

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2023-\_\_**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING CHAPTER 74 – TRAFFIC AND VEHICLES, ARTICLE I- IN GENERAL, SECTION 74-1 “DEFINITION” AND 74-2 “PROHIBITING SKATEBOARD USE GENERALLY” IN ORDER TO PROHIBIT THE USE OF OTHER WHEELED CONVEYANCES WHERE POSTED; PROVIDING FOR REPEALER PROVISION, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, Section 74-2 of the City Code currently prohibits the use of skateboards on sidewalks where posted; and

**WHEREAS**, various other code provisions address the use of motorized scooters, mopeds, bicycles, electric personal assistive mobility devices; and

**WHEREAS**, pedestrian safety, especially in congested downtown sidewalks is and has been a priority of the City Commission and the City wishes to amend the code to anticipate technological advances and potential safety concerns; and

**WHEREAS**, the City Commission wishes to update the City Code so that other new innovative conveyances are treated similarly as skateboards in the City Code; and

**WHEREAS**, the City is including a definition of “skateboard” to include new forms of similar conveyance and updating the prohibition on riding skateboards where posted to include similar devices.

**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 74- Traffic and Vehicles- Article 1- In General, Section 74-1 and 74-2 shall be amended as follows: <sup>1</sup>

**Sec. 74-1. Definition.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The definitions in F.S. § 316.001 apply to this chapter.

*Alley* means a narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances or buildings abut, which is not generally used as a

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<sup>1</sup> Insertions are indicated in underline, deletions are indicated in ~~striketrough~~.

thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street.

*Center parkway* means such stretch of land planted in grass, or shrubbery, or both, which is flanked on either side by a street.

*Commercial vehicle* means a vehicle designed, used or maintained primarily for a commercial purpose.

*Double parking, double standing, or double stopping* means the parking, standing, or stopping of a vehicle upon the driveway side of another vehicle parking, standing, or stopping, but not legally within, or adjacent to, an open parking space.

*Employee parking lot* means any area owned by the city and assigned as an area for persons to park providing they have secured the proper permit and paid a fee as established by the city commission.

*General public use parking* means any parking spaces developed by the city or privately developed pursuant to an approved entitlement with the city where the spaces are in excess of minimum parking requirements found in the zoning code (section 5-1409).

*Holidays* are as established by section 1-2.

*Non-city issued tickets* means parking tickets which have a reasonable likelihood of confusion in their appearance with a valid Miami-Dade County Uniform Parking Citation.

*Operator* means and includes every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner.

*Other governing body* means any governing body other than the city commission.

*Parking area* means any on-street parking lane, city-owned parking lot or parking garage, located in the city and dedicated to the use of parking vehicles.

*Parking garage* means any building owned by the city and used for the parking of vehicles upon payment of a fee as established by the city commission.

*Parking lot* means any property owned by the city and assigned as an area for the parking of vehicles.

*Parking meter* means any mechanical or electronic device or application used to regulated parking by collecting revenue in exchange for the right to park a vehicle in a particular place for a limited amount of time.

*Privately owned, metered surface parking lots* means privately owned and/or operated surface parking lots available for public parking upon payment and shall not include the surface owned and/or operated by the University of Miami or any hospitals within the City of Coral Gables.

*Ridesharing service* means a bona fide ridesharing service, including taxis or taxicabs.

*Skateboard* means any form of wheeled conveyance with or without self-propulsion consisting of any number of wheels attached to a flat surface which is designed to be operated by the rider standing thereon.

*Swale* means that portion of land lying between a sidewalk and street.

*Taxi or taxicab* means a licensed public motor vehicle for hire designed and constructed to seat not more than seven persons and operating as a common carrier on call or demand.

*Vehicle* means any device in, upon or by which any person or property is or may be transported into a parking area.

**Sec. 74-2. Prohibiting skateboard and other devices' use generally.**

- (a) Skateboarding, and the use of other similar wheeled conveyances, is hereby prohibited on the city's public sidewalks where posted.
- (b) This section shall be construed to prohibit skateboarding, and the use of similar wheeled conveyances, in areas prohibited by other laws, regulations, rules and ordinances of the city, county, or state.
- (c) This section shall be enforced by the city manager and/or chief of police

**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. SUÁREZ

CITY ATTORNEY