

ORDINANCE NO. 2018-37

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING CHAPTER 70, TRAFFIC AND VEHICLES, ARTICLE I, IN GENERAL, BY ADDING SECTION 70-9, OPERATION OF BICYCLES ON PUBLIC SIDEWALKS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the oversight of bicycle and other vehicles use on public sidewalks is among the responsibilities and within the authority of the City of Venice; and

WHEREAS, the city is charged with establishing and exercising regulations governing the use of public right-of-way (ROW) that protect the public interest and contribute to a safe and healthy environment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 70, Traffic and Vehicles, Article I, In General, Section 70-9, Operation of bicycles on public sidewalks, is added as follows:

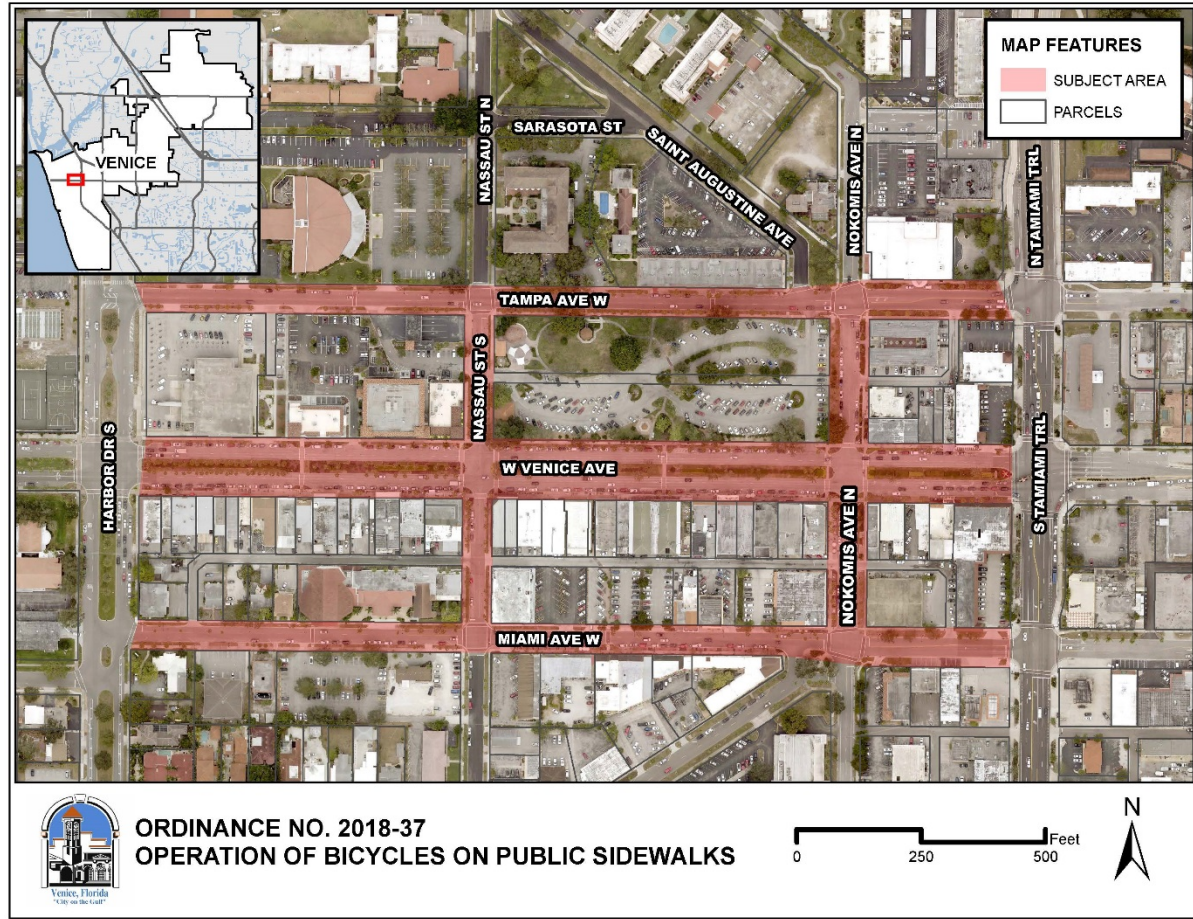
Sec. 70-9. Operation of bicycles and other vehicles on public sidewalks.

(a) *Bicycle*, as used in this section, means 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 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.

(b) *Other vehicles*, as used in this section, includes unicycles, skateboards, hoverboards, skates, scooters and other similar vehicles, whether propelled solely by human power or other forms of energy.

(c) It shall be unlawful to ride, peddle, coast or otherwise operate astride of a bicycle, or to operate other vehicles as defined herein, on sidewalks along the below street segments and as depicted below. Bicycles may be walked on these sidewalks.

- (1) Venice Avenue from S. Tamiami Trail (Business 41) to Harbor Drive
- (2) Tampa Avenue from S. Tamiami Trail (Business 41) to Harbor Drive
- (3) Miami Avenue from S. Tamiami Trail (Business 41) to Harbor Drive
- (4) Nokomis Avenue from Tampa Avenue to Miami Avenue
- (5) Nassau Street from Tampa Avenue to Miami Avenue



(d) This section shall not apply to bicycles and other vehicles required for ambulatory assistance or support.

SECTION 3. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 4. If any part, section, subsection or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the prescribed application thereof, shall be severable and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The city council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 5. This ordinance shall take effect immediately upon approval and adoption as provided by law.

PASSED BY THE COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 28TH DAY OF NOVEMBER, 2018.

First Reading: November 13, 2018

Final Reading: November 28, 2018

ADOPTION: November 28, 2018

JOHN W. HOLIC, MAYOR

ATTEST:

Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 28th day of November, 2018, a quorum being present.

WITNESS my hand and the official seal of said City this 28th day of November, 2018.

Lori Stelzer, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney