

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 9, 2025

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: An Ordinance of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 106 – Streets, Sidewalks, And Other Public Places, By Amending Sec. 106-158. To Prohibit Use Of Micromobility Devices Upon All Town Sidewalks In the Commercial Zoning Districts; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date. 17-2025

Date: 8/18/2025

GENERAL INFORMATION

Governor DeSantis recently signed proposed legislation from the 2025 Florida Legislature (Senate Bill 462) allowing municipalities to adopt an ordinance governing the operation of micromobility devices. The bill amends multiple sections of the Florida Statutes, including §316.003, §316.20655, and §316.2128, among others. SB 462 expands local discretion to regulate rider age and ID requirements, permits safety training programs, and refines statutory definitions relevant to micromobility.

STAFF RECOMMENDATION

Staff recommends the Town Council approve Ordinance 17-2025, amending Chapter 106 of the Town Code, relative to Streets, Sidewalks, and Other Public Places, to prohibit the operation of micromobility devices on any town sidewalk.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this ordinance and approved for legal form and sufficiency.

NC/dw

cc: Carolyn Stone, Assistant Town Attorney
Robert Miracle, Assistant Town Manager

Paul Brazil, Director of Public Works
Joanne O'Conner, Town Attorney

STRATEGIC PLAN

Strategic Priorities:

Mobility and Transportation

Strategic Focus Areas:

On-island Mobility

FUNDING

No Fiscal Impact

ORDINANCE NO. 17-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 106 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, BY AMENDING SEC. 106-158. TO PROHIBIT USE OF MICROMOBILITY DEVICES UPON ALL TOWN SIDEWALKS IN THE COMMERCIAL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Chapter 166, Florida Statutes, to adopt such regulations as it deems appropriate to further the health, safety, and welfare of its residents; and

WHEREAS, pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions; and

WHEREAS, to protect the health, safety, and welfare of the public, the Town deems it necessary to regulate the use of micromobility devices; and

WHEREAS, the Town finds it necessary to update its prohibition on the use of micromobility devices within the public right-of-way, including but not limited to public beaches, trails, and sidewalks, and to revise the Town of Palm Beach Right-of-Way Standards Manual accordingly.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 106, Streets, Sidewalks, and Other Public Places, Article V Sidewalks by amending Section 106-158 to read as follows:

Sec. 106-158. Prohibiting bicycle riding on sidewalks within commercial zoning districts.

1. It shall be unlawful for any person to ride a bicycle or any other mode of transportation, including but not limited to unicycles, tricycles, and roller skates, upon the sidewalks of the town located within the commercial zoning districts, unless the sidewalk is specifically designated as a bicycle path.
2. It shall be unlawful for any person to ride a micromobility device upon any town sidewalk or multimodal trail. A micromobility device as defined by §316.003(41), F.S. includes electric bicycles, motorized scooters, and similar devices.
3. Members of the police and fire departments are exempt from this section and may ride bicycles and micromobility devices on any town sidewalks in the performance of their official duties. The prohibition set forth in this section does not apply to wheelchairs or to any mobility device designed or used to assist a disabled person.
4. A person who shall violate the provisions of this section shall be subject to general penalties as provided by section 1-14 or to code enforcement penalties as provided in section 2-439.
5. The chief of police, his authorized agents or representatives, are hereby authorized to post signs relating to this prohibition within town jurisdiction.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September 2025, and for second and final reading this ____ day of _____.

Danielle H. Moore, Mayor

Bobbie Lindsay, Town Council President

Lewis S.W. Crampton, Council President
Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

ORDINANCE NO. 018-2025

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118 – TRAFFIC AND VEHICLES TO REGULATE THE OPERATION OF MICROMOBILITY DEVICES BY ESTABLISHING A MINIMUM AGE REQUIREMENT, IDENTIFICATION REQUIREMENT, AND SAFETY TRAINING PROGRAMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Florida Senate Bill 462 (2025), to adopt an ordinance governing the operation of micromobility devices, regulate rider age and ID requirements, and implement safety training programs focused on the safe and lawful operation of micromobility devices within this jurisdiction~~pursuant to §316.2128, Florida Statutes, municipalities are authorized to regulate the safe operation of micromobility devices and motorized scooters within their jurisdictions;~~ and

WHEREAS, the Town Council finds it necessary to regulate the operation of micromobility devices in order to protect the health, safety, and welfare of its residents and visitors; and

WHEREAS, the Town Council further finds that establishing a minimum age requirement, identification requirement, and safety training opportunities for operators will promote safer use of micromobility devices and compliance with applicable laws.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118 – Traffic and Vehicles by creating a new section to read as follows:

Sec. 118-16. Regulation of Micromobility Devices.

Legislative Intent.

The Town of Palm Beach finds that the operation of micromobility devices, including motorized scooters and e-bikes, on public streets and sidewalks presents potential safety risks to operators, pedestrians, bicyclists, and motorists. It is the intent of this section to regulate the operation of such devices within the Town in a manner consistent with state law, while ensuring the protection of the health, safety, and welfare of the public. This section is not intended to conflict with state law but to supplement it with reasonable local regulations permitted by §316.2128, Florida Statutes.

(a) Definitions.

For purposes of this section, “micromobility device” shall have the same meaning as provided in §316.003, Florida Statutes, and shall include motorized scooters, e-bikes, and similar devices permitted under state law.

(b) Minimum Age Requirement.

It shall be unlawful for any person under the age of fifteen (15) years to operate a micromobility device on any public street, sidewalk, park, path, or other right-of-way within the Town. In accordance with Florida State Statute § 316.2065, all operators under the age of sixteen (16) years must wear a properly fitted and securely fastened bicycle helmet that meets nationally recognized safety standards.

(c) Identification Requirement.

All operators of micromobility devices must carry a valid government-issued identification card while operating such devices and must present the same upon request by law enforcement.

(d) Safety Training.

The Town may implement training programs focused on the safe operation of micromobility devices and compliance with applicable state and local laws. Completion of such training programs may be required for participation in certain Town-sponsored events, programs, or designated operating zones.

(e) Enforcement and Penalties.

Any person found to be in violation of this section shall be subject to the penalties provided pursuant to Section 1-14 of this Code.

~~Section 3. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 74, Parks and Recreation, Article II Beaches and Aquatic Activities by amending Section 74-163 to read as follows~~

Section 34. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can

be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 45. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 56. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 67. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of September, 2025, and for second and final reading on this _____ day of _____.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, CMC, Town Clerk

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