

ORDINANCE NO. 1686

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING SECTION 22-05 AND CREATING SECTION 22-6 OF THE CITY'S CODE TO INCLUDE DEFINITIONS, REGULATIONS, AND PROHIBITIONS RELATED TO MICROMOBILITY DEVICES, INCLUDING ELECTRIC BICYCLES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; SCRIVENER'S ERRORS; LIBERAL INTERPRETATION; MODIFICATIONS; CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, electric bicycles, or e-bikes, are an increasingly popular mode of transportation; and

WHEREAS, the City finds that reasonable regulations are necessary to promote the safe operation of e-bikes and to reduce conflicts among e-bike operators, pedestrians, motorists, and other users of the public rights-of-way; and

WHEREAS, the City may exercise its right under Florida Statutes, sections 316.20655 and 316.2128, and adopt an ordinance governing the operation of micromobility devices, specifically e-bikes, on streets, sidewalks, and sidewalk areas under its jurisdiction; and

WHEREAS, the City has constructed and continues to construct Community Redevelopment Area improvements along portions of Front Beach Road that include multimodal lanes intended to separate bicycle, electric bicycle, micromobility, vehicular, and pedestrian traffic; and

WHEREAS, the City desires to adopt reasonable regulations governing electric bicycles of all classes and to restrict their use on the sidewalks of Front Beach Road where a multimodal lane is available.

NOW, THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. From and after the effective date of this ordinance, Chapter 22, Article I, section 22-05 of the City's Code of Ordinances is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Chapter 22 - TRAFFIC AND MOTOR VEHICLES

Sec. 22-05. Definitions.

Definitions. The following words, terms or phrases, when used in this Chapter 22, shall have the meanings respectively ascribed to them:

Amusement vehicle shall mean a motorcycle, moped, motor scooter, motorized scooter, low speed street vehicle, golf cart, dune or swamp buggy, go-cart, megacycle, or other vehicle rented or leased to customers which

provides locomotion not capable of propelling the vehicle of a speed greater than 45 miles per hour on a street or highway, but not including bicycles.

Bicycles shall mean every vehicle propelled solely by human power, ~~and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than twenty (20) miles per hour on level ground upon which any person may ride,~~ having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than twenty-five (25) inches from the ground when the seat is adjusted to its highest position or a scooter or similar device.

Electric bicycle or e-bike shall mean a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications, pursuant to section 316.003(23), Florida Statutes, as amended:

- (a) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.**
- (b) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.**
- (c) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.**

Electric personal assistive mobility device shall have the same meaning as provided in section 316.003(24), Florida Statutes, as amended.

For purposes of any provision of the City's Code of Ordinances or the Land Development Code governing Motor Scooter Rentals, an electric bicycle of any class is a Motor Scooter.

Emergency vehicles shall include, but not be limited to, law enforcement, firefighting, rescue squad, ambulance, or other emergency vehicles which are marked as such.

Fire and safety lane shall mean a fire apparatus or emergency vehicle access way to or beside a commercial building, having an all-weather driving surface of not less than ten (10) feet of unobstructed width and required by governmental authority.

Golf cart shall mean a motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour. A low-speed vehicle modified pursuant to section 319.14(10)(a), Florida Statutes, **as amended**, shall be considered a golf cart for the purpose of this section once proof of compliance is presented to the City.

Low-speed vehicle shall mean any four-wheeled vehicles whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, but shall not include golf carts or motor scooters. Low-speed vehicles must comply with the safety standards enumerated in **49** C.F.R. s. 571.500 and section 316.2122, Florida Statutes, **as amended**.

Marked fire and safety lane shall mean a fire and safety lane marked by a pavement stripe and posted at intervals of fifty feet (50') or less by signs which state: "Fire and Safety Lane. Parking of motor vehicles prohibited at all times."

Micromobility device shall have the same meaning as provided in section 316.003(41), Florida Statutes, as amended, which includes motorized scooters, electric bicycles, and similar devices permitted under state law. The term does not include a bicycle propelled solely by human power, a wheelchair, or other mobility aid used by a person with a disability.

Moped shall mean any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels; with a motor rated not in excess of two (2) brake horsepower and not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground; and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed fifty (50) cubic centimeters.

Motor scooter or scooter shall mean a motorcycle or two or three or four wheeled vehicle powered by a motor with a displacement of fifty (50) cubic centimeters or less or is rated not in excess of two (2) brake horsepower and which is not capable of propelling such motor scooter at a speed greater than thirty (30) miles per hour on level ground, and shall include a moped as defined in this section and any other two or three wheeled, self-propelled vehicle for which state law does not require proof of financial responsibility (see FS Chapter 324 (2013)).

Motorized scooter **shall mean any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground, pursuant to 316.003(48), Florida Statutes, as amended. The term does not include a wheelchair or other mobility aid used by a person with a disability.** ~~shall mean any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three (3) wheels, and not capable of propelling the vehicle at a speed greater than thirty (30) miles per hour on level ground.~~

Motor vehicle shall mean any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, or moped.

Multimodal lane **shall mean a marked lane within or adjacent to a public right-of-way that is designated for use by multiple modes of transportation, including bicycles, electric bicycles, micromobility devices, low-speed vehicles, transit vehicles, trams, shuttles, buses, or other vehicles authorized by the City.**

Private property shall mean any real property within the city which is privately owned and which is not public property.

Public property shall mean any street or highway which shall include the entire width between the boundary lines of every way publicly maintained for the purposes of vehicular travel and shall also mean any other publicly owned property or facility.

Registered owner shall mean the person or entity that is registered by state law as the title holder of a motor vehicle on the date that a violation of this section occurs.

Sidewalk **shall mean that portion of a right-of-way between the curbline, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.**

Stop, stand or park shall mean any stopping, standing or parking of a vehicle, whether occupied or not, other than momentarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Vehicle shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

SECTION 2. From and after the effective date of this ordinance, Chapter 22, Article I, section 22-6 of the City's Code of Ordinances is created to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 22-6. Micromobility Devices

This section applies to micromobility devices operated on streets, sidewalks, bicycle paths, trails and multimodal lanes under the jurisdiction of the City and subject to penalties per section 22-5. This section is not intended to conflict with state law but to supplement it with reasonable local regulations permitted by sections 316.2128 and 316.20655, Florida Statutes.

(a) Prohibitions:

(1) No person shall operate a Class 3 electric bicycle on any sidewalk.

(2) No person shall operate a Class 1 or Class 2 electric bicycle on any sidewalk adjacent to Front Beach Road where a marked multimodal lane is open for public use along that portion of Front Beach Road.

(3) No person shall operate a micromobility device on any sidewalk at a speed greater than ten (10) miles per hour.

(4) No person shall operate on any public street, sidewalk, bicycle path, trail or multimodal lane any electric bicycle that has been modified so that it no longer meets the definition of an electric bicycle under Florida law. An electric bicycle propelled by motor assistance at a speed greater than twenty-eight (28) miles per hour shall be presumed to have been modified in violation of this subsection.

(b) Speed modifications: A Class 1 or Class 2 electric bicycle modified to increase its maximum assisted speed shall be treated as a Class 3 electric bicycle, unless the modification causes the vehicle to exceed the statutory definition of an electric bicycle.

(c) Other regulations preserved: This section regulates only operations and does not modify, waive, or supersede any Land Development Code or City Code provision governing the rental, leasing, sale, delivery, or commercial use of micromobility devices or similar devices. The provision, rental, hire, or delivery of an electric bicycle of any class for valuable consideration, or the solicitation of that service, constitutes a Motor Scooter Rental within the meaning of the Land Development Code and remains prohibited in every zoning district under section 2.03.01.D.3 of the Land Development Code.

SECTION 3. CONFLICT WITH OTHER ORDINANCES OR CODES. All Ordinances or parts of Ordinances of the Code of Ordinances of Panama City Beach, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction, the other provisions of this ordinance shall remain in full force and effect.

SECTION 5. SCRIVENER'S ERRORS. It is the intention of the City, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Panama City Beach, Florida, and to that end, the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or other appropriate designation. Additionally, corrections of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Attorney without public hearing, by filing a corrected or recodified copy with the City Clerk.

SECTION 6. ORDINANCE TO BE LIBERALLY CONSTRUED. This ordinance shall be

liberally construed to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 7. MODIFICATIONS. It is the intent of the City that the provisions of this ordinance may be modified because of considerations that may arise during a public hearing. Such modifications shall be incorporated into the final version of the ordinance adopted by the City.

SECTION 8. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code of Ordinances, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED, and ADOPTED in regular session this ____ day of 2026.

CITY OF PANAMA CITY BEACH, FL

By: _____
Stuart Tettemer, Mayor

ATTEST:

Lynne Fasone, MMC, City Clerk

Posted on pcbfl.gov on the ____ day of _____ 2026.

Posted on publicnoticesbaycountyfl.gov on the ____ day of _____ 2026.

EXAMINED AND APPROVED by me this _____ day of _____ 2026.

Stuart Tettemer, Mayor