

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING THE CITY CODE, CHAPTER I-GENERAL PROVISIONS, SECTION 1-7 ENTITLED "PENALTIES" TO INCLUDE ADDITIONAL PENALTIES FOR VIOLATIONS OF SECTION 74-241, ENTITLED "MOTORIZED SCOOTERS ON SIDEWALKS" AND SECTION 74-2 "PROHIBITING SKATEBOARD USE GENERALLY;" PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 74-241 of the City Code currently allows the riding of motorized scooters upon all sidewalks located within the city, except where prohibited by official posting; and

WHEREAS, Section 74-2 of the City Code prohibits skateboarding on the city's public sidewalks where posted; and

WHEREAS, currently Miracle Mile, Giralda Ave, and certain blocks of Ponce de Leon Boulevard have official City postings prohibiting the riding of bicycles, scooters, and skateboards; and

WHEREAS, there has been an increase in concern regarding prohibited riding of bicycles, scooters, and skateboards and potential harm to pedestrians; and

WHEREAS, the City Commission has recently adopted on first reading an ordinance increasing and amending the fines for bicycle riding where prohibited; and

WHEREAS, the City Commission wishes to amend the Code to mirror those fines for violations of Section 74-241 and 74-2 of the City Code; and

WHEREAS, in order to increase deterrence, the City wishes to add specific increased penalties for violations of Section 74-241 and Section 74-2 and bring the penalties in line with similar violations; and

WHEREAS, this ordinance amends Chapter 1 "General Provisions", Section 1-7 "Penalties" of the official City Code in order to include penalties for violations of Section 74-241 and Section 74-2.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. 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 upon adoption hereof.

SECTION 2. Chapter 1 “General Provisions” - Section 1-7 “Penalties” is amended as follows: ¹

City Code §	Description of Violation	Penalty
<u>CC 74-2</u>	<u>Prohibited skateboard use.</u>	<u>\$35.00 fine for the first violation;</u> <u>\$100.00 fine for the second violation;</u> <u>\$200.00 fine for third or subsequent violations</u>
<u>CC 74-241</u>	<u>Motorized scooters on sidewalks</u>	<u>\$35.00 fine for the first violation;</u> <u>\$100.00 fine for the second violation;</u> <u>\$200.00 fine for third or subsequent violations</u>

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. If the Official Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2023.

APPROVED:

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY:

CRISTINA M. SUAREZ

CITY ATTORNEY