

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2018-\_\_**

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 74 -TRAFFIC AND VEHICLES OF THE CITY OF CORAL GABLES CODE IN ORDER TO AUTHORIZE USE OF MOTORIZED SCOOTERS ON CERTAIN CITY SIDEWALKS; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, the City Commission wishes to allow the use of motorized scooters, as defined in Florida Statutes § 316.003(44), on certain city sidewalks within the City of Coral Gables; and

**WHEREAS**, Florida Statutes §§ 316.008(7)(a) and 316.2128 allows a municipality to permit, control, and regulate the operation of motorized scooters on sidewalks within the municipality; and

**WHEREAS**, given the unique nature of the pedestrian areas and sidewalks on Miracle Mile, Giralda Plaza, and Ponce De Leon Boulevard (three blocks north and south of Miracle Mile) the riding of motorized scooters upon sidewalks in those areas is not to be permitted.

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

**SECTION 1.** 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” of the Official Code of the City of Coral Gables is hereby amended as follows with deletions indicated by strikethrough and insertions indicated by underline:

## CHAPTER 74- Traffic and Vehicles

### ARTICLE I. - IN GENERAL

#### **Sec. 74-4. - Riding of motorized vehicles upon pedestrian sidewalks in the city's commercial district.**

- (a) Except as set forth in section 74-239, the riding of all motorized vehicles, including, but not limited to, motorized bicycles, motorized scooters, moped, motorcycles, and electric personal assistive mobility devices, upon areas of pedestrian traffic along ~~in~~ Miracle Mile, Giralda Plaza, and all other commercially zoned districts within the city shall be prohibited and unlawful with the exception of law enforcement officers using electric personal assistive mobility devices in performance of their duties and electric or motorized wheelchairs or other such motorized vehicles used by the disabled.
- (b) This section shall not apply to law enforcement officers in performance of their duties or other uses authorized by the city.
- (c) Violation of this section shall be punishable pursuant to section 1-7.

### ARTICLE IV. – BICYCLES, SKATEBOARDS, SCOOTERS, SHARED MOBILITY DEVICES, AND OTHER SIMILAR DEVICES

#### **Sec. 74-239 – Motorized Scooters on Sidewalks.**

The riding of Motorized Scooters, as defined in this Article, is permissible upon all sidewalks located within the City, except upon those sidewalks located along Miracle Mile, Ponce de Leon Boulevard three blocks north and south of Miracle Mile, on all of Giralda Plaza, or anywhere else where such prohibition is posted. Motorized Scooters shall be restricted to a maximum speed of 15 miles per hour in such areas where riding is permitted.

**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 upon passage and adoption herein.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2018.

APPROVED:

RAUL VALDES-FAULI  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS  
CITY ATTORNEY