

ORDINANCE NO. 9817-25

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA MAKING AMENDMENTS TO THE CODE OF ORDINANCES BY AMENDING CHAPTER 22; ARTICLE 2; BY ADDING SECTION 22.61 TO ADDRESS THE USE OF MOTORIZED BICYCLES, HOVERBOARDS, UNICYCLES, SCOOTERS AND SIMILAR DEVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clearwater adopted the Code of Ordinances on February 4, 1993;
and

WHEREAS, the City has made numerous amendments to the Code of Ordinances to account for changing conditions within the City; and

WHEREAS, the City has received complaints and concerns from citizens regarding the use of motorized bicycles, hoverboards, unicycles, scooters and similar devices being used within Beach Walk; and

WHEREAS, the City wishes to provide for the safe and appropriate use of its Parks and Facilities while also maintaining the character of the surrounding neighborhoods; and

WHEREAS, the City wishes to prohibit and enable the enforcement of such prohibitions related to the use of motorized bicycles, hoverboards, unicycles, scooters and similar devices in certain areas and locations;

WHEREAS, the City wishes to address the varying needs of the City's diverse population when creating and implementing parks and recreation plans pursuant to Goal PPP 1 and Policy PPP 1.1.1 of the Parks & Public Places Element of the City's Comprehensive Plan; and

WHEREAS, the City has determined that this amendment to the Code of Ordinances promotes and supports the public health, safety, morals, and welfare, of the City's residents.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. That Chapter 22 – Parks, Beaches, Recreation, Article 2 – Use Regulations, Section 22.61 - Motorized bikes, hoverboards, unicycles, scooters, and similar devices, be added to read as follows:

Sec. 22.61. – Motorized bicycles, hoverboards, unicycles, scooters and similar devices.

- (1) No person shall ride, drive or propel any motorized bicycle, electric bicycle, hoverboard, motorized unicycle, motorized scooter or similar motorized device as defined in Florida Statute 316.003, excluding any medically necessary conveyances, in, on or through the entirety of Beach Walk excluding those areas specifically designated for vehicular traffic such as parking lots, street rights-of-way, driveways and/or drive aisles.

(2) Any person who pleads guilty or nolo contendere or is convicted of violating this section shall be guilty of a class IV civil infraction pursuant to section 1.12 of this Code of Ordinances.

Section 2. Amendments to the Code of Ordinances of the City of Clearwater are hereby adopted to read as set forth in this Ordinance.

Section 3. The City of Clearwater does hereby certify that the amendment contained herein, as well as the provisions of this Ordinance, are consistent with and in conformance with the City's Comprehensive Plan.

Section 4. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 5. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 6. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL
READING AND ADOPTED

Bruce Rector
Mayor

Approved as to form:

Attest:

Melissa Isabel, Esq.
Senior Assistant City Attorney

Rosemarie Call, MPA, MMC
City Clerk