



**Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR
REMOTELY via ZOOM**

When: May 1, 2026 02:00 PM Eastern Time (US and Canada)
Topic: Ordinance Committee Meeting

Join from PC, Mac, iPad, or Android:

<https://zoom.us/j/98817452753?pwd=uacWyADtaIrcy3Ka7ZbOCX4d3WDYS.1>

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+13052241968,,98817452753#,,,,*417094# US

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+1 312 626 6799 US (Chicago)

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+1 929 205 6099 US (New York)

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+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

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Webinar ID: 988 1745 2753

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from 4/23
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	Council and Board
Type	

Recommended Action

3. Public Forum

Subject	3.1. Verbal Comments
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Public Forum
Department	Council and Board
Type	

4. Gross Receipts Ordinance Discussion

Subject	4.1. Gross Receipts Ordinance Discussion
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. Gross Receipts Ordinance Discussion
Department	Council and Board
Type	
Recommended Action	

5. University Exemption for Periodic Minimum Housing Inspection Ordinance Discussion

Subject	5.1. University Exemption for Periodic Minimum Housing Inspection Ordinance Discussion
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	5. University Exemption for Periodic Minimum Housing Inspection Ordinance Discussion
Department	Council and Board
Type	
Recommended Action	

6. Bicycle and Motor Vehicle Ordinance Discussion

Subject	6.1. Bicycle and Motor Vehicle Ordinance Discussion
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	6. Bicycle and Motor Vehicle Ordinance Discussion
Department	Council and Board
Type	

Recommended Action

7. Any Other Committee Business

Subject	7.1. Any Other Committee Business
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	7. Any Other Committee Business
Department	Council and Board
Type	
Recommended Action	

8. Adjournment

Subject	8.1. Motion to adjourn
Meeting	May 1, 2026 - Ordinance Committee Meeting Agenda - Friday, May 1, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	8. Adjournment
Department	Council and Board
Type	
Recommended Action	

MEMORANDUM

TO: City Council
FROM: Katherine Schad, Chief Administrative Officer
DATE: April 13, 2026
RE: Updates to Gross Receipts Ordinance
CC: Erik Ramakrishnan, Esq.

Executive Summary

The City is looking at updating its [gross receipts ordinance](#) in three areas, including:

- (1) Applying the tax to marketplace facilitators, similarly to the state's meals and rooms tax.
- (2) Updating penalty provisions to match past practice.
- (3) Extending the temporary increase in gross receipts tax from 2% to 2.5%.

Background

First we propose updating the ordinance to ensure that the restaurant tax applies places beyond restaurants, such as places of entertainment that sell food or alcohol, and to ensure that the short-term rental tax applies beyond operators to booking agents. The current gross receipts ordinance allows the City only to collect gross receipts directly from the person or business providing the service, such as a restaurant or short-term rental operator. The ordinance has not been updated to account for the advent of the role of marketplace facilitators (these are commonly known as third-party apps and examples include GrubHub, UberEats, VRBO, AirBnB, etc) and so the City is not able to effectively collect the money owed from these facilitators.

Second we propose updating the ordinance to align penalty provisions to past practice.

Lastly, the City raised the gross receipts rate from 2% to 2.5% in 2024 to share the burden of increased municipal costs. Gross receipts are a consumption tax, incurred when dining out or engaging in entertainment, incurred by those who are able to afford it. This 0.5% increase has brought in an additional \$950,000 each fiscal year. The 2.5% rate is currently scheduled to sunset on June 30, 2026 and the City proposes extending this rate indefinitely.

Further Discussion

Updates to Restaurant Tax

While the City commonly refers to this as the Gross Receipts Tax, it is broken down into four categories: restaurants, hotels, short-term rentals, amusements, and admissions taxes. The first set of changes clarifies that, similarly to the state's meals and rooms tax, the Restaurant Tax extends to any "person who facilitates the sale and collects the charge in connection with any taxable business, through an internet transaction or any other means."

In the modern marketplace, consumers often order their meals through delivery services, such as Uber Eats or Grub Hub, which collect payment from the consumer, including consumption taxes. Under state law, these marketplace facilitators are the responsible taxpayer for meals

and rooms tax. However, under the City's gross receipts ordinance, the restaurant is the taxpayer. This creates confusion and has created collections problems, which the City hopes to resolve by mirroring state law.

A similar problem exists in the context of short-term rentals, which typically are booked through booking agents like AirBNB or VRBO. Under state law, these platforms are responsible for collecting and remitting meals and rooms tax. Similarly to restaurants, that is not the case under the City's gross receipts ordinance, although AirBNB voluntarily provides this service under an agreement with the City. The proposed amendments would align the City's ordinance to state law.

Updates to Interest

The ordinance's current penalty and interest provisions state the following:

"If the treasurer determines that a taxpayer has failed to pay any tax, penalty or portion thereof due under this section, the treasurer shall mail to such taxpayer a statement showing the balance due and shall add thereto a thirteen dollar (\$13.00) late penalty payment or interest at the rate of twelve (12) percent per year, whichever is greater. That unpaid balance and penalty total shall be subject to interest at a rate of twelve (12) percent per year from the date of underpayment. Such interest shall accrue until the date of payment."

Read literally, this language suggests that as a penalty for nonpayment, taxpayers should be charged interest at a rate of 12%, and then charged compound interest at the same rate a second time. Historically the City's computer systems have instead been set up to charge a penalty of 1%, but not less than \$13, plus interest at a rate of 12%.

The City is currently setting up a new computer system that will better track payments to assist with collections. In the process, staff has discovered the discrepancy between past practice and the text of the ordinance. Staff recommends codifying past practice to facilitate collections. Ultimately, the City is trying to collect the principal, but delinquent taxpayers are actually less likely to become current on their accounts if they cannot afford excessive penalties.

Gross Receipts Rate

The City raised the gross receipt rate for restaurants, amusements and admissions taxes from 2% to 2.5% in August 2024. This decision to raise the rate was made after careful consideration and in coordination with multiple ways to close the budget gap. The rate was originally increased for one fiscal year and then the increase was extended for an additional fiscal year. The City is now seeking to make the 2.5% rate permanent in recognition that the additional \$950,000 that it raises is integral to the general fund budget. As the vast majority of businesses pass this tax on to the consumer, the City has received feedback that changing the rate again would be confusing for both businesses and their consumers. The additional 0.5% is a way for the City to gain almost an additional \$1M of revenue from not just property taxpayers but also visitors from both near and far, allowing municipal costs to be borne by more people.

Next Steps

The City Council is asked to waive and approve the first reading of the ordinance and to refer it to the Ordinance Committee. Then the proposed language would be reviewed and marked-up

in detail in the Ordinance Committee before coming back to the City Council for second reading. To take effect immediately in the new fiscal year, the second reading will need to occur no later than the June 1, 2026 City Council meeting.

Requested Motion

To waive and approve the first reading of the proposed gross receipts ordinance and to refer it to the Ordinance Committee to report back prior to the June 1, 2026 City Council meeting.

CITY OF BURLINGTON

ORDINANCE 6.7 (was 5.26)

Sponsor: Bergman
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Six

First reading: 04/13/26
Referred to: Ordinance Committee

An Ordinance in Relation to

Rules suspended and placed in all stages of passage: _____

GROSS RECEIPTS

Second reading: _____

** repeat back to CC prior to the 6/1/26 CC mtg **

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 Chapter 21, Offenses & Miscellaneous Provisions, of the Code of Ordinances of the City of Burlington be
2 and hereby is amended by amending Sec. 31 (Restaurant, hotel, amusements and admissions taxes), thereof
3 to read as follows:

4 (I), as written.

5 (II) (A) to (B), as written

6 (II) (C) Short-Term Rental Tax: There is hereby imposed a business occupation tax upon all
7 persons engaged in operating short-term rentals within the City of Burlington. The tax imposed
8 shall be at a rate of nine (9) percent of gross receipts from taxable business, as herein defined, done
9 per monthly period in accordance with the provisions of this section and dedicated to the housing
10 trust fund. Notwithstanding any other provision of this section, whenever state meals and rooms tax
11 on a short-term rental is collectible from a "booking agent", as defined in 32 V.S.A. § 9202(20), as
12 the same may be amended from time to time, then the booking agent shall be the "taxpayer", as
13 defined in subsection (III)(H) of this section, but the operator of the short-term rental shall remain
14 liable for payment of the short-term rental tax if the booking agent fails to collect and remit the tax.

15 (II) (C) to (F), as written.

16 (II) (G) Temporary Tax Rate: Notwithstanding any other provision of this section, ~~the~~
17 ~~following temporary tax rates will apply for the fiscal year commencing on July 1, 2025, and ending~~
18 ~~on June 30, 2026:~~

19 (1) ~~—~~ Tuntil July 1, 2027, the restaurant, amusements, and admissions taxes on gross receipts
20 set forth in subsections (II)(A), (II)(D), and (II)(E) of this section shall be increased from two (2)
21 percent of gross receipts to two and one-half (2.5) percent; ~~and~~

22 ~~(2) — The short-term rental tax on gross receipts set forth in subsection (H)(C) of this section~~
23 ~~shall be divided to dedicate two (2) percent of revenues for general fund purposes, with the~~
24 ~~remaining seven (7) percent dedicated to the housing trust fund.~~

25 ~~Commencing July 1, 2026, said tax rates shall again be set as set forth in subsections (I)(A)~~
26 ~~through (I)(E) of this section.~~

27 (III) DEFINITIONS: For the purposes of this section, the following terms, phrases, words
28 and their derivations shall have the meanings given herein:

29 (A) to (I), *as written*.

30 (J) Restaurant means

31 (1) Every eating and drinking establishment operated within the City of Burlington,
32 including every restaurant, cafe, lunch counter, private and social club, bar, tavern, diner, cafeteria,
33 delicatessen, sandwich shop, or other place, where any food or food products are prepared and
34 delivered on premises to the purchaser ready to eat, or where beverages, including alcoholic
35 beverages, are served for consumption on premises, or both, and for which charge is made;

36 (2) All sites of athletic contests, shows, performances, movies, theaters and entertainment
37 places where food, beverages, including alcoholic beverages, or refreshments are sold for
38 consumption on premises; or

39 (3) A person who facilitates the sale and collects the charge in connection with any taxable
40 business (as the term “taxable business” is defined in subsection (III)(G)(1) of this section), through
41 an internet transaction or any other means. For greater clarity, where such a facilitator collects a
42 charge for taxable business on behalf of the operator of any facility described in the foregoing
43 subparagraphs (1) and (2), then the facilitator shall be the taxpayer and shall be required to register
44 with the treasurer, remit monthly sworn statements, and pay all taxes due for meals facilitated, as
45 describe in subsections (IV) and (V) of this section.

46 This term shall not include caterers who do not prepare and deliver food and beverages to
47 customers at the caterer’s place of business. ~~This term shall include all sites of athletic contests,~~
48 ~~shows, performances, movies, theaters and entertainment places where food, beverages, including~~
49 ~~alcoholic beverages, or refreshments are sold for consumption on premises.~~

50 (K), *as written*.

51 (IV) (A) to (D), *as written*.
52 (IV) (E) If the treasurer determines that a taxpayer has failed to pay any tax, penalty or
53 portion thereof due under this section, the treasurer shall mail to such taxpayer a statement showing
54 the balance due and shall add thereto a thirteen dollar (\$13.00) late penalty payment or interest at the
55 rate of twelve (12) percent per year~~one (1) percent of the unpaid balance~~, whichever is greater. That
56 unpaid balance and penalty total shall be subject to interest at a rate of twelve (12) percent per year
57 from the date of underpayment. Such interest shall accrue until the date of payment. Within five (5)
58 days from the date the statement is mailed, the taxpayer shall pay such balance and all interest due
59 thereon. No such demand shall be made more than four (4) years after the close of the fiscal year in
60 which the same accrued, except:

- 61 (1) As against a taxpayer who has been guilty of any fraud or misrepresentation of
62 material facts; or
63 (2) Where a taxpayer has executed a written waiver of such limitation.

64 (IV) (F) to (H), *as written*.

65 (V) to (XV), *as written*.

66 **This ordinance shall take effect upon the later of July 1, 2026, or on the 21st day after its**
67 **publication as prescribed in Section 49 of the City Charter**

68
69

70 * Material stricken out deleted.

71 ** Material underlined added.

72
73
74
75
76

ER/Ordinances 2026/Gross Receipts Ordinance



Gross Receipts Tax

Ordinance Committee

May 1, 2026

What falls under Burlington's Gross Receipts?

- Meals, Alcohol, Admissions, & Amusements = 2.5%
- Short Term Rentals ("AirBnB Tax") = 9% (dedicated to the Housing Trust Fund)
- Hotel/Motel ("Rooms Tax") = 4%

Current Estimated GR income for FY27 = **\$7M**

Impact of sunseting the 0.5% GR tax = **-\$870,000**



How a GR Tax Works

- Gross receipts tax is an “at the register” tax.
- It is **not** added to the listed/advertised price of the item.
- [VT Gross Receipts Law](#): Applicable State guidance states: *(a) Each operator shall state the amount of tax to each occupant and each purchaser of a taxable meal and alcoholic beverage, and shall charge the tax for each rental, meal, or beverage, and shall demand and collect the tax from such occupant or purchaser. The occupant or purchaser shall pay the tax to the operator and each operator shall be liable for the collection thereof.*
 - Businesses must be passing this tax on to the consumer as a separate item
 - Businesses should not be absorbing this tax – i.e. it is not be a direct cost to the business
- The State portion of GR tax is remitted directly to the State
- The City portion of GR tax is remitted directly to the City



How the Consumer Experiences GR Tax



Alimentari
196 Saint Paul Street
Burlington, VT 05401

Server: John H
Check #36
Guest Count: 1
Ordered:

4/30/26 12:28 PM

1 MILANESE \$13.00
1 Cappuccino \$5.50

Subtotal \$18.50
Tax \$2.13
Tip \$2.78
Total \$23.41

Credit Card Contactless
Visa xxxxxxxx4087
Time 12:28 PM
Transaction Type Sale
Authorization Approved
Approval Code 04778D
Payment ID paygXpMzryNF
Application ID A0000000031010
Application Label VISA CREDIT
Card Reader BBPOS

VISA CARDHOLDER

Powered by Toast

Sandwich and a capuccino

Subtotal \$18.50

State & Municipal Tax
combined = \$2.13 (11.5%)

- 9% State
- 2.5% City

Tax Breakdown

- State GR (11%) = \$1.67
- City GR
 - 2% = \$0.37
 - **0.5% = \$0.09**



Impact on Consumer Behavior

- **Tax Salience** (a concept in behavioral economics): refers to how visible or noticeable a tax is to the person paying it at the moment they make an economic decision.
 - Taxes that are not fully visible at the decision point (low salience) tend to have a weaker effect on consumer behavior than equally sized, highly visible taxes*
 - Consumers underreact to taxes that not salient*

*Chetty, Raj, Adam Looney, and Kory Kroft. 2009. "Salience and Taxation: Theory and Evidence." *American Economic Review* 99, no. 4: 1145–1177.
<https://doi.org/10.1257/aer.99.4.1145>



QUESTIONS AND DISCUSSION



CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Dept. of Permitting and Inspections
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Six

First reading: _____
Referred to: _____
Rules suspended and placed in all
Stages of passage: _____
Second reading: _____
Action: _____
Date: _____
Signed by Mayor: _____
Published: _____
Effective: _____

An Ordinance in Relation to

HOUSING—INSPECTION REQUIRED
BCO Chapter 18, Art. II, Div. 1, Sec. 16

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Chapter 18, Housing, of the Code of Ordinances of the City of Burlington be and is hereby amended by
2 amending Article II, Administration and Enforcement; Division 1, Generally; Section 16, Inspection
3 Required; thereof to read as follows:

4
5 **18-16 Inspection required.**

6
7 The enforcement officer or their delegate shall make inspections of rental units within the city, including
8 hotel and motel rooms which are regularly let to the same tenant(s) for a period of thirty (30) days or more,
9 for the purpose of determining whether a violation of this chapter exists.

10
11 Excluded from periodic inspection shall be all owner-occupied dwellings containing one (1) or two (2)
12 rooms which are rented out for compensation and partial unit short term rentals. Also excluded from
13 inspection are university and college dormitories that conduct regular, comprehensive inspection programs
14 and annually certify compliance with the minimum housing standards ordinance to the enforcement agency.

15 The required certification shall be submitted in writing using the form prescribed by the Director of
16 Permitting and Inspections, due by September 1st annually. The certification shall include affirmation that the
17 students have been notified of their right and the process to make a complaint to the City pursuant to Sec. 18-
18 24. Inspections of dwellings and dwelling units other than those that are subject to periodic inspections, or of
19 hospital rooms, hotel and motel rooms or dormitories not subject to periodic inspections as provided for in
20 this section, shall be made only upon complaint or upon request of the owner thereof.

21
22 All records, including inspection reports, records of complaints received and investigated, and plans for
23 inspections of rental units, shall be available for public inspection.

24
25
26 * Material stricken out deleted.

27 ** Material underlined added.

28
29 ks/Ordinances 2026/Housing Code/BCO Ch. 18, Art. II, Div. 1
30 Secs. 18-16.
31 3/19/2026

Total Number of Rooms/Units _____

Complaint Process Notification –Circle Yes/No

Residents are instructed on how to make a housing complaint to the university/college staff in order to resolve habitability issues. Additionally, they are informed that they have the right to complain to the City of Burlington.

Compliance with Chapter 18 Article III. Minimum Standards

Division 1. Generally

Division 2. Plumbing Facilities and Fixture Requirements

Division 3. Light, Ventilation, Space and Mechanical Requirements

Division 4. Space and Occupancy

Division 5. Fire Safety Requirements

Division 6. Responsibilities of Owners and Occupants

Self-Certification

I certify that University/College conducts regular inspections of dorms as part of a comprehensive inspection program. The inspection program adheres to the standards set forth in Article III, Chapter 18 of the Burlington Code of Ordinances

This annual certification is for the **calendar year/school year** from _____ to _____.

Signed: _____

Title: _____

Date: _____

CITY OF BURLINGTON

ORDINANCE 5.25

Sponsor: DPW Commission
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Six

First reading: 04/13/26
Referred to: Ordinance Committee

An Ordinance in Relation to

Rules suspended and placed in all stages of passage: _____

Bicycles and Motor Vehicle Traffic

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

It is hereby Ordained by the City Council of the City of Burlington as follows:

1 That Chapter 6, Bicycles, of the Code of Ordinances of the City of Burlington be and hereby is amended by
2 amending Article 1, thereof to read as follows:

3
4 **6-1 Definitions.**

5
6 *Bicycle:* As written

7
8 ~~*Motor-assisted bicycle:* Any bicycle with fully operable pedals and equipped with a motor that in itself is~~
9 ~~capable of producing a speed of no more than thirty (30) miles per hour on a paved level surface. A motor-~~
10 ~~assisted bicycle is not a motor vehicle or micromobility device and shall obey all traffic regulations~~
11 ~~applicable to bicycles, except as otherwise provided by law or other ordinances.~~

12
13 *Electric bicycle:* A bicycle equipped with fully operable pedals, two wheels, a saddle or seat for the rider,
14 and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

- 15 (i) “Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides
16 assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle
17 reaches the speed of twenty (20) miles per hour.
18 (ii) “Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used
19 exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle
20 reaches the speed of twenty (20) miles per hour.
21 (iii) “Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides
22 assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle
23 reaches the speed of twenty-eight (28) miles per hour.

24
25 An electric bicycle is not a motor vehicle and shall obey all traffic regulations applicable to bicycles, except
26 as otherwise provided by law, including any provision of this code.

27
28 *Electric Personal Assistive Mobility Devices (EPAMD):* means a self-balancing, two-nontandem-wheeled
29 device, designed to transport only one person, with an electric propulsion system with average power of 750
30 watts (1 h.p.).

31 (1) with front, rear, and side reflectors;

32 (2) with a system that will enable the operator to bring the device to a controlled stop; and

33 (3) if the device is operated between one-half hour after sunset and one-half hour before sunrise, with a lamp
34 emitting a white light that, while the device is in motion, shall illuminate the area in front of the operator.

35
36 Rights and duties of operator. The operator of an EPAMD shall have the rights and duties of pedestrians.

37
38 Motor-assisted bicycle: Any bicycle or tricycle with fully operable pedals and equipped with a motor that in
39 itself is capable of producing a top speed of not more than twenty (20) miles per hour on a paved level
40 surface when ridden by an operator who weighs one hundred seventy (170) pounds and either:

41 (I) has an internal combustion motor with a power output of not more than 1,000 watts or 1.3
42 horsepower; or

43 (II) has an electric motor with a power output of not more than 1,000 watts and does not meet the
44 requirements of one of the three classes in Electric Bicycles

45 A motor assisted bicycle is not a motor vehicle and shall obey all traffic regulations applicable to bicycles,
46 except as otherwise provided by law, including any provision of this code. A person under sixteen (16) years
47 of age shall not operate a motor-assisted bicycle on a highway in Burlington.

48
49 ~~Motor-assisted micromobility device: Any motor-assisted device for personal transportation. This includes~~
50 ~~any device with no more than three (3) wheels and a motor that in itself is capable of producing a speed of no~~
51 ~~more than twenty five (25) miles per hour on a paved level surface. Motor-assisted micromobility devices~~
52 ~~are not motor vehicles and shall obey all traffic regulations applicable to motor-assisted bicycles, except as~~
53 ~~otherwise provided by law or other ordinances.~~

54
55 Motor-assisted micromobility device: Any motor-assisted, wheeled device for personal single-occupancy
56 transportation that does not have a seat, is designed to be stood upon when riding, and has an electric
57 propulsion system averaging less than 1,000 watts, the maximum speed of which, when powered solely by a
58 propulsion system on a paved level surface, is no more than twenty five (25) miles per hour. The device may
59 be designed to also be powered by human propulsion. A motor-assisted micromobility device is not a motor
60 vehicle and shall obey all traffic regulations applicable to bicycles, except as otherwise provided by law,
61 including a provision of this code.

62
63 **6-2 Parental responsibility.** As written.

64
65 **6-3 Riding on sidewalks, bicycle and pedestrian pathways and in parks.**

66
67 (a) Allowances and restrictions on methods of transportation on public routes are as follows:

68
69 Church Street Marketplace District: Bicycles, electric bicycles, motor assisted micromobility devices, and
70 motor assisted bicycles are allowed within the Church Street Marketplace District, only within the vehicle
71 travel portions of Bank, Cherry and College Streets, and the bike lane on Main Street.

72
73 Sidewalks within the City Center (bounded by the streets of Pearl Street, South Winooski Avenue, Main
74 Street, Maple Street, and St. Paul Street Battery Street) except Church Street Marketplace District: Motor-
75 assisted bikes, and motor-assisted micromobility devices are not allowed. Bicycles and micromobility
76 devices are allowed for operators of these devices age sixteen (16) and younger, who may use these spaces as
77 dedicated bike facilities within the City Center.

79 Notwithstanding anything to the contrary in this subsection, bicycles, electric bicycles, motor-assisted
80 bicycles, micromobility devices, and motor-assisted micromobility devices are allowed upon bike
81 paths, bike lanes, bicycle and pedestrian pathways, multi-use paths, shared-use paths, and in
82 crosswalks. Where a designated bicycle, micromobility, or multi-use facility is provided on or
83 adjacent to a sidewalk, users of any age may operate their device within that designated facility.
84

85 ~~(a)~~(b) It shall be unlawful and shall be a trespass:

86 (1) For any person over the age of sixteen (16) years to operate a bicycle upon any sidewalk of the
87 city within the ~~inner fire district~~ City Center; provided that any person age sixteen (16) or under may
88 use these devices upon sidewalks in the City Center, as indicated in the previous subsection.

89 (2) For any person of any age to operate a bicycle ~~upon any sidewalk or~~ within any public parking
90 facility in the City Center, (bounded by the ~~centerlines streets~~ of Pearl Street, South Winooski Avenue,
91 ~~Main Street, Maple Street, and St. Paul Street~~ Battery Street),- or within City Hall Park;

92 (3) For any person of any age to operate a bicycle upon the streets within the Church Street
93 Marketplace District as defined in section [321](#) of the Burlington City Charter, excepting:

94 a. The traveled portions where vehicular traffic is regularly permitted on College, Bank and
95 Cherry streets;

96 b. As permitted by the Church Street Marketplace Commission.

97 ~~(b)~~(c) Persons riding bicycle upon a sidewalk or bicycle and pedestrian pathway shall yield the
98 right-of-way to any pedestrian.

99 ~~(e)~~(d) Persons riding a bicycle upon a sidewalk, or bicycle and pedestrian pathway shall give
100 audible signal before overtaking and passing a pedestrian or another bicycle.

101 ~~(d)~~(e) Persons operating a bicycle on a sidewalk, in areas where such operation is not otherwise
102 prohibited by this chapter, shall exercise due care, which includes operating the bicycle at a speed
103 reasonable for the existing conditions.

104 ~~(e)~~(f) Persons operating a bicycle on a sidewalk, in areas where such operation is not otherwise
105 prohibited by this chapter, shall come to a complete stop prior to crossing all street crossings.

106 ~~(f)~~(g) No person shall operate a motor-assisted bicycle, motor-driven cycle as defined in 23 V.S.A §
107 4(45)(A), motor-assisted micromobility device, pedi-cab or pedi-bus upon any sidewalk.

108 ~~(g)~~(h) Persons riding a bicycle, electric bicycle, micromobility device, motor-assisted bicycle, or
109 motor-assisted micromobility device, pedi-cab or pedi-bus on a bicycle and pedestrian pathway shall
110 yield the right-of-way to any pedestrian.

111 **6-4 to 6-14.** As written

112 **6-15 Dissemination of information.**

113 (a) ~~Every person engaged in the sale or dissemination of bicycles shall inform each purchaser of~~
114 ~~city ordinances and state laws governing the operation of bicycles.~~

115 (b) Every person engaged in the business of renting bicycles for use in the city shall inform each
116 person who rents a bicycle of the city ordinances and state laws governing the operation of bicycles.

117 **6-16 to 6-17.** As written

118 **6-18 Reckless operation.**

119 A person may not operate a bicycle, electric bicycle, motor assisted micromobility device, or motor-driven
120 cycle, upon any roadway, bicycle lane, bicycle path, bicycle and pedestrian pathway, or sidewalk (if
121 applicable) under the control of the City of Burlington in a careless, reckless, or negligent manner so as to
122 endanger the life and safety of any person, or the property of any other person.

123
124 And that Chapter 20, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Burlington be and
125 hereby is amended by amending Article 1. In General, Sec. 1, Definitions, thereof to read as follows (all
126 defined terms not referenced below to remain as written):

127
128 **20-1 Definitions.**

129
130 ~~Motor-assisted bicycle: Any bicycle with fully operable pedals and equipped with a motor that in itself is~~
131 ~~capable of producing a speed of no more than thirty (30) miles per hour on a paved level surface~~ As defined
132 in section 1 of chapter 6 of this code.

133
134 ~~Motor-assisted micromobility device: Any motor-assisted device for personal transportation. This includes~~
135 ~~any device with no more than three (3) wheels and a motor that in itself is capable of producing a speed of no~~
136 ~~more than twenty five (25) miles per hour on a paved level surface. Motor-assisted micromobility devices~~
137 ~~are not motor vehicles and shall obey all traffic regulations applicable to motor-assisted bicycles, except as~~
138 ~~otherwise provided by law or other ordinances.~~ As defined in section 1 of chapter 6 of this code.

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149 * Material stricken out deleted.

150 ** Material underlined added.

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155 CM/ER/Ordinances 2026/Ch. 6;Bicycles, Ch. 20; Motor Vehicles And Traffic

156 3/18/26



City of Burlington
Department of Public Works

Technical Services Engineering Division
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MEMO

Date: April 13th, 2026
To: City Council/Ordinance Committee
From: Caleb Manna, Associate Public Works Engineer
CC: Phillip Peterson, P.E.; Senior Transportation Engineer & Planner
Laura Wheelock, P.E.; City Engineer/Division Director of Technical Services
Subject: Burlington City Ordinance-Updates to Chapter 6; Bicycles and Chapter 20; Motor Vehicles and Traffic.

Motion:

That the City Council waive and approve the first reading of the proposed ordinance amending Chapters 6 and 20 of the Burlington Code of Ordinances, and refer the proposed ordinance to the Ordinance Committee.

Final language of the amended ordinance is subject to the review and approval of the City Attorney's Office. (See Attachment-1.)

Purpose & Need:

The purpose of this request is to update and include definitions of modern forms of non-motorized vehicle transportation contained in both Chapter 6 and Chapter 20 of Burlington City Ordinance. The proposed changes provide additional clarification on operational use for electric bicycles, motor-assisted bicycles, and motor-assisted micromobility devices to ensure consistency with Vermont state law definitions. Updates to ordinance regulations pertaining to current transportation use and practices are needed specifically as it relates to the streetscape design of Main Street Great Streets Project, approved by City Council in May of 2023.

The changes are intended to demonstrate where select modes of transportation are allowed, or not allowed, for use in the City right-of-way.

Background:

Definitions:

The current version of Chapter 6 in Burlington City Ordinance does not adequately distinguish between traditional bicycles, electric bicycles, motor-assisted bicycles, motor-assisted micromobility devices, and traditional micromobility devices. These distinctions are increasingly important as new means of transportation become more common as technology advances. The proposed revisions establish clear definitions and regulatory consistency with Vermont Statute of Authority definitions. In understanding the difference in capability and speed between these devices, additional regulatory guidelines on permitted use locations are proposed in the ordinance changes to Chapter 6.

Definitions for mobility devices cross referenced in Chapter 20, Motor Vehicles and Traffic for transportation devices, will also be updated to reference Chapter 6 definition.

Use of transportation devices in the downtown:

The streetscape design for Main Street Great Streets has a dedicated bike facility on the north side directly adjacent to the sidewalk between Pine Street and South Winooski Avenue. The dedicated bike facility features colored concrete to help create a visual distinction between the bike lane and sidewalk, however no physical barrier or painted buffer exists for separation. The proposed ordinance changes are intended to clarify allowable use of both right-of-way facilities, by users of various transportation devices in the downtown area.

The current language in Burlington City Ordinance restricts use of bicycles on sidewalks within the “inner fire district area,” defined as bounded southerly by King Street, westerly by Pine Street, northerly by the southerly line of Grant Street, and said southerly line extended westerly to intersect with the easterly line of Pine Street extended as aforesaid, and easterly by the westerly lines of North and South Union Streets.

The proposed changes to Chapter 6 replaces the inner fire district designation with an updated definition of the “City Center” and is herein defined as the boundary between the streets of Pearl Street, South Winooski Avenue, Maple Street, and Battery Street, except Church Street Marketplace District.

Under the proposed changes to Chapter 6, bicycles and micromobility devices will be allowed on sidewalks in the newly defined City Center, only by users under the age of 16. The intent of this change is to allow for school aged children to utilize the bike lane and sidewalks while traveling to school. Many school aged children on bikes are accompanied by an adult, who may be walking on the sidewalk, which are wider than a traditional five (5’) sidewalk within the Main Street Great Street Project limits. The wider sidewalks allow adequate space for younger riders who may travel at a slower pace than average users of the bike path on Main Street.

Motor-assisted bicycles, and motor-assisted micro mobility devices are not currently allowed by users of any age, on any sidewalk in the city. These devices are allowed to operate in dedicated

bike facilities as defined in Vermont state law, in an effort to avoid conflict with typical pedestrian travel. The above-mentioned devices are capable of producing speeds that could lead to injury between a pedestrian user and operator on sidewalk facilities that are not designed for shared use, or use at higher rates of speed.

Use of bicycles and micromobility devices by users of any age are allowed to utilize travel routes on sidewalks. Riders shall be required to yield to pedestrians, give audible signal before passing, and shall exercise due care.

Public Engagement:

DPW presented the proposed ordinance updates to the Burlington Walk Bike Council (BWBC) in Fall 2025. The discussion focused on the need to modernize definitions, clarify sidewalk use rules in the City Center, and ensure consistency with state law. Feedback from that meeting helped inform refinements to the draft language now moving forward.

On March 18th, 2026, DPW presented this item to the Public Works Commission for recommendation as the sponsoring body to proceed to Ordinance Committee and City Council for final approval. The item was approved 4-2 by members of the Public Works Commission.

Attachments:

1. Regulation Change Form

Motion:

1. That the City Council waive and approve the first reading of the proposed ordinance amending Chapters 6 and 20 of the Burlington Code of Ordinances, and to refer the proposed ordinance to the Ordinance Committee.