

ORDINANCE NO. C-19-

AN EMERGENCY ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SUBSECTION 27-264(g) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO EXTEND DOCKLESS MOBILITY UNIT PROGRAM PERMITS FOR THIRTY-DAY PERIODS NOT TO EXCEED ONE HUNDRED EIGHTY DAYS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, on July 10, 2018, the City Commission of the City Fort Lauderdale enacted a “Dockless Mobility Programs” Ordinance, which took effect on November 1, 2018; and

WHEREAS, the permits issued to the Dockless Mobility Operators are effective for a period of one year; and

WHEREAS, in its 2019 legislative session, the Florida legislature amended certain Florida Statutes to include the definition of a “micromobility device” and authorize local governments to govern the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government’s jurisdiction; and

WHEREAS, prior to amending the City of Fort Lauderdale’s Dockless Mobility Programs’ Ordinance, the City requires time to further explore and evaluate the operations and regulations of dockless mobility units in alignment with Florida Statutes; and

WHEREAS, the City Commission wishes to authorize the City Manager to extend the Dockless Mobility Program operating permits for thirty-day periods not to exceed 180 days; and

WHEREAS, pursuant to Section 166.041, Florida Statutes (2019), the City Commission may, by a two-thirds vote, enact an emergency ordinance; and

WHEREAS, absent permit extensions, operators would not be authorized to conduct business in the City of Fort Lauderdale and any operation of dockless mobility units on the City’s rights-of-way would be without regulation by the City of Fort Lauderdale, thereby posing a danger to other users of the City’s rights-of-way; and

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WHEREAS, the regulation of dockless mobility unit operators promotes the public health, safety and welfare of the residents of and visitors to the City of Fort Lauderdale; and

WHEREAS, the City Commission has determined that an amendment to the City's Code of Ordinances to allow the City Manager to extend Dockless Mobility Program permits for thirty-day periods not to exceed 180 days would be in the best interest of the City and the public;

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Subsection 27-264(g) of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

Permits will be effective for a period of one year. The city manager may extend permits for thirty-day periods not to exceed 180 days. Operators shall be required to re-apply for a permit upon the conclusion of each one-year period.

SECTION 2. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. That this Ordinance shall be in full force and effect upon final passage.

PASSED the ____ day of _____, 2019.

Mayor
DEAN J. TRANTALIS

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ATTEST:

City Clerk
JEFFREY A. MODARELLI

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