restriction:* A person who is under the age of sixteen (16) may not operate a Class 3 low-speed electric bicycle as set forth in Section 11-1517 of the Illinois Vehicle Code, 625 ILCS 5/11-1517, as amended.

c. *Low-speed electric scooter age restriction:* A person who is under the age of eighteen (18) may not operate a low-speed electric scooter as set forth in Section 11-1518 of the Illinois Vehicle Code, 625 ILCS 5/11-1518, as amended.

d. *Speed:* No person shall operate a bicycle, low-speed electric bicycle, or personal mobility device at a speed greater than is reasonable and prudent under the then existing conditions. No person shall operate a low-speed electric scooter at a speed greater than ten miles per hour (10) mph regardless of conditions.

e. *Low-speed electric scooters on certain highways:* A person may not operate a low-speed electric scooter on any State public highway in the Village and on any highways with a posted speed limit in excess of thirty-five miles per hour (35 mph) as set forth in Section 11-1518 of the Illinois Vehicle Code, 625 ILCS 5/11-1518, as amended.

f. *Operating Under the Influence:* A person may not operate a bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device while under the influence of any drug or alcohol.

g. *Riding on right:* Every person operating a bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device upon a public street or roadway shall ride as near to

the right side thereof as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

h. *Emerging from alley or driveway:* The operator of a bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device emerging from an alley, driveway or building shall, upon approaching a sidewalk or sidewalk area extending across any alleyway, yield the right of way to all pedestrians and other persons operating a bicycle, low-speed electric scooter or personal assistance mobility device approaching on said sidewalk area and upon entering the public street or roadway, shall yield the right of way to all vehicles and other persons operating a bicycle, low-speed electric bicycle, low-speed electric scooter, personal mobility device, or personal assistance mobility device approaching on said street or roadway.

i. *Emerging from shared-use paths:* Any person operating a bicycle, a Class 1 or Class 2 low-speed electric bicycle or a low-speed electric scooter upon a shared-use path shall yield the right of way to all vehicles, pedestrians, and other persons operating a bicycle, low-speed electric bicycle, low-speed electric scooter personal mobility device or personal assistance mobility device prior to riding into a roadway.

j. *Duty to yield:* Whenever a person rides a bicycle or low-speed electric scooter upon a sidewalk, such person shall yield the right of way to any pedestrian or person operating a personal assistance mobility device and shall give an appropriate signal clearly audible to such pedestrian or operator of a personal assistance mobility device.

k. *Clinging to vehicles:* No person riding upon any bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device shall attach said bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device, or themselves, by clinging or otherwise, to any other vehicle.

l. *Riding in a group:* Persons operating bicycles, low-speed electric bicycles, low-speed electric scooters or personal mobility devices shall ride in a single file.

m. *Carrying articles:* The use of handheld cell phones, or similar devices, while operating a bicycle, low-speed electric bicycle, low-speed electric scooter and/or personal mobility device is prohibited. A person may not operate a bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device while carrying any package, bundle, or article that prevents the operator from keeping at least one hand on the handlebars at all times.

6.3 Location restrictions.

a. *Bicycles and low-speed electric scooters:* Bicycles and low-speed electric scooters may be operated on any street, shared-use path or sidewalk in the Village except as follows: no bicycles, low-speed electric scooters, skateboards, roller skates, in-line skates or similar devices may be operated on sidewalks in the Downtown Business District and Downtown Core District or where signs or markings so prohibiting such use are present.

b. Class 1 and Class 2 low-speed electric bicycles may be operated on any street or shared-use path in the Village. They are prohibited on sidewalks in the Village.

c. Class 3 low-speed electric bicycles and personal mobility devices may only be operated on streets in the Village. They are prohibited on sidewalks and shared-use paths in the Village.

d. No person shall ride bicycles, skateboards, roller skates, in-line skates, low-speed electric bicycles, low-speed electric scooters and personal mobility devices upon any private property for which the Village has entered into an agreement with the property owners, lessees or managers of property for enforcement of these restrictions on the property, and upon which signs or markings prohibiting such use are present. The Village Manager is authorized on behalf of the Village Council to execute agreements with property owners, lessees or managers of property for the enforcement of restrictions of use of bicycles, skateboards, roller skates, inline-skates, low-speed electric bicycles, low-speed electric scooters and personal mobility devices on any private property upon which signs or markings so prohibiting such use are present.

e. Other vehicles prohibited: Any personal mobility device that do not meet the definition of personal mobility devices as defined in Section 6.1 above, including but not limited to: pocket bikes, dirt bikes, mini bikes or other non-highway vehicles shall not be permitted to be operated on any public street, sidewalk, shared-use path, public right-of-way or on any other public property within the Village.

6.4 Parking.

Parking: No person shall park a bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device upon a public street or public right-of-way. Bicycles, low-speed electric bicycles, low-speed electric scooters and personal mobility devices shall be parked on or adjacent to a sidewalk in a rack or charging station designed and installed for that purpose when available, or otherwise in a manner so as to avoid the obstruction of sidewalk access for pedestrian traffic.

6.5 Equipment.

a. Lamps and reflectors: Every bicycle, low-speed electric bicycle, low-speed electric scooter and personal mobility device operated at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from five hundred feet (500') to the rear may be used in addition to the red reflector.

b. Brakes: Every bicycle, low-speed electric bicycle, low-speed electric scooter and personal mobility device shall be equipped with a brake which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.

c. Electric Motor and Battery: No person shall operate any low-speed electric bicycle, low-speed electric scooter or personal mobility device with a battery or motor that has been altered or modified from the manufacturer's specifications, or where the battery or motor specifications are removed, disguised, or omitted to conceal performance specifications.

d. *Labels for Low-Speed Electric Bicycles:* Every low-speed electric bicycle is required to have a label that is permanently affixed to the bicycle in a prominent location. The label shall contain: (1) the low-speed electric bicycle classification number; (2) the bicycle's top assisted speed; and (3) the bicycle's motor wattage as set forth in Section 11-1517 of the Illinois Vehicle Code, 625 ILCS 11-1517, as amended.

e. *Operating Condition:* Every bicycle, low-speed electric bicycle, low-speed electric scooter and personal mobility device operated within the Village shall be in good operating condition.

6.6 Duty of parent or legal guardian.

It shall be unlawful for any parent or any legal guardian to permit, authorize, allow or acquiesce to any minor child seventeen (17) years of age or younger of which they are a parent or legal guardian to violate any provisions of this Chapter. Any parent or legal guardian of any minor child seventeen (17) years of age or younger shall be liable for any and all fines or penalties imposed for violations of this Chapter and for any and all damages and injuries to persons or property resulting therefrom.

6.7 Exemption.

a. The provisions of this Chapter shall not be applicable to special events approved by the Village pursuant to the Downers Grove Municipal Code involving the use of bicycles, low-speed electric bicycles, low-speed electric scooter or personal mobility devices.

b. The provisions of this Chapter shall not be applicable to personal assistance mobility devices or toy vehicles.

6.8 Village Immunity.

Nothing in this Chapter designates the operation of bicycles, low-speed electric bicycles, low-speed electric scooters, personal mobility devices or toys as an intended or permitted use of property with respect to Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/3-102, as amended.

6.9 Impoundment.

Any and all bicycles, low-speed electric bicycles, low-speed electric scooters and personal mobility devices operated in violation of this Chapter may be impounded by the Village and held as evidence of such violation pending the final disposition of any proceedings commenced in relation to such violation. In the event a bicycle, low-speed electric bicycle, low-speed electric scooter or personal mobility device is found on public property, or found in the possession of a person not the owner or other person entitled to possession thereof, such device may be impounded by the Village. If the device is not claimed after impoundment, such device may be sold as properly possessed by a law enforcement agency pursuant to applicable law.

6.10 Penalty.

Any person who violates any of the provisions of this Chapter shall be subject to the penalties set forth in DGMC Section 1.15 and DGMC Section 1.16. A separate offense shall be deemed committed for each day on which a violation occurs or continues.

6.4 Registration

- ~~1. No person residing in the Village shall ride or use a bicycle, without first registering the same.~~
- ~~2. Application for bicycle registration shall be made by the owner thereof to the police department, upon a form provided by the department. Such application shall be accompanied by proof of ownership.~~
- ~~3. Upon receipt of proper application therefor, the Police Department is authorized to issue evidence of registration which shall be effective for as long as the bicycle is in the possession of the owner.~~
- ~~4. No registration for any bicycle shall be issued when the police department or other designated Village official, knows or has reasonable grounds to believe that the applicant is not the owner of such bicycle.~~
- ~~5. The Police Department shall keep a record of the number of each registration, the date issued, the name and address of the person to whom issued, the identification number of the bicycle for which issued and the make and color of the bicycle.~~

~~(Ord. No. 1798, § 1; Ord. No. 2350, § 1.)~~

Sec 6.5 Inspection

~~The bicycle inspector may inspect each bicycle before registering the same. The evidence of registration shall be issued for all bicycles that are inspected, notwithstanding noncompliance with the equipment requirements of this Code or other applicable law, but the bicycle inspector may notify the owner, parent or guardian of such deficiencies in equipment.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.6 Attachment Of Registration Tag

~~As evidence of the registration of a bicycle, the police department shall issue a tag bearing the registration number assigned to the bicycle, the name of the Village and such other information deemed necessary by the Chief of Police. The applicant shall cause such tag or sticker to be firmly attached to the bicycle in such a position as to be plainly visible. No person shall remove, deface or destroy such tag or sticker except upon a transfer of ownership or in the event the bicycle is dismantled by the owner. In case of theft, loss, defacing or mutilation of such plate or sticker, a duplicate may be issued.~~

~~(Ord. No. 1798, § 1.) (Ord. 5155, Amended, 10/12/2010)~~

Sec 6.7 Transfer Of Ownership

- ~~1. Not less than ten (10) days after the sale or other transfer of a registered bicycle, the transferor shall report such sale or transfer to the Police Department and return the registration card, together with the name and address of the new owner or transferee of such bicycle.~~
- ~~2. Within such ten (10) day period, the new owner or transferee may, upon presentation of proof of ownership, have a transfer of such registration made to him.~~

~~(Ord. No. 1798, § 1; Ord. No. 2350, § 2.)~~

Sec 6.8 Rental Agencies

- ~~1. No rental agency shall rent or offer to rent any bicycle, unless such bicycle is registered and equipped to comply with the requirements of this Chapter.~~
- ~~2. No rental agency shall rent a bicycle to a minor without first obtaining the written consent of a parent or guardian, which consent shall set forth the name, address and age of such minor. A record of such consents shall be kept on file by the rental agency for a period of one (1) year.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.9 Dealers

~~Every person located within the Village that sells five (5) or more new or used bicycles per month shall keep monthly records of each sale, which records shall include the name and address of each purchaser and a description of the bicycle, by name or make, serial number and color. Such report shall be delivered to the bicycle inspector not less than ten (10) days after the last day of the month to which such report relates.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.10 Altering Numbers

~~It shall be unlawful to remove, destroy, mutilate or alter the number of any bicycle frame or registration card.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.11 Traffic Laws Applicable

~~Every person operating a bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under the laws of the state and the Village, except those rights and duties which by their nature have no application.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.12 Operation Generally

- ~~1. Every person operating a bicycle shall ride as close to the right hand side of the street or roadway as is practical and safe.~~
- ~~2. No person operating a bicycle shall ride other than astride a permanent and regular seat attached thereto.~~
- ~~3. No bicycle shall be used to carry more persons at one time than the number for which it is equipped or designed.~~
- ~~4. No person shall attach any equipment or device to a bicycle which will be pulled or dragged behind such bicycle unless such equipment or device shall have been designed and equipped for such use.~~
- ~~5. No person shall operate a bicycle at a speed greater than is reasonable and proper having regard to traffic conditions and the use of the highway. In no event shall any person operate a bicycle at a speed greater than that posted for the operation of automobiles or other motor vehicles.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.13 Parking

~~No person shall park a bicycle upon a street other than against the curb or upon a sidewalk other than in a rack or upon other public property other than against a building, tree, sign post or other similar structure. In all cases a bicycle shall be parked in such manner so as to avoid unreasonable obstruction to pedestrian or vehicular traffic.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.14 Riding On Sidewalks

- ~~1. No person shall ride a bicycle upon a sidewalk within an area zoned for business under the Comprehensive Zoning Ordinance of the Village and upon which signs or markings so prohibiting bicycle riding are present.~~
- ~~2. The Village Manager is authorized on behalf of the Village Council to execute agreements with property owners, lessees or managers for the enforcement of bicycle restrictions on private property.~~
- ~~3. No person shall ride a bicycle upon a sidewalk or upon any private property for which the Village has entered into an agreement with the property owner, lessee or manager for enforcement of the bicycle restrictions on the property, and upon which signs or markings prohibiting bicycle riding are present.~~

~~(Ord. No. 1798, § 1.) (4133, Amended, 06/28/1999; 3991, Amended, 12/01/1997)~~

Sec 6.15 Equipment

- ~~1. Every bicycle, when used between sunset and sunrise, shall be equipped with a lamp on the front, which shall emit a white light visible for a distance of at least five hundred (500) feet to the front. Every bicycle shall be equipped with a red reflex reflector on the rear, a~~

~~clear reflex reflector on the front of the bicycle, visible in front. In addition to such reflectors, the bicycle may be equipped with a red light, visible to the rear.~~

- ~~2. No person shall operate a bicycle at any time unless it is equipped with a bell or other device capable of giving a signal audible for a distance of one hundred (100) feet.~~
- ~~3. On bicycles sold at retail after July 15, 1974, equipment must include pedal reflectors and side reflectors, consistent in design and placement with applicable state law.~~
- ~~4. Every bicycle shall be equipped with a brake or brakes which will enable the operator to make the braked wheels skid on dry, level, clean pavement.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.16 Impounding; Sale When Unclaimed

~~In the event a bicycle is found on a public street, or found in the possession of a person not the owner or other person entitled to possession thereof, such bicycle shall be impounded by the bicycle inspector of the Police Department. After impoundment and after proper attempts to notify the registered owner, if any, by the mailing of a written notice to such owner's last address of record, such bicycle may be sold as properly possessed by a law enforcement agency pursuant to applicable law.~~

~~(Ord. No. 1798, § 1.)~~

Sec 6.17 Penalties

~~Any person who violates any provisions of this Chapter shall be fined not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00) for each offense.~~

~~(Ord. No. 1798, § 1.)~~

Section 2. That Section 1.2 is hereby amended to read as follows:

Sec 1.2 Definitions And Rules Of Construction

- (a) Definitions. In the interpretation and construction of this Code, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the Council or the context clearly requires otherwise:

* * *

Right-Of-Way, Public. Improved or unimproved strip of land dedicated for public use, primarily intended to be occupied or presently occupied by a street, roadway, alley, sidewalk, parkway, public utility line or any other public uses such as a ~~bicycle or walking path~~ shared-use path.

* * *

Street. Generally, the word "street" means the entire width between property lines of

every way publicly maintained when any part thereof is open to the use of the public, as a matter of right for purposes of vehicular traffic. (For similar State law definition, see 625 ILCS 5/1-201.) For the purposes of Chapters 6, 19, 20, and 28, "street" shall mean the improved component of a public right-of-way which is intended as the means of vehicular access to abutting property or as a thoroughfare, whether designated as a street, avenue or otherwise, but not including alleys or driveways.

* * *

Section 3. That Section 1.16 is hereby amended to read as follows:

Sec. 1.16 Citation And Settlement In Lieu Of Prosecution For Certain Offenses

- (a) Whenever a person is observed violating certain provisions of this Code as specified in this Section, or there is reasonable suspicion to believe that such a violation has occurred and that a particular person is responsible, the Village may, in lieu of filing a complaint in court, issue to the alleged violator a citation which shall:
 - (1) Advise said person that the same has violated a specified ordinance;
 - (2) Direct said person to make payment in an amount applicable to said alleged violation as set forth in this section as settlement of said claim;
 - (3) Advise said person, where applicable, to cease and/or abate said violation forthwith and to refrain from like violations in the future;
 - (4) Inform said person that, upon failure to so settle the claim and to cease and/or abate said violations, a complaint will be filed in the Circuit Court of DuPage County.
- (b) Except as provided below, citations as provided herein shall be personally served upon the person responsible for the violation, his agent, representative, independent contractor or employee. In the event the owner, occupant, contractor or other person responsible for the violation cannot be located the citation may be served by posting a copy at the property, structure or vehicle where the violation has occurred and sending a copy by United States mail to the last known address of such person.
- (c) Any person served with a citation for violations of the following provisions of the Downers Grove Municipal Code and the Comprehensive Zoning Ordinance of the Village of Downers Grove may settle and compromise the matter in respect of such ordinance violation by ceasing and/or abating said violation and paying the sum of seventy-five dollars (\$75.00) if paid within ten (10) days of service of the citation, or one hundred fifty dollars (\$150.00) if paid after such ten (10) day period but before filing of a complaint in the Circuit Court of DuPage County.
 - (1) DOWNERS GROVE MUNICIPAL CODE
 - a. DGMC Section 5.501; Animals; Running at Large.
 - b. DGMC Section 5.202; Removal of Dog Excrement.
 - c. DGMC Section 5.203; Removal of Cat Excrement.
 - d. Any provision of Chapter 6, Bicycles, Low-speed Electric Bicycles, Low-speed Electric Scooters and Personal Mobility Devices.

- e. DGMC Section 8.2014(d); Requirements for Display of Massage Establishment License.
- f. DGMC Section 13.43; Storage of Refuse.
- g. DGMC Section 13.49.1; Placing Garbage on the Parkway for Scavenger Removal.
- h. DGMC Section 13.49.2; Discarding Refuse and Compostable Materials in Streets, etc., prohibited.
- i. DGMC Section 15.205; Noise Regulations.
- j. DGMC Section 15.208 Drinking on Public property and in parking areas of residential developments.
- k. DGMC Section 15.302; Possession of Cannabis, Tobacco Products, Alternative Nicotine Products, Smoking Materials or Drug Paraphernalia by any person under the age of twenty-one prohibited.
- l. DGMC Section 15.303; Purchase of Cannabis, Tobacco Products, Alternative Nicotine Products, Smoking Materials or Drug Paraphernalia by any person under the age of twenty-one prohibited.
- m. DGMC Section 19.15.1; Skateboarding, Roller Skating or In-Line Skating in a Business District.
- n. DGMC Section 19.21.1; Depositing Snow on Paved Streets.
- o. DGMC Section 25.11; Use of Public Hydrants.

* * *

Section 4. That Section 4.210 is hereby amended to read as follows:

Sec 4.210 Public Conduct During Parades Or Open Air Meetings

- (a) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any parade, open air meeting or similar activity, or with any person, vehicle or animal participating or used in such activity.
- (b) Driving through parades or open air meetings in a motor vehicle or by bicycle, low-speed electric bicycle, low-speed electric scooter and personal mobility device is prohibited.
- (c) The Village Manager shall have the authority to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade or location of an open air meeting. The Village Manager shall order the posting of signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

Section 5. That Section 15.218 is hereby amended to read as follows:

Sec 15.218 Attachment To Street Light Poles Of Any Device Or Material Prohibited

No person shall attach any device or material to any street light pole located within the DB Downtown Business District, DC Downtown Core District or the DT Downtown Transition District of the Village as defined in the Comprehensive Zoning Ordinance of the Village, passed

and approved April 19, 1965, as amended. Such device or material shall include, but not be limited to, boxes, vending machines and any other type of dispensers for newspapers and other publications, bicycles, low-speed electric bicycles, low-speed electric scooters or other personal mobility devices, garbage receptacles, benches, signs and advertisements. This restriction shall not apply to the American flag, seasonal decorations, banners related to Village sponsored events, or signs regulating parking or traffic, when attachment of such items is authorized by the Village Council.

Section 6. That Section 19.15.1 is hereby deleted in its entirety:

Sec 19.15.1 Skateboarding, Roller Skating Or In-Line Skating In A Business District

- ~~(a) No person shall ride a skateboard, roller skate, in-line skate, electric scooter, motorized skateboard (a.k.a. Go-Ped), Segway or use a similar device upon a sidewalk, a parking or loading area, or any public property, within an area zoned for business under the Comprehensive Zoning Ordinance of the Village and upon which signs or markings so prohibiting such activity are present.~~
- ~~(b) The Village Manager is authorized on behalf of the Village Council to execute agreements with property owners, lessees or managers for enforcement of skateboarding, roller skating, in-line skating, electric scooter, motorized skateboard (a.k.a. Go-Ped), Segway or other similar devices restrictions on private property.~~
- ~~(c) No person shall ride a skateboard, roller skate, in-line skate, electric scooter, motorized skateboard (a.k.a. Go-Ped), Segway or use a similar device upon a sidewalk or upon any private property for which the Village has entered into an agreement with the property owner, lessee or manager for enforcement of the restrictions on the property, and upon which signs or markings so prohibiting skateboarding, roller skating, in-line skating or other similar devices are present.~~
- ~~(d) Disabled individuals employing wheelchairs and other adaptive devices are strictly exempt from this Section.~~

Section 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest:

Village Clerk

Meeting Minutes

Village of Downers Grove - Council Meeting

Betty Cheever Council Chambers

July 01, 2025

07:00 PM

1. Call to Order

Pledge of Allegiance to the Flag

2. Roll Call

Council Attendance (Present): Mayor Barnett, Commissioner Sadowski-Fugitt, Commissioner Gilmartin, Commissioner Tully, Commissioner Davenport, Commissioner Sarver, Commissioner Roe

Council Attendance (Not Present): None.

Non-Voting: Village Manager Dave Fieldman, Village Attorney Enza Petrarca, and Village Clerk Rosa Berardi

3. Minutes of Council Meetings

MIN 2024-10525 A. Minutes: Village Council Meeting Minutes - June 17, 2025

MOTION: To Adopt Village Council Meeting Minutes of June 17, 2025, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Gilmartin, Davenport, Sarver, Roe, and Mayor Barnett

4. Public Comments

Ed Pawlik, resident, asked about the plans to fill the Mayor Pro Tem position.

5. Consent Agenda

BIL 2024-10652 A. Bills Payable: No. 6880 - July 1, 2025

COR 2024-10653 B. Claims Ordinance: No. 6609, Payroll - June 13, 2025

RES 2025-10813 C. Resolution: Approve an Intergovernmental Agreement with the County of DuPage, Illinois, for the Prentiss Creek Streambank Stabilization Project

RESOLUTION 2025-55

A RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF DUPAGE, ILLINOIS AND THE VILLAGE OF DOWNERS GROVE FOR THE PRENTISS CREEK STREAMBACK STABILIZATION PROJECT

MOT 2025-10820 D. Motion: Approve a Purchase of Bulk Rock Salt from Compass Minerals America, Inc.

MOTION: To **Adopt the Consent Agenda of the July 1, 2025 Village Council Meeting**, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Gilmartin, Davenport, Sarver, Roe, and Mayor Barnett

6. Active Agenda

ORD 2025-10808 A. Ordinance: Approving an Amendment to Planned Unit Development #31 to Construct a Single-Story Credit Union with a Drive-Through

MOTION: To adopt ***AN ORDINANCE APPROVING AN AMENDMENT TO PLANNED UNIT DEVELOPMENT #31 TO CONSTRUCT A SINGLE-STORY CREDIT UNION WITH A DRIVE-THROUGH***, as presented. **ORDINANCE 6127**

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Gilmartin, Davenport, Sarver, Roe, and Mayor Barnett

ORD 2025-10807 B. Ordinance: Authorizing a Special Use for 1807 Butterfield Road to Permit a Drive-Through

MOTION: To adopt ***AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 1807 BUTTERFIELD ROAD TO PERMIT A DRIVE-THROUGH***, as presented. **ORDINANCE 6128**

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Gilmartin, Davenport, Sarver, Roe, and Mayor Barnett

Mayor Barnett reminded all that Item A & B were related and had been discussed previously with no controversy.

RES 2025-10802 C. Resolution: Approve a Master License Agreement with Ezee Fiber Texas, LLC for Use of the Village's Rights-of-Way for the Installation, Operation and Maintenance of an Underground Fiber Optics Telecommunications System

MOTION: To approve ***A RESOLUTION AUTHORIZING EXECUTION OF A MASTER LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND EZZE FIBER TEXAS, LLC.***, as presented. **RESOLUTION 2025-48**

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Gilmartin, Davenport, Sarver, Roe, and Mayor Barnett

Village Council Comments

Commissioner Gilmartin thanked Ezee Fiber for their interest in Downers Grove and asked them to keep in mind the concerns that were discussed surrounding this project.

7. First Reading

ORD 2025-10819 A. Ordinance: Authorizing an Extension of Special Use Ordinance No. 6044 for 5133 Main Street to Permit Multi-Family Units on the Second Floor and a Parking Variation

Village Manager Dave Fieldman introduced Planning Manager Jason Zawila. Mr. Zawilla used presented a PowerPoint presentation. He explained this is the first request for an extension and the petitioner has until November 14, 2025, to have the permit issued and it is good for one year after issuance.

Public Comments

Janet Winningham returned to the podium and expressed her disappointment in the extension request and requested the Council reconsider their request for parking spaces.

Village Council Comments

Commissioner Tully said the first request for extensions of special use permits are routinely granted and have been for decades.

Mayor Barnett said this is a reasonable request and noted that nothing with the special use has changed in any way.

REP 2025-10821 B. Report: Discussion on Micromobility Devices

Mayor Barnett said this will be treated like Long Range Planning discussions due to the amount of input provided by residents. He explained that residents have concerns with the safety when it comes to these devices and shared that this is the start of the process to set the rules for them. He said public comment will be taken at the end of the Council discussion.

Transportation Manager Emily Ericson presented via PowerPoint. She reviewed the topics of the discussion. She reviewed the Guiding DG Guidelines with regard to micromobility devices within the Comprehensive Plan and the Active Transportation Plan.

Police Chief Devries then presented via Power Point and explained that micromobility device types include: bicycles and other human-powered devices, low-speed electric bicycles, and low-speed electric scooters. He explained that low-speed electric bicycles are regulated by State law, whereas the low-speed electric scooters are prohibited - unless authorized by municipal ordinance. He spoke about "other devices" such as one-wheel devices, segway scooters and hoverboards and explained that these are not regulated by State law but are to be defined in a future ordinance. He spoke of "not applicable devices" such as children's toys and electric wheelchairs. He reviewed the prohibited devices which include off-highway motorcycles and mini-motorbikes and said they are prohibited by State law. He explained that the Police Department has educated the public on prohibited devices and have seen less of them in the area. He reviewed regulations by facility and device type in Downers Grove and in the surrounding communities. He spoke of the considerations for each classification of devices, including the pros and cons of each. He explained that there could be an increase in devices on the road after they are authorized by the Village, but shared that education will be key to control the behavior of operators, with an increase in enforcement as well.

Village Manager Fieldman then presented at the white board. He explained the Council will go through the exercise of slotting in the Village's stance on regulations by facility and device type in the chart that was shared by Chief Devries. He said that this is the first step in the Council discussion, with the option of further discussion once an ordinance is put together.

Village Council Comments

Mayor Barnett introduced the discussion as the first step toward creating a Village ordinance on these devices. He said the Council is tasked with figuring out what fits for Downers Grove and what matches the Village's values and expectations as a community.

1. Bicycles and Human Powered Devices

Commissioner Gilmartin asked for confirmation that there are already regulations in place for bikes and human powered devices, to which Village Attorney Enza Petrarca confirmed there is. Commissioner Gilmartin asked if there is a specific reason why the towns listed in the chart were chosen. Manager Fieldman explained that those towns, located in DuPage County, already have ordinances on micromobility devices in place. Commissioner Sarver and Mayor Barnett both expressed surprise that Burr Ridge is the only town on the chart that prohibits bikes

and human powered devices on sidewalks. Manager Fieldman said he would look into why Burr Ridge prohibits them further. The balance of the Council, except for Commissioner Sarver, supported allowing bikes and human-powered devices on sidewalks, except in prohibited areas like the downtown.

2. E-Bikes

Mayor Barnett noted regional consistency in regulations, to which Manager Fieldman attributed to State laws governing e-bikes. Mayor Barnett raised concerns about e-bike speeds, specifically that there are multiple classes with varying speeds. He said as he understood it, this would mean allowing e-bikes that could reach speeds of up to 28 mph on sidewalks. Manager Fieldman said that Staff's general interpretation is that the towns listed permit e-bikes on the sidewalk, also noting that they did deep dive into the subject enough to know if they regulate by class of e-bike.

Commissioner Gilmartin questioned whether such speeds could be considered "low" and questioned if there was a way to identify e-bike classes. Attorney Petrarca clarified that e-bikes are required to have labels indicating their class, but warned these labels would need to be physically inspected to be read - classes could not be detected from a distance.

Commissioners Sadowski-Fugitt, Tully, Sarver, Davenport and Roe expressed opposition to allowing e-bikes on sidewalks. Commissioner Sadowski-Fugitt said she is a firm no on sidewalk use regardless of bike class and also opposed their use on 8-foot-wide shared use paths, though she said she might reconsider for paths that are in the 10–15 feet wide range. She supported allowing e-bikes on streets. Commissioners Tully, Sarver, and Davenport agreed—supporting street use but opposing use on sidewalks and shared paths. Commissioner Roe raised questions about age restrictions on certain e-bike classes. He requested more information on the different classes of e-bikes, their speeds and age restrictions. Mayor Barnett expressed he was conflicted with allowing them on sidewalks because they could be peddled like a bicycle, but also expressed concerns of the potential for users to modify them to reach higher speeds.

Commissioner Davenport raised concerns about kids riding e-bikes too fast and was a no to allowing them on sidewalks. He also said that since there are not currently any shared use paths that run across town, he did not want to decide on shared use paths just yet.

Mayor Barnett framed the issue as one of transit, pointing out that the routes ideal for cars are often the same ones e-bike riders use. He expressed concerns about banning e-bikes from sidewalks without providing a safe alternative, as that would force them onto busy streets. He stressed that the ordinance that is written must clearly define expectations and enforcement measures.

Commissioner Gilmartin supported encouraging non-motorized transportation and noted that some bike riders may need the assistance e-bikes provide to avoid fatigue. He also cautioned against putting e-bikes in the same category as dirt bikes.

Mayor Barnett stressed that the ordinance that is written must clearly define expectations and enforcement measures. He and Commissioner Gilmartin supported allowing e-bikes on sidewalks and shared use paths.

Commissioner Roe remained undecided, seeking more information on shared use paths, while the rest of the Council opposed both sidewalk and shared use path access for e-bikes.

Mayor Barnett inquired about complaints received by the Police Department over the last few months, to which Chief Devries explained that the complaints received were specifically about illegal off-road vehicles, not pedal-assist e-bikes. Commissioner Sarver expressed concern that many complaints about e-bikes likely go unreported.

Commissioner Sadowski-Fugitt said she observed kids riding motorized bikes at McCullom Park, and Commissioner Gilmartin requested insight into why Glen Ellyn allows e-bikes on sidewalks, also seeking clarification on e-bike classes. Chief Devries explained that Class 2 and 3 e-bikes have throttles, while Class 1 does not, though it can still reach speeds up to 28 mph.

Commissioner Sarver further asked if there were any complaints involving low-speed e-bikes hitting pedestrians on sidewalks. Manager Fieldman said Staff would need to look into this because calls for complaints versus calls to 911 for injuries are different.

Mayor Barnett emphasized that the complaints that were received did not involve pedal-assist e-bikes, noting his own uncertainty about the issue. Manager Fieldman summarized that while there is general consensus on allowing e-bikes, with pedals, on streets, more information and analysis is needed on the classes of bikes as they relate to the regulations of allowing them on shared use paths and possibly sidewalks.

Commissioner Davenport raised concerns about the safety of allowing high-speed e-bikes on sidewalks where pedestrians are present. Mayor Barnett noted that even traditional cyclists can pass pedestrians quickly and asked whether the current ordinance addresses reckless bike riding, to which Attorney Petrarca confirmed it does not.

Commissioner Gilmartin asked about a voluntary bike registration system the Village currently has in place. Attorney Petrarca responded that while it is technically still in place, it is no longer actively maintained by the Village. Chief Devries noted that residents can register their bikes under that system as part of an anti-theft initiative, allowing recovered bikes to be identified through serial numbers. Commissioner Gilmartin proposed requiring e-bikes to be registered with classification-specific, color-coded stickers.

Commissioner Davenport expressed concerns with enforcement and Commissioner Gilmartin noted that while many e-bikes are currently on sidewalks, they do not appear to be the source of the issues being reported and suggested it may not be a pressing problem.

3. Low Speed E-Scooters

Manager Fieldman said that low speed e-scooters are prohibited under State law, unless explicitly allowed by local ordinance.

Commissioner Davenport questioned how this works for towns where these scooters are widely available to rent. Attorney Petrarca clarified that it is due to those towns having ordinances that allow the use.

Commissioner Roe supported their use on streets, shared paths, and sidewalks for users over 18, noting that his own scooter reaches 25 mph.

Commissioner Sadowski-Fugitt and Mayor Barnett also supported their use on streets, shared use paths and sidewalks, while Commissioner Sarver opposed allowing them on sidewalks.

Commissioner Gilmartin asked whether the Village must follow State law or if it can be modified. Attorney Petrarca explained that as a home rule municipality, the Village can be more restrictive, but being less restrictive would require justification.

Commissioners Tully and Davenport expressed support for allowing e-bikes and e-scooters on streets and shared use paths, but not on sidewalks. Commissioner Gilmartin questioned whether, if permitted, these devices must follow standard traffic rules or if separate rules would apply. Commissioner Sadowski-Fugitt confirmed that according to the Village ordinance, e-bikes and e-scooters must follow existing traffic laws. Attorney Petrarca said this is consistent with the Illinois Vehicle Code.

4. Other Micromobility Devices (One Wheel Devices, Segway Standing Scooters, Hoverboards)

Manager Fieldman shifted the discussion to “other micromobility devices” and asked for Attorney Petrarca’s confirmation that they are not currently defined or regulated by State law or local ordinance. Attorney Petrarca confirmed there are no existing restrictions, meaning the Village would have to define these in an ordinance.

Mayor Barnett supported allowing these devices on streets, shared paths, and sidewalks. Commissioner Davenport asked why the Village needs to review these. Mayor Barnett and Chief Devries emphasized the need for definitions and regulations to clarify responsibility and procedures in accidents.

Commissioner Roe supported adding an age regulation for e-scooters.

The rest of the Council agreed on exploring options and setting guidelines.

5. Not Applicable Devices (Motorized Assistive Wheelchairs/Scooters, Ride-On Kids ATVs)

Attorney Petrarca clarified that these devices would be defined and it would be made clear in the ordinance that these are not subject to the same restrictions.

The Council then made additional comments on this process with Commissioner Davenport sharing that he is struggling with what the use of sidewalks should be and what they have been used for historically, sharing that above all, safety is number 1 for him. He also shared he is not firm in terms of how he voted. He is still listening and learning. He said there is not a great solution to this, but he has confidence they will land on what is right for DG. Commissioner Sarver echoed his concerns, referencing issues in other municipalities. Commissioner Sadowski-Fugitt inquired about how long other towns have had regulations in place. Attorney Petrarca noted Hinsdale has had theirs the longest, for approximately 1 to 1.5 years, but had to tighten their restrictions. Commissioner Sadowski-Fugitt requested more data from other municipalities. Mayor Barnett asked if organizations like the DMMC have relevant information, to which Manager Fieldman confirmed they do and he will follow up with other Village Managers on the subject. Mayor Barnett concluded by calling this a good start toward drafting an ordinance and invited public input.

Public Comments

Ann Kimpton, a resident representing residents of the McCollum and El Sierra neighborhoods, shared concerns about e-bikes and requested the Council be proactive in avoiding dangerous accidents. She suggested the Village team up with the Park District to make changes to some of the bike paths.

Paul Kimpton, resident, said there are high-energy devices, both gas and electric, ridden by kids under 18 years of age that race down the street and around McCullum Park. He said there is no enforcement and there needs to be.

Scott Richards, resident, shared as a pedestrian he has concerns about micromobility devices - especially in the downtown area. He encouraged education on the rules of the road for adult and child bicyclists.

Janet Winningham, thanked Commissioner Sarver for bringing up the notion that the absence of complaints does not mean the absence of incidents. She expressed concerns about the safety of these devices and stressed they should not be allowed in the downtown area..

Mayor Barnett said the Council appreciates all of the input they received from the public. He said the Council is trying to set rules that will develop expectations. He said this will set up the enforcement of the Police Department. He asked all to be reasonable with their expectations.

Commissioner Davenport asked for clarification about actions taken by the Park District during COVID that banned even human-powered devices at McCollum Park. Manager Fieldman said those rules were set by the Park District, not the Village. Mayor Barnett explained the Park District sets the rules in their parks. Commissioner Davenport asked if some of the complaints about McCollum Park may be better directed to the Park District. Manager Fieldman said that

Staff is in communication with the Park District and will communicate tonight's discussion with them as well.

8. Attorney's Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, Village Attorney Enza Petrarca presented the following for Village Council consideration:

1. An ordinance authorizing an extension of Special Use Ordinance No. 6044 for 5133 Main Street to permit multi-family units on the second floor and a parking variation.

9. Manager's Report

REP 2025-10814 A. Report: Long Range Planning Discussion

Manager Fieldman said this is the continuation of the discussion of the 2025-2027 Long Range Plan. He reviewed the Key Recommendations Summary. He explained that Supplemental Report #2 is available online with updated information. Manager Fieldman explained that calls with the Council have resulted in additional alternative revenue source options including a rise in what the Village charges for Natural Gas Tax, Electricity Tax and Hotel Tax. He then provided three options to the Council that staff framed up involving only HRST and HRS and F&B Tax. Manager Fieldman explained that the fund types these revenues are applied to could be addressed on a year to year basis. He said the goal is to draft a plan after the Council's discussion.

Village Council Comments

Commissioner Sadowski-Fugitt voiced support for Option 3 and expressed interest in revisiting revenue increases for operations or pensions in the future, though she does not support changes now. She opposed both the Natural Gas and Electricity Taxes, as they could burden residents already struggling economically. She also opposed the Amusement Tax, noting that it includes more than just streaming. She said she would like to re-evaluate tax changes in a couple of years.

Commissioner Sarver also supported Option 3 and shared she is open to a Hotel Tax and learning more about Real Estate Transfer Tax Stamps. Similar to Commissioner Sadowski-Fugitt, she opposed the Natural Gas and Electricity taxes due to concerns for vulnerable populations.

Commissioner Gilmartin supported the Natural Gas and Electricity Taxes, citing the fact that rates have not increased in over two decades and that the cost to residents would be miniscule. He argued that the tax is justified due to the utility use of public rights-of-way and sees it as less harmful to economic development than higher Food and Beverage or Home Rule Sales Taxes. He also supported raising the Hotel Tax and favored a flexible approach to the Amusement Tax, such as applying more to streaming and less to other activities. He said he has not yet taken a

position on Food and Beverage or HRST - this is pending further Council discussion. In terms of the Real Estate Transfer Tax Stamps, he said he could be open to it but he thinks it is unlikely to pass a referendum.

Commissioner Roe opposed the Real Estate Transfer Stamp, considering it too burdensome and unlikely to succeed. He said he is also against the Natural Gas and Electricity Taxes. He supported the Hotel Tax and said he is open to HRST and Food and Beverage Tax increases under Options 1 or 2, but cautioned against raising rates higher than neighboring municipalities.

Commissioner Tully initially supported a modest increase to the HRST (0.5%) - a lower percentage than even Option 1- and said he is not in favor of broadly raising taxes across multiple categories. He said has concerns about issuing debt instruments during this time of economic uncertainty. He said he is not as ambitious to get as much as they can from each category and suggested having some pause with this. He said he can get on board to support Option 1 and may be open to supporting Option 2. He said he is open to considering a Hotel Tax but believes the Economic Development Corporation (EDC) should be consulted.

Mayor Barnett said he supports Option 3 and appreciates the flexibility of directing revenue toward pension smoothing. He shared the concerns raised by Commissioner Sadowski-Fugitt and preferred not to pursue Real Estate Transfer Tax Stamps, viewing it as unlikely to pass a referendum. While open to the Amusement Tax in the future, he said he wants more information before acting on it. He supported the Hotel Tax with EDC input and opposed the Natural Gas and Electricity taxes, citing concern for residents with financial burdens. He said he favors targeting discretionary spending areas like HRST and Food and Beverage tax.

Commissioner Davenport echoed the need for more information on the Amusement Tax and input from the EDC on the Hotel Tax. He said he wants to better understand the implications of the Natural Gas and Electricity taxes, which he believes may be a declining source of revenue. He said he is not yet ready to take a firm stance on HRST or Food and Beverage Tax but supports using them to help fund pensions, while uncertain how much should go toward other initiatives like Guiding DG.

Manager Fieldman explained the process taken by the LRP team to frame up the packages presented and asked for time to work with the team to draft a strategy to fund the budget. Mayor Barnett emphasized the need to determine which revenue "buckets" (e.g., HRST and Food and Beverage tax) the Council is willing to consider manipulating.

Commissioner Davenport expressed interest in all revenue options except the Real Estate Transfer Tax Stamp, which he believed would fail at referendum.

Commissioner Gilmartin raised a question about whether out-of-state natural gas and electricity providers still pay local taxes, to which Mayor Barnett noted that utility taxes are not discretionary for residents. Commissioner Gilmartin argued that a \$1/month cost from the Natural Gas and Electricity Tax is minimal compared to what residents spend on Food and

Beverage Tax and HRST. He said this small increase could fully cover the \$700,000 pension obligation or any of the other projects on the list. He emphasized that Food and Beverage tax increases would affect residents more directly.

Mayor Barnett noted that the pension burden ultimately falls on the Village, but stressed the importance of funding it in a way that includes contributions from non-residents. He also mentioned the state-mandated pension funding requirements as a driving force behind exploring bonding and other revenue sources.

Commissioner Sadowski-Fugitt said she would like to revisit the Natural Gas and Electricity Tax soon if it is not adopted now, noting that Downers Grove's rates are currently lower than neighboring municipalities. However, she expressed concern that utility tax increases could lead to rent hikes, particularly during a time of economic strain in the Country. She acknowledged that utility rate hikes like water and stormwater were planned by the Village, but argued that now is a bad time for additional utility tax hikes. Commissioner Gilmartin pointed out that utility companies offer assistance programs for low-income and elderly residents and encouraged the Council to consider that in future discussions.

Mayor Barnett asked how Downers Grove's utility tax rates compare regionally, and Commissioner Gilmartin confirmed they are much lower. The Mayor concluded that a deeper dive into the issue is needed. Commissioner Gilmartin emphasized that safeguards could be implemented to protect vulnerable populations if an increase in the tax were to move forward.

Commissioner Davenport suggested that because the Natural Gas and Electricity Tax has been left for so long, the Council should have a discussion on it. Mayor Barnett noted the tax has been intentionally left unchanged in past discussions, possibly due to other revenue sources like the Food & Beverage tax being discussed instead..

Commissioner Tully highlighted differing Council member views and past decisions tied to pension funding strategies. Commissioner Gilmartin remarked that the Natural Gas and Electricity Tax has rarely been addressed and seems untouchable.

Mayor Barnett emphasized to all that this discussion is part of the normal process of reaching consensus, which takes time and multiple meetings.

Manager Fieldman added that Staff will repackage relevant issues and present them again in the context of Priority Action items at an upcoming LRP meeting.

Public Comments

Janet Winningham agreed with the Food and Beverage Tax, especially with the implementation of outdoor dining. She encouraged the Council to discuss Commissioner Tully's idea of deferring certain projects to a later time.

Commissioner Gilmartin spoke of the Food and Beverage tax in Naperville, where the downtown district's tax is higher than other areas of town. Commissioner Davenport noted this is also the case in Lombard's downtown area. Mayor Barnett asked that Staff look into why the Food and Beverage tax rate is higher in certain downtown areas. Manager Fieldman said Staff will look into this.

10. Mayor's Report

There was no Mayor's Report.

11. Council Member Reports

Commissioner Sadowski-Fugitt spoke of the Grove Foundation Golf Outing to take place Saturday, September 6th at 1:00 p.m. at the Belmont Golf Club and the 4th of July parade.

Commissioner Gilmartin wished all a safe and happy 4th of July.

Commissioner Tully spoke to the success of the Rotary Grove Fest and thanked the first responders for keeping everyone safe. He wished all a Happy Independence Day and said the Parade kicks off at 1:00 p.m. and the fireworks start at 9:30 p.m. on Friday. He told all to stay hydrated because of the hot weather.

12. Adjournment

Mayor Barnett asked for a motion to adjourn the meeting.

MOTION: To Adjourn the July 1, 2025 Village Council Meeting.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner Tully

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners Tully, Sadowski-Fugitt, Gilmartin, Davenport, Sarver, Roe, Mayor Barnett

The meeting adjourned at 9:58 p.m.

Respectfully submitted,

Rosa Berardi
Village Clerk