

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE 2020-25, SECTION 18-11, ELECTRIC BICYCLE RESTRICTION ORDINANCE, SPECIFICALLY AMENDING SECTION 18-11(C), CREATING A SUB-PARAGRAPH TO ALLOW CLASS I/PERSONAL ASSIST ELECTRIC BICYCLES, CLASS II/PERSONAL ASSIST ELECTRIC BICYCLES, AND CLASS III/PERSONAL ASSIST ELECTRIC BICYCLES, ADDING A SPEED LIMIT AND CREATING A SECTION TO PROVIDE FOR A CRIMINAL PENALTY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statute, Section 316.008 provides the authority of local government to regulate electric bicycles on sidewalks; and

WHEREAS, on August 24, 2020, the Board of County Commissioners adopted Ordinance No. 2020-25 prohibiting electric bicycles on multi-use paths and trails; and

WHEREAS, the Board of County Commissioners heard a public hearing on June 14, 2021 to consider amending Ordinance 2020-25; and

WHEREAS, the Board of County Commissioners, after hearing from the public, voted to revise the proposed amendment to Ordinance 2020-25 and continued the hearing to June 28, 2021; and

WHEREAS, the Board of County Commissioners, on June 28, 2021, after the continued public hearing, finds the proposed amendment, as set forth herein, is in the best interest of the citizens of Nassau County; and

WHEREAS, the definitions set forth in Florida Statutes, Section 316.003 are hereby adopted by reference.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, that Ordinance 2020-25 shall be amended to read as follows:

- a. **Title:** This Ordinance shall be knowns as the “Electric Bicycle Restriction Ordinance”.

- b. **Purpose:** The purpose of this Ordinance is to protect “regular” bicycle users, walkers and joggers from Class I, Class II and III electric bicycles that generate higher rates of speed.
- c. **Restrictions:** The use of electric bicycles classified as Class I/Personal Assist Electric Bicycles, Class II/Personal Assist Electric Bicycles and Class III/Personal Assist Electric Bicycles as defined by Florida Statutes, ~~is prohibited~~ are permitted on county sidewalks, county-maintained multi-path trails, bicycle paths and trail networks.
1. ~~Electric bicycles are only allowed pursuant to a State of Florida issued disabled placard issued for the owner/operator of the electric bicycle.~~
1. The maximum speed for Class I/Personal Assist Bicycles, Class II/Personal Assist Electric Bicycles and Class III/Personal Assist Electric Bicycles shall be ten (10) miles per hour on any county sidewalk, county-maintained multi-path trail, bicycle path and trail network.
- d. **Penalty:** A violation of this ordinance shall subject the violator to a penalty of a second-degree misdemeanor punishable by a \$500 fine and/or sixty (60) days in jail.

EFFECTIVE DATE

This ordinance shall become effective upon its being filed in the Office of the Department of State.

DULY ADOPTED this _____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

THOMAS FORD
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:

MICHAEL S. MULLIN