

ORDINANCE NO. 2025-O-10

AN ORDINANCE OF THE CITY OF EDGEWATER, FLORIDA, AMENDING CHAPTER 17 (TRAFFIC), CODE OF ORDINANCES; CREATING SECTION 17-46 (REGULATION OF ELECTRIC BICYCLES); PROVIDING FOR DEFINITIONS, PROHIBITIONS, AGE LIMITATIONS, ENFORCEMENT, PENALTIES, EXEMPTIONS, AND APPLICABILITY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted amendments to Florida Statutes § 316.20655, allowing local governments to regulate the operation of electric bicycles within their jurisdictions; and

WHEREAS, the City of Edgewater has determined that the unregulated use of electric bicycles on sidewalks and public infrastructure presents a hazard to pedestrian safety and the general welfare; and

WHEREAS, the City Council of the City of Edgewater seeks to ensure the safe and orderly operation of electric bicycles within the city by prohibiting motorized e-bike use on sidewalks and establishing consistent enforcement measures;

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewater, Florida:

SECTION 1: Section 17-46 (Traffic, Regulation of Electric Bicycles; Enforcement) is amended to add regulations for electric bicycles as set forth in Exhibit “A”, which is attached hereto and incorporated herein.

SECTION 2: Conflicting Provisions. In the event that the provisions of this Ordinance are in conflict with any other ordinance, then the provisions of this Ordinance shall prevail.

SECTION 3: Severability and Applicability. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstances, such holding shall not affect its applicability to any other person, property or circumstance.

SECTION 4: Codification. Provisions of this ordinance shall be incorporated in the Code of Ordinances of the City of Edgewater, Florida, and the word “ordinance”, may be changed to “section”, “article”, or other appropriate word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Sections 2 through 5 shall not be codified.

SECTION 5: Effective Date. This ordinance shall take effect upon adoption.

PASSED AND DULY ADOPTED this ____ day of _____, 2025.

Diezel DePew, Mayor

ATTEST:

Bonnie Zlotnik, CMC, City Clerk

Passed on first reading on the ____ day of _____, 2025

REVIEWED AND APPROVED: _____
Aaron R. Wolfe, City Attorney

~~Struck through~~ passages are deleted.
Underlined passages are added.

EXHIBIT A

Chapter 17 – Traffic

ARTICLE I. - IN GENERAL

Sec. 17-46. – Regulation of Electric Bicycles.

(a) Purpose and Intent.

The City of Edgewater seeks to protect the safety of pedestrians and motorists and ensure appropriate use of transportation infrastructure by regulating the use of electric bicycles (as defined in F.S. § 316.003(23)) within city limits. This section is enacted pursuant to F.S. § 316.20655(5), granting municipalities authority to govern the operation of electric bicycles.

(b) Definitions.

“Electric bicycle” or “e-bike” means a bicycle equipped with a motor that falls under Class 1, Class 2, or Class 3, as defined by F.S. § 316.003(23).

(c) Restrictions on Operation:

1. Sidewalks Prohibited:

It is unlawful to operate any electric bicycle under motor or electric propulsion on any public sidewalk or sidewalk area within the City of Edgewater.

2. Motor-Powered Travel Restricted to Vehicular Rights-of-Way:

When operated under motor or electric propulsion, an electric bicycle shall only be permitted on streets, highways, or other locations where motor vehicles are lawfully permitted.

3. Human-Powered Exception:

Any electric bicycle operated solely by human power is permitted wherever traditional bicycles are allowed, including sidewalks and multi-use paths, unless otherwise restricted.

6. ADA Exemption:

This section shall not apply to mobility devices governed by the Americans with Disabilities Act (ADA).

(d) Enforcement and Penalties:

Violations of this section shall constitute a civil infraction and be enforced under Section 17-47. A civil penalty not exceeding \$500.00 may be imposed for violations. Additional penalties may be established by resolution of the City Council.

Sec. 17-47. - Enforcement.

A violation of this chapter, except as otherwise provided, constitutes a civil infraction punishable by a civil penalty not to exceed \$500.00. Penalties for violation of specific sections of this chapter shall be established by resolution of the city council. If a person who has committed the violation does not contest the citation, a civil penalty of less than the maximum allowed will be assessed. Any citation may be contested in county court.