



Legislation Details (With Text)

**File #:** 19-714      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 6/28/2019      **In control:** City Commission

**On agenda:** 7/9/2019      **Final action:** 7/9/2019

**Title:** RESOLUTION NO. 134-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, RECOGNIZING THAT THE CITY OF DELRAY BEACH IS CONSIDERING AMENDMENTS TO THE CITY’S CODE OF ORDINANCES RELATING TO THE REGULATION OF DOCKLESS MOBILITY DEVICES; EXTENDING THE PENDING ORDINANCE DOCTRINE PERIOD PREVIOUSLY INVOKED BY THE CITY COMMISSION; RESTATING THAT THE CITY WILL DEFER THE PROCESSING AND APPROVAL OF ALL APPLICATIONS FOR DOCKLESS MOBILITY DEVICES INCONSISTENT WITH THE CODE OF ORDINANCES DURING THE PENDENCY OF THE CITY’S CONSIDERATION OF THESE AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** City Attorney Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Res 134-19 Extending the Zoning in Progress Period for the Scooters, 3. Res No. 44-19, 4. HB 453

Date	Ver.	Action By	Action	Result
7/9/2019	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Lynn Gelin, City Attorney  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** July 9, 2019

RESOLUTION NO. 134-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, RECOGNIZING THAT THE CITY OF DELRAY BEACH IS CONSIDERING AMENDMENTS TO THE CITY’S CODE OF ORDINANCES RELATING TO THE REGULATION OF DOCKLESS MOBILITY DEVICES; EXTENDING THE PENDING ORDINANCE DOCTRINE PERIOD PREVIOUSLY INVOKED BY THE CITY COMMISSION; RESTATING THAT THE CITY WILL DEFER THE PROCESSING AND APPROVAL OF ALL APPLICATIONS FOR DOCKLESS MOBILITY DEVICES INCONSISTENT WITH THE CODE OF ORDINANCES DURING THE PENDENCY OF THE CITY’S CONSIDERATION OF THESE AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommended Action:**  
 Motion to approve Resolution 134-19.

**Background:**  
 On February 5, 2019, the City Commission adopted Resolution 44-19, invoking the pending ordinance doctrine with respect to consideration of amendments to the Code of Ordinances relating to the regulation of dockless mobility devices. The period established by Resolution 44-19 is set to expire on July 14, 2019. Due to the passing of House Bill 453, staff is requesting additional time to

consider changes to the Code of Ordinances in light of the new law regarding micromobility devices scheduled to go into effect on July 1, 2019.

**City Attorney Review:**

Approved as to form and legal sufficiency.