

**ORDINANCE 2024-09**

**AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY AMENDING SECTION 50-107 “GENERAL PROVISIONS,” ARTICLE V “MICROMOBILITY,” OF CHAPTER 50 “TRAFFIC AND VEHICLES” BY REMOVING THE EXCEPTION FOR MICROMOBILITY DEVICES ON WEST GULF BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission established regulations for micromobility users and providers operating within the City to protect the general welfare, health, and safety of the public; and

**WHEREAS**, section 316.2128, Florida Statutes, gives motorized scooters and micromobility devices all of the rights and duties applicable to the rider of a bicycle; and

**WHEREAS**, section 316.2128, Florida Statutes, allows for local governments to regulate by ordinances the operation of micromobility and motorized scooters on streets, highways, sidewalks, and sidewalk areas within the local government’s jurisdiction; and

**WHEREAS**, the City Commission wishes to protect pedestrians by prohibiting micromobility devices on all sidewalks in the City of Treasure Island; and

**WHEREAS**, the City Commission determines that the adoption of this Ordinance is in the interests of the public health, safety and welfare of the City and its residents.

**NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:**

**SECTION 1.** The recitals set forth in the “Whereas” clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

**SECTION 2.** That Chapter 50 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 50-107. – General provisions.

(a) All micromobility devices are subject to all the rules and regulations below:

1. Micromobility devices are allowed to operate within bike lanes, if available, on shared use paths, designated by the city, upon streets with a posted speed limit of 35 mph or less, or other areas as authorized by the city manager. Micromobility devices are prohibited from operating on the beach. Micromobility devices are permitted to operate on the beach trail at a speed of no more than 10 mph. Micromobility devices using bike lanes, shared use paths, beach trail or streets must operate on the right hand side of the bike lanes, shared use paths, or street and in the same direction as the traffic flow.

2. The riding of micromobility devices is prohibited upon any sidewalk within the city or any area as designated by the city where notice is posted, except as otherwise provided in this subsection. Operation of such devices is prohibited on sidewalks except for the purposes of parking the device in an acceptable location or when approaching and traversing a bridge. ~~Micromobility devices are permitted on the sidewalks on West Gulf Boulevard where the posted speed limit is less than 35 mph.~~

3. The city manager, or designee, has the authority to further restrict the use of micromobility devices in cases where a roadway or shared use path may be closed due to an event, has a high seasonal demand placed on the facility or to maintain public health, safety, or general welfare of the community or shared use path.

(b) In addition to city code, micromobility devices are subject to any and all state laws pertaining to micromobility devices, motorized scooters, or electric bicycles, as applicable, and as may be amended.

(c) No person under the age of 16 years old shall operate a micromobility device on Gulf Boulevard or Causeway Boulevard where the posted speed limit is 35 mph or more. It is unlawful for the parent, legal guardian, or custodian of a minor child to knowingly permit the child to violate any provision of this article. Any person under the age of 16 years old operating a micromobility device must wear a helmet that is properly fitted and is fastened securely upon the operator's head by a strap and that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203 as provided in section 316.2065, Florida Statutes.

(d) Ridership of more than one person on any micromobility device or motorized scooter is prohibited. The ridership of more than one person on any electric bicycle is prohibited unless the electric bicycle is specifically designed to carry more than one person.

(e) All micromobility devices within the city are limited to a maximum speed of 15 miles per hour.

(f) All micromobility devices must not be parked in a manner that obstructs any ingress or egress from any building or parking area, or in a manner that prevents any sidewalk or walkway from maintaining at least five (5) feet of walkway clearance.

(g) All micromobility devices must be parked in designated bike racks or parking corrals when parked on public property.

(h) All micromobility devices must comply with the lighting standards set forth in section 316.2065(7), Florida Statutes, as may be amended, which requires a reflective front white light visible from a distance of at least 500 feet and a reflective rear red light visible from a distance of at least 600 feet.

(i) No property owner shall allow an unlicensed micromobility provider to operate and deploy micromobility devices on its property. No unlicensed micromobility providers shall operate and deploy micromobility devices within the city.

### **SECTION 3. SEVERABILITY.**

It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

### **SECTION 4. CONFLICT.**

All ordinance or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

### **SECTION 5. CODIFICATION.**

Section 2 of this ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

### **SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its final passage.

**FIRST READING and PUBLIC HEARING on the 20<sup>th</sup> day of August, 2024.**

**SECOND READING and PUBLIC HEARING on the 17<sup>th</sup> day of September, 2024.**

**PUBLISHED in the Tampa Bay Times on the 4<sup>th</sup> day of September, 2024.**

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the \_\_ day of \_\_\_\_, 202\_ by Commissioner \_\_\_\_\_ who moved its adoption; was seconded by Commissioner \_\_\_\_\_ and upon roll call, the vote was:

**YEAS:**

**NAYS:**

**ABSENT OR ABSTAINING:**

\_\_\_\_\_  
J. Tyler Payne, Mayor

ATTEST:

\_\_\_\_\_  
Celine Kidwell, City Clerk