

PROPOSED
ORDINANCE NO. 43-22

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 7-9-5 OF THE
CODE OF THE CITY OF PENSACOLA, FLORIDA,
OPERATION AND PARKING OF A MICROMOBILITY
DEVICE; PROVIDING RESTRICTION OF ADDITIONAL
ROADWAY; PROVIDING FOR SEVERABILITY;
REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 7-9-5 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 7-9-5. Operation and parking of a micromobility device.

(a) The riding and operating of micromobility devices upon a public sidewalk is prohibited except for the purposes of parking the device in an acceptable location and position. Micromobility devices shall be allowed to operate on public roadways. The areas listed below shall be restricted:

- (1) Veterans Memorial Park as designated by signage;
- (2) Where prohibited by official posting;
- (3) Prohibited roadways identified on the Shared Micromobility Devices Franchise Area Map, which includes:
 - Cervantes Street;
 - North 9th Avenue;
 - Garden Street;
 - Barrancas Avenue; or
 - Palafox Street from Garden Street to Main Street; or
- (4) As designated in the pilot program operating agreement and permit.

- (b) A user of a micromobility device has all the rights and duties applicable to the rider of a bicycle under F.S. § 316.2065, except the duties imposed by F.S. § 316.2065(2), (3)(b) and (3)(c), which by their nature do not apply to micromobility devices.
- (c) Micromobility devices shall be restricted to a maximum speed of 15 miles per hour.
- (d) A user operating a micromobility device upon a roadway upon and along a crosswalk, has all the rights and duties applicable to a bicyclist under the same circumstances. A user may operate a micromobility device to cross prohibited roadways at intersections and designated crossings.
- (e) A user operating a micromobility device must comply with all applicable local, state and federal laws.
- (f) Use of public sidewalks for parking micromobility devices:
 - (1) Adversely affect the streets or sidewalks.
 - (2) Inhibit pedestrian movement.
 - (3) Inhibit the ingress and egress of vehicles parked on- or off-street.
 - (4) Create conditions which are a threat to public safety and security.
 - (5) Prevent a minimum four-foot pedestrian clear path.
 - (6) Impede access to existing docking stations, if applicable.
 - (7) Impede loading zones, handicap accessible parking zones or other facilities specifically designated for handicap accessibility, on-street parking spots, curb ramps, business or residential entryways, driveways, travel lanes, bicycle lanes or be within 15 feet of a fire hydrant.
 - (8) Violate Americans with Disabilities Act (ADA) accessibility requirements.
- (g) Micromobility devices shall not park on sidewalks designated as No Parking Zones as identified on the shared micromobility devices franchise area map.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk