

ITEM TITLE: (First Reading) AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA AMENDING CHAPTER 40 OF THE BONITA SPRINGS CODE; CREATING A NEW ARTICLE V - REGULATING THE OPERATION OF ELECTRIC BICYCLES, MOTORCYCLES, AND PERSONAL ELECTRIC POWERED DEVICES ON STREETS, SIDEWALKS, AND SIDEWALK AREAS; PROVIDING DEFINITIONS FOR THE TERM "ELECTRIC BICYCLE," "MOTORCYCLE," "MICROMOBILITY DEVICE," AND OFF HIGHWAY VEHICLES AND MOTORCYCLES; PROHIBITING THE OPERATION OF ELECTRIC POWERED DEVICES ON TRAILS, GREENWAYS, GREENBELTS, AND EASEMENTS IN THE CITY OF BONITA SPRINGS; PROVIDING A PENALTY FOR VIOLATION OF THIS SECTION; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUESTOR: Derek Rooney, City Attorney

AGENDA SECTION: Public Hearings

STRATEGIC PRIORITY: 2) Improve Vehicular and Multimodal Transportation Networks

BACKGROUND: Since their widespread adoption, the incidence of electric bicycle and alternative micromobility devices has become prevalent on streets and sidewalks throughout the City. As a result of increased incidence of conflicts between electric vehicles and pedestrians, particularly in the downtown, the City Council is seeking to regulate the behavior of such vehicles within the City, with a particular emphasis on safety and speed.

The proposed draft ordinance addresses the behavior of operators in lieu of the machines themselves, requiring operators to travel at limited speeds (15 mph), utilize proper safety equipment (increased for minors), and to yield to pedestrian in passing. The draft covers all applicable right-of-way, additional changes could be made to extend to pedal only zones if directed.

STAFF RECOMMENDATION: Move to second reading.

ATTACHMENTS: Draft ordinance.

REVIEWERS:

City Manager: Arleen Hunter
City Attorney: Derek Rooney
City Clerk: Mike Sheffield
Dept. Director:

1 CITY OF BONITA SPRINGS, FLORIDA

2
3 ORDINANCE NO. 26 – ___

4
5 AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA
6 AMENDING CHAPTER 40 OF THE BONITA SPRINGS CODE;
7 CREATING A NEW ARTICLE V - REGULATING THE OPERATION OF
8 ELECTRIC BICYCLES, MOTORCYCLES, AND PERSONAL ELECTRIC
9 POWERED DEVICES ON STREETS, SIDEWALKS, AND SIDEWALK
10 AREAS; PROVIDING DEFINITIONS FOR THE TERM "ELECTRIC
11 BICYCLE," "MOTORCYCLE," "MICROMOBILITY DEVICE," AND OFF
12 HIGHWAY VEHICLES AND MOTORCYCLES; PROHIBITING THE
13 OPERATION OF ELECTRIC POWERED DEVICES ON TRAILS,
14 GREENWAYS, GREENBELTS, AND EASEMENTS IN THE CITY OF
15 BONITA SPRINGS; PROVIDING A PENALTY FOR VIOLATION OF THIS
16 SECTION; PROVIDING FOR CODIFICATION AND SCRIVENER'S
17 ERRORS; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR
18 SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE
19 FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR
20 AN EFFECTIVE DATE.

21
22 WHEREAS, the City of Bonita Springs, Florida is the governing body of Bonita
23 Springs; and

24
25 WHEREAS, pursuant to Chapter 316, Florida Statutes, otherwise known as the
26 "Florida Uniform Traffic Control Law," and specifically Section 316.006, municipalities
27 have original jurisdiction to exercise traffic control over streets and highways within their
28 boundaries; and

29
30 WHEREAS, Section 316.2065, 316.20655, and 316.2068, Florida Statutes, allows
31 the municipalities, through the exercise of its powers under Section 316.008, Florida
32 Statutes, to adopt an ordinance governing the operation of bicycles, electric bicycles, and
33 electric mobility devices on streets, highways, sidewalks, and sidewalk areas and
34 regulating the operation of an electric bicycle on a bicycle path, multiuse path, greenways,
35 or trail networks; and

36
37 WHEREAS, City of Bonita Springs has a significant government interest in
38 pedestrian and bicyclist safety, and this ordinance regulates conduct for the purpose of
39 promoting pedestrian and bicyclist safety; and

40
41 WHEREAS, there has been a noticeable increase in the operation of electric
42 bicycles, electric motorcycles, and similar personal electric powered machines on public
43 sidewalks and upon public right of ways in City, which presents enhanced opportunities
44 for crashes and injuries with other pedestrian and persons with standard and electric
45 mobility devices upon those sidewalks, due in part to the steady accelerated speed with
46 which electric bicycles and motorcycles can maintain as compared to manually operated

47 bicycles; and

48

49 **WHEREAS**, the City maintains sufficient jurisdiction and authority pursuant to
50 Sections 316.006 and 316.008, Florida Statutes, other relevant state and federal laws,
51 and the Bonita Springs Code (the “Code”) to regulate the activities subject to this
52 ordinance; and

53

54 **WHEREAS**, pursuant to Article VIII of the Florida Constitution, the City of Bonita
55 Charter and Section 166.021, Florida Statutes, the City Council is authorized to adopt
56 ordinances necessary for the exercise of its powers in for health, safety, and general
57 welfare; and

58

59 **WHEREAS**, the Board finds that amending Chapter 40 of the Code as provided
60 below is narrowly tailored to impose specific regulations to protect the health, safety, and
61 welfare of City’s residents, guests, and visitors by reducing the likelihood of serious bodily
62 injury or death that results from conflicts between vehicular traffic, bicyclists, and
63 pedestrians progressing on the sidewalks, crosswalks, intersections, bicycle paths,
64 multiuse paths, greenways, and trail networks in the incorporated areas of the City.

65

66 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Bonita
67 Springs, Florida:

68

69 **Section 1. Recitals Adopted.**

70

71 That each of the above stated recitals is hereby adopted as legislative findings of
72 the City Council and confirmed as being true, and the same are hereby incorporated as
73 a part of this Ordinance.

74

75 **Section 2. Amending the City of Bonita Code**

76

77 The Bonita Springs City Code is hereby amending the pertinent provisions of
78 Chapter 40, with deletions depicted with ~~strikethroughs~~ and underlined language as
79 additions, as provided and further depicted in Exhibit A, attached hereto and incorporated
80 herein by reference.

81

82 **Section 3. Severability**

83

84 The provisions of this Ordinance are severable, and it is the intention to confer the
85 whole or any part of the powers herein provided for. If any part of this Ordinance is found
86 to be invalid, preempted, or otherwise superseded, the remainder shall nevertheless be
87 given full force and effect to the extent permitted by the severance of such invalid,
88 preempted, or superseded part as if adopted with such part had not been included herein.

89

90 **Section 4. Conflicts of Law**

91

92 This Ordinance shall supersede any ordinances in conflict herewith to the extent
93 that such conflict exists. Whenever the requirements or provisions of this Ordinance are
94 in conflict with the requirements or provisions of the requirements of state of federal law,
95 the more restrictive shall apply.
96

97 **Section 5. Codification and Scrivener's Errors**
98

99 It is the intention of the City Council that the provisions of this Ordinance shall
100 become and be made part of the Bonita Springs Code; that sections of this Ordinance
101 may be renumbered or re-lettered and that the word "ordinance" may be changed to
102 "section", "article", or such other appropriate word or phrase in order to accomplish such
103 intention; and that any typographical errors which do not affect the intent may be
104 authorized by the City Manager without need of public hearing, by filing a corrected copy
105 with the City Clerk. It is further the intent of the City Council that the provisions of this
106 Ordinance may be modified as a result of consideration that may arise during public
107 hearing(s) and that such modifications shall be incorporated into the final version.
108

109 **DULY PASSED AND ADOPTED BY THE CITY COUNCIL** of the City of Bonita
110 Springs, Florida this _____ day of _____, 2026.

111
112 Attest: **CITY OF BONITA SPRINGS, FLORIDA**

113
114
115
116 By: _____ By: _____
117 City Clerk Mayor

118
119
120 Reviewed for legal sufficiency:

121
122
123 By: _____
124 City Attorney

125
126
127 Vote:
128 Gibson Corrie
129 Purdon Fullick
130 Fitzpatrick Bogacz
131 Carr

132
133 Date filed with City Clerk: _____
134 EXHIBIT "A"
135

136 **ARTICLE V. REGULATING THE OPERATION OF ELECTRIC BICYCLES,**
137 **MOTORCYCLES, AND PERSONAL ELECTRIC POWERED DEVICES ON STREETS,**
138 **SIDEWALKS, AND SIDEWALK AREAS**

139
140
141 **Sec. 40-65. Operation of electric bicycles, electric motorcycles, and other electric-**
142 **powered devices in the City.**

143
144 (a) Applicability. This Ordinance applies to lands in the incorporated boundaries of the
145 City of Bonita Springs, Florida.

146
147 (b) Definitions. For purposes of this section, the following words and phrases shall
148 have the meanings ascribed to them:

149
150 Electric Bicycle (all classes) shall mean the term “electric bicycle” as defined in
151 Section 316.003, Florida Statutes, as amended from time to time.

152
153 Electric Personal Assistive Mobility Device shall have the same meaning as
154 defined in Section 316.003, Florida Statutes, as amended from time to time.

155
156 Micromobility Device shall have the same meaning as defined in Section
157 316.003, Florida Statutes, as amended from time to time.

158
159 Motorcycle shall mean the term “motorcycle” as defined in Section 316.003,
160 Florida Statutes, as amended from time to time, and shall include all motor
161 vehicles, pocket bikes or similar devices, that are manufactured without pedals
162 and have not been modified to have pedals, therein defined notwithstanding the
163 means of propulsion of such vehicle, including but not limited to the use of
164 gasoline, electricity, battery, or other fuels or systems as a means of propulsion.

165
166 Motorized Scooter shall have the same meaning as defined in Section 316.003,
167 Florida Statutes, as amended from time to time.

168
169 Off-Highway Vehicle or Motorcycle shall have the same meaning as defined in
170 Section 261.03, Florida Statutes, as amended from time to time.

171
172 Bicycle Lane, Bicycle Path, Crosswalk, Intersection, Median, and Sidewalk shall
173 have the same meaning as defined in Section 316.003, Florida Statutes, as
174 amended from time to time.

175
176 Multi-Use Path or Shared Path or Shared-Use Path shall mean a physically
177 separated, hard-surfaced or shell or rock trail or path for non-motorized traffic
178 which is wider than a sidewalk and are designed for the use of bicyclists and
179 pedestrians at the same time and may provide access to destinations with limited
180 exposure to motor vehicles.
181

182 Greenway and Trail or Trail Network shall have the same meaning as defined in
183 Section 260.013, Florida Statutes, as amended from time to time.
184

185 (c) Operation on Public Sidewalks, Crosswalks, Intersections, and Multi-Use Pathways.
186

187 (1) Authorization: Bicycles, electric bicycles, electric motorcycles, electric personal
188 assistive mobility devices, micromobility devices, motorized scooters, or similar
189 electric devices are allowed pursuant to law upon the public sidewalks, crosswalks,
190 intersections, multi-use pathways, and designated bicycle paths within the
191 incorporated areas of City of Bonita Springs over which the City has traffic control
192 jurisdiction.
193

194 (2) Speed: All bicycles, electric bicycles, electric motorcycles, electronic personal
195 assistive mobility devices, micromobility devices, motorized scooters, or similar
196 personal electric devices shall travel no more than 15 miles per hour on any public
197 sidewalk, crosswalk, intersection, multi-use path, and designated bicycle paths.
198

199 (3) Safety Equipment: A rider or passenger of any of the electric vehicles or devices
200 regulated under this Article who is under 16 years of age must wear at least a
201 helmet that is properly fitted and is fastened securely upon the passenger's head
202 by a strap and that meets the federal safety standard for helmets pursuant to law.
203 As used in this subsection, the term "passenger" includes a child who is riding in a
204 trailer or semitrailer attached to an electronic vehicle/device.
205

206 (4) Lighting: Any of the above defined electronic vehicles/devices shall, between dusk
207 and dawn, be equipped with a lamp on the front exhibiting a white light visible from
208 a distance of at least 500 feet to the front and a lamp and reflector on the rear each
209 exhibiting a red light visible from a distance of 600 feet to the rear. An electronic
210 vehicle/device or its rider may be equipped with lights or reflectors in addition to
211 those required by this section.
212

213 (5) Yielding Right of Way: A person operating an electronic vehicle/device, as defined
214 in this section, upon and along a sidewalk, or across a roadway upon and along a
215 crosswalk or intersection, shall yield the right-of-way to any pedestrian and shall
216 give an audible signal before overtaking and passing such pedestrian.
217

218 (6) Applicable Laws: Any person operating an electronic vehicle/device as defined in
219 this section upon and along any public sidewalk, crosswalk, intersection, and
220 designated bicycle path shall abide by all applicable laws with respect to
221 pedestrian and bicycle regulations as defined in Chapter 316, Florida Statutes.
222

223 (d) Operation on Public Roadways and Bicycle Lanes.
224

225 (1) Authorization: Bicycles, electric bicycles, electric motorcycles, electric personal
226 assistive mobility devices, micromobility devices, motorized scooters, or similar
227 electric devices are allowed pursuant to law upon the public roadways and bicycle

228 lanes within the incorporated areas of City of Bonita Springs over which the City
229 has traffic control jurisdiction.

230
231 (2) Speed: All bicycles, electric bicycles, electric motorcycles not registered under
232 Chapter 320, Florida Statutes, electronic personal assistive mobility devices,
233 micromobility devices, motorized scooters, or similar personal electric devices
234 shall travel no more than the posted speed limit or statutory speed limit on any
235 public roadway or bicycle lane.

236
237 (3) Safety Equipment: A rider or passenger of any of the above electric
238 vehicles/devices who is under 16 years of age must wear at least a helmet that is
239 properly fitted and is fastened securely upon the passenger's head by a strap and
240 that meets the federal safety standard for helmets and otherwise required pursuant
241 to law. As used in this subsection, the term "passenger" includes a child who is
242 riding in a trailer or semitrailer attached to an electronic vehicle/device.

243
244 (4) Lighting: Any of the above defined electronic vehicles/devices shall, between dusk
245 and dawn, be equipped with a lamp on the front exhibiting a white light visible from
246 a distance of at least 500 feet to the front and a lamp and reflector on the rear each
247 exhibiting a red light visible from a distance of 600 feet to the rear. An electronic
248 vehicle/device or its rider may be equipped with lights or reflectors in addition to
249 those required by this section.

250
251 (e) Operation on Trails, Greenways, and Greenbelts Prohibited. Motor vehicles,
252 bicycles, electric bicycles, motorcycles or electric motorcycles, off-highway vehicles or
253 motorcycles, electric personal assistive mobility devices, micromobility devices,
254 motorized scooters, or similar electric vehicles/devices are not allowed upon the trails,
255 greenways, and greenbelts within the incorporated areas of the City of Bonita Springs
256 over which the City has jurisdiction, unless otherwise posted by the City.

257
258 (f) Official use of motorcycles, electric bicycles, or electric vehicles and devices by duly
259 licensed law enforcement officers performing authorized duties are exempt from
260 prohibitions described in this section. Utility company workers or their authorized
261 contractors are exempt from section (e) when they are performing authorized duties.

262
263 (g) Signage authorized. The City may install such signage as is necessary and
264 appropriate to designate or prohibit operation in areas as described in this section.

265
266 (h) Enforcement. The Sheriff of Lee County and any certified Law Enforcement Officer
267 of the State of Florida has the authority to enforce this section.

268
269 (i) Penalties. Any person violating any of the provisions of this section is subject to at
270 least a non-moving penalty as defined in Florida Statute 318. Nothing in this section
271 prohibits law enforcement from effecting an arrest, towing of the violating vehicle, or any
272 other appropriate action as defined in Chapters 316, 318, 320 and 322, Florida Statutes,
273 as amended from time to time.

