

ORDINANCE NO. 11-2019

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, AS FOLLOWS: AT ARTICLE II, STREETS, IN CREATING SECTION 106-49, TITLED UNLAWFUL TO DOCK, STORE OR PARK MOTORIZED OR NON-MOTORIZED SHARED SCOOTERS, MAKING IT UNLAWFUL TO DOCK, STORE OR PARK MOTORIZED OR NON-MOTORIZED SHARED SCOOTERS ON PUBLIC OR PRIVATE STREETS; AND CREATING SECTION 106-161, TITLED UNLAWFUL TO DOCK, STORE OR PARK MOTORIZED OR NON-MOTORIZED SHARED SCOOTERS, MAKING IT UNLAWFUL TO DOCK, STORE OR PARK SHARED MOTORIZED OR NON-MOTORIZED SCOOTER ON SIDEWALKS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, after public hearings pursuant to notice required by law, the Planning and Zoning Commission considered all testimony and recommended modification to the Code of Ordinances; and

WHEREAS, after public hearing pursuant to notice required by law, the Town Council considered the Planning and Zoning Commission's Record and Report and all evidence and testimony; and

WHEREAS, after public hearing pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach requires that the aforesaid Chapter 106, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, of the Code of Ordinances, be amended as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Article II, STREETS, creating Section 106-49, Shared mobility scooters, to read as follows:

Sec. 106-49. Unlawful to dock, store or park shared motorized or non-motorized scooters.

It is unlawful to commercially dock, store or park shared scooters or dockless scooters on any public or private street.

Section 2. Article V, SIDEWALKS, creating Section 106-161, Unlawful to dock, store or park shared motorize or non-motorized and scooters, to read as follows:

Sec. 106-161. Unlawful to dock, store or park motorize or non-motorized shared scooters.

It is unlawful to commercially dock, store or park shared scooters or dockless scooters on any public or private sidewalk, via or esplanade.

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 after its adoption, 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 10th day of April, 2019, second reading and final adoption on this ____ day of _____, 2019.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Kathleen Dominguez, Town Clerk

Bobbie Lindsay, Town Council Member