

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 74-3, ENTITLED "RIDING OF BICYCLES UPON PEDESTRIAN SIDEWALKS GENERALLY"; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 74-3 of the City Code currently prohibits the riding of bicycles upon the pedestrian sidewalks on Miracle Mile and where posted shall be prohibited; and

WHEREAS, the current fine for violations of Section 74-3 is, \$35.00, the general penalty for violations of Chapter 74; and

WHEREAS, there has been an increase in concern regarding bicycles riding on sidewalks where prohibited or posted; and

WHEREAS, the City is concerned for the safety of individuals on sidewalks in those areas where bicycle riding has been prohibited on sidewalks; and

WHEREAS, there have been several complaints regarding prohibited bicycle riding on Miracle Mile on the sidewalks that violate the City of Coral Gables Code of Ordinance Section 74-3; and

WHEREAS, in order to increase deterrence, the City wishes to add specific increased penalties for violations of Section 74-3 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 74-3;

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 74-3</u>	<u>Riding of bicycles upon pedestrian 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 All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.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 14TH DAY OF FEBRUARY, A.D. 2023.

APPROVED:

¹ Additions are indicated in underline, deletions in strikethrough

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY:

CRISTINA M. SUAREZ

CITY ATTORNEY