

ORDINANCE NO. 2025-033

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 15, "PARKS AND RECREATION," ARTICLE II, "RULES AND REGULATIONS," SECTION 15-21, "DEFINITIONS," TO ADD DEFINITIONS OF "ELECTRIC BIKE," "MOTORIZED MOBILITY DEVICE," AND "MOTORIZED SCOOTER;" AMENDING SECTION 15-25, "VEHICLES," SUBSECTION 15-25(b), "OPERATION," TO PROHIBIT THE USE OF ELECTRIC BICYCLES, MOTORIZED MOBILITY DEVICES, AND MOTORIZED SCOOTERS IN CITY-OWNED PARKS, EXCEPT ON PARK ROADS AND IN DESIGNATED PARKING AREAS FOR PARKING PURPOSES ONLY; AMENDING SECTION 15-37, "VIOLATIONS AND PENALTIES;" PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission recognizes that changes to the adopted Code of Ordinances are periodically necessary to ensure that the City's regulations are current and consistent with the City's regulatory needs and the health and safety of its residents; and

WHEREAS, the City desires to update definitions and prohibit the use and operation of electric bicycles, motorized mobility devices, and motorized scooters within City-owned parks except on park roads and in designated parking areas for parking purposes only; and

WHEREAS, the unregulated use of electric bicycles, motorized mobility devices, and motorized scooters in City-owned parks can create significant public health and safety risks due to the significant use of City parks by families, children, and sports organizations, and the higher speeds associated with electric bicycles, motorized mobility devices, and motorized scooters; and

WHEREAS, these safety concerns are also particularly heightened with respect to the vast number of children operating these electric and motorized devices; and

WHEREAS, a number of studies, including from the University of California at San Francisco, U.S. Consumer Product Safety Commission, Medical Journal JAMA Surgery, League of American Bicyclists, Journal of Clinical Medicine, and the University of California Los Angeles, have found that over the last couple of years there has been an exponential increase in the amount of injuries, accidents, and fatalities relating to the use of electric bicycles and motorized scooters; and

WHEREAS, the City has the authority to adopt this ordinance pursuant to Article VIII of the Constitution of the State of Florida, Chapter 166, Florida Statutes, Chapter 316, Florida Statutes, and City Charter; and

WHEREAS, the City Commission is charged with protecting the health, safety, and welfare of its residents and believes this ordinance to be in the best interest of the residents.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 15, “Parks and Recreation,” Article II, “Rules and Regulations,” Section 15-21, “Definitions,” and Section 15-25, “Vehicles,” subsection 15-25(b), to read as follows:

CHAPTER 15 - PARKS AND RECREATION

ARTICLE II. – RULES AND REGULATIONS

CODING: Words in ~~strike through~~ type are deletions from existing text.
Words in underline type are additions to existing text.
Asterisks (***) indicate existing text not shown.

Sec. 15-21. - Definitions.

Electric bicycle means a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than seven hundred and fifty (750) watts that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of twenty (20) miles per hour. This term does not include motorized scooters.

Motorized mobility device means any personal device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designated to travel on one or more wheels including, but not limited to, boards, skateboards, skates, hoverboards, or other similar personal mobility device. This definition shall not include golf carts or a motorized wheelchair or similar mobility device for mobility purposes by persons with disabilities.

Motorized scooter means any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three (3) wheels, not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground. This term does not include electric bicycles.

Sec. 15-25. - Vehicles.

(b) Operation:

(1) No person shall operate a vehicle in a park except upon designated paved or improved park roads or driveways, or else in and upon designated areas or trails set aside for such use by vehicles.

(2) No person shall operate a vehicle within any park or at any recreational facility in excess of ten (10) miles per hour, except upon those roads or driveways where official signs or markings designate a different speed limit.

(3) No person shall operate an electric bicycle, motorized mobility device, or motorized scooter on any sidewalks, bike paths, greenways or trails within city parks. No person shall drive or operate any electric bicycle, motorized mobility device, or motorized scooter on any area within city parks, except for park roads and designated parking areas for parking purposes only. When operating such device on park roads, no person shall drive or operate such device in excess of ten (10) miles per hour, except upon those roads or driveways where official signs or markings designate a different speed limit. The operator of such device shall obey all safety rules and regulations as provided in state law, and the operator shall respect the safety and security of other park users.

Sec. 15-37. - Violations and penalties.

It shall be a violation of this article for any person to fail to pay the charges herein specified or to violate any of the terms and conditions herein. Except as otherwise provided in this chapter, any person convicted of violating the provisions of this article shall be punished by a fine of not less than fifty dollars (\$50.00) but not to exceed five hundred dollars (\$500.00), or by imprisonment not exceeding ninety (90) days, or by both. Notwithstanding anything to the contrary.

Any person who violates section 15-25(b)(3) shall be trespassed from the city park in which they were operating an electric bicycle, motorized mobility device, or motorized scooter, for a period not to exceed one (1) year and will be subject to arrest if they violate the trespass warning under Chapter 810, Florida Statutes.

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 5: Codification. That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS ____ DAY OF _____, 2025.

PASSED SECOND READING THIS ____ DAY OF _____, 2025.

Jacqueline Railey, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

	<u>1st</u>	<u>2nd</u>
Railey	_____	_____
Wasserman	_____	_____
Welch	_____	_____
Rydell	_____	_____
Brodie	_____	_____