

ORDINANCE NO. 2026-16

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING CHAPTER 22 OF WELLINGTON'S CODE OF ORDINANCES, TITLED "TRAFFIC AND VEHICLES," TO CLARIFY THE PENALTY FOR GOLF CART VIOLATIONS IN SECTION 22-34 AND TO CREATE A NEW ARTICLE VII, SECTIONS 22-46 THROUGH 22-50, TITLED "ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER MICROMOBILITY DEVICES," GOVERNING THE USE OF MICROMOBILITY DEVICES, SPECIFICALLY ELECTRIC BICYCLES AND MOTORIZED SCOOTERS, ON PUBLIC RIGHTS-OF-WAY IN WELLINGTON CONSISTENT WITH STATE LAW; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council is authorized and empowered to adopt and amend legislation to govern the affairs of its citizens and promote the public health, safety, and welfare of the community; and

WHEREAS, in 2021, in response to the increased presence of golf carts in and around Wellington, the Wellington Council adopted Ordinance No. 2021-10, authorizing the operation of golf carts on designated Wellington roads and designated multi-modal pathways subject to specific restrictions (the “Golf Cart Ordinance”) to promote the safe operation of golf carts in Wellington consistent with sections 316.008 and 316.212, Florida Statutes; and

WHEREAS, in 2022, the Golf Cart Ordinance was amended and re-codified as Article V of Chapter 22 of the Code of Ordinances as part of Wellington's amendment to the Code of Ordinances in its entirety; and

WHEREAS, section 22-34 of the Code of Ordinances, titled Enforcement; Penalties, presently provides for a graduated civil penalty for violations of the Golf Cart Ordinance; and

WHEREAS, the Wellington Council now seeks to amend the civil penalty for violations of the Golf Cart Ordinance, consistent with state law, to provide clarity both to golf cart operators and to law enforcement officers who are tasked with enforcing violations of the Golf Cart Ordinance; and

WHEREAS, in addition to golf carts, Wellington has seen an increase in the use of electric bicycles and motorized scooters in and around Wellington; and

WHEREAS, there has also been an increase in the number of accidents involving electric bicycles and motorized scooters in Wellington and throughout the state of Florida;

1 and

2
3 **WHEREAS**, sections 316.008, 316.20655, and 316.2128, Florida Statutes, permit
4 local governments to adopt ordinances governing the operation of electric bicycles,
5 motorized scooters, and other micromobility devices, consistent with Florida law; and
6

7 **WHEREAS**, given the prevalence of electric bicycles and motorized scooters as a
8 means of transportation in and around Wellington and increased concerns relating to the
9 safety of the operator, pedestrians, equestrian trail riders, and motorists, the Wellington
10 Council believes it is in the best interest of the community to adopt regulations governing
11 the operation of electric bicycles and motorized scooters in Wellington consistent with
12 state law, including a minimum age requirement, identification requirements, and speed
13 and location restrictions.
14

15 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
16 **FLORIDA THAT:**
17

18 **SECTION 1:** Chapter 22, Article V, Section 22-34 of the Code of Ordinances
19 Wellington, Florida is hereby amended to read as follows:
20

21 **Sec. 22-34: Enforcement; Penalties**
22

- 23 A. Violations of this article may be enforced by Law Enforcement Officers. A violation
24 of this article is a ~~civil~~ noncriminal traffic infraction punishable as a moving or
25 nonmoving violation, as applicable, pursuant to F.S. § 316.212 and F.S. ch 318. ~~by~~
26 ~~civil penalty in the amounts set forth below:~~

27
28 ~~First violation: Warning.~~

29
30 ~~Second violation: \$50.00.~~

31
32 ~~Third violation (and every violation thereafter): \$100.00.~~
33

- 34 B. When applicable, violations of this article may be enforced by Law Enforcement
35 Officers through the issuance of a Uniform Traffic Citation pursuant to Florida law.
36
37 C. The enforcement provisions of this section are supplemental in nature and are not
38 intended to prohibit Wellington from seeking any other remedy available at law or
39 in equity.
40

41 **SECTION 2:** Chapter 22 of the Code of Ordinances of Wellington, Florida is hereby
42 amended by adding Article VII, to be numbered Sections 22-46 through 22-50, which
43 Article reads as follows:
44

45 **Article VII – ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER**
46 **MICROMOBILITY DEVICES**

1
2 **Sec. 22-46: Purpose and Intent**
3

4 The provisions of this article are intended to supplement the applicable provisions of the
5 Florida Uniform Traffic Control Law, Chapter 316, Florida Statutes, to promote the safe
6 operation of micromobility devices, particularly electric bicycles and motorized scooters,
7 in areas where the Village of Wellington has jurisdiction to regulate traffic consistent with
8 the authority granted in sections 316.008, 316.20655, and 316.2128, Florida Statutes.
9 Nothing contained in this article shall be construed to prevent Law Enforcement Officers
10 from enforcing the provisions of Chapter 316, Florida Statutes, within Wellington.
11

12 **Sec. 22-47: Definitions**
13

14 In addition to the definitions in section 22-3 and 22-30, the following definitions apply to
15 this article:
16

17 **Bicycle:** Every vehicle propelled solely by human power, having two tandem wheels,
18 and including any device generally recognized as a bicycle though equipped with two
19 front or two rear wheels. The term does not include a scooter or similar device.
20

21 **Electric Bicycle:** A bicycle or tricycle equipped with fully operable pedals, a seat or
22 saddle for the use of the rider, and an electric motor of less than 750 watts which meets
23 the requirements of one of the following three classifications:
24

25 A. "Class 1 electric bicycle" means an electric bicycle equipped with a motor that
26 provides assistance only when the rider is pedaling and that ceases to provide
27 assistance when the electric bicycle reaches the speed of 20 miles per hour.
28

29 B. "Class 2 electric bicycle" means an electric bicycle equipped with a motor that
30 may be used exclusively to propel the electric bicycle and that ceases to
31 provide assistance when the electric bicycle reaches the speed of 20 miles per
32 hour.
33

34 C. "Class 3 electric bicycle" means an electric bicycle equipped with a motor that
35 provides assistance only when the rider is pedaling and that ceases to provide
36 assistance when the electric bicycle reaches the speed of 28 miles per hour.
37

38 **Micromobility Device:** A motorized transportation device designed for individual use
39 which is typically 20 to 36 inches in width and 50 pounds or less in weight and which
40 operates at a speed of typically less than 15 miles per hour but no more than 28 miles
41 per hour. This term includes both a human-powered and a nonhuman-powered device
42 such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned
43 by an individual or part of a shared fleet.
44

45 **Motorized Scooter:** Any vehicle or micromobility device that is powered by a motor with
46 or without a seat or saddle for the use of the rider, which is designed to travel on not more

1 than three wheels, and which is not capable of propelling the vehicle at a speed greater
2 than 20 miles per hour on level ground. The term does not include an electric bicycle.
3

4 **Sec. 22-48: Age and Speed Restrictions for Electric Bicycles and Motorized**
5 **Scooters**
6

7 A. A person may only operate an electric bicycle or motorized scooter if the person is
8 at least 15 years old and possesses a government-issued photographic
9 identification while operating the electric bicycle or motorized scooter. The
10 government-issued photographic identification required by this section must, at a
11 minimum, provide the name and date of birth of the operator.
12

13 B. The operation of an electric bicycle or motorized scooter on a designated multi-
14 modal pathway is restricted to a maximum speed of 15 miles per hour, except as
15 otherwise provided by applicable law.
16

17 **Sec. 22-49: Prohibited Locations for Operation of Electric Bicycles and Motorized**
18 **Scooters**
19

20 A. A person may not operate an electric bicycle or motorized scooter on public bridle
21 trails.
22

23 B. A person may not operate an electric bicycle or motorized scooter on a sidewalk
24 or canal right-of-way unless such sidewalk or canal right-of-way is a designated
25 multi-modal pathway, as defined in section 22-30 of this chapter. A person
26 operating an electric bicycle or motorized scooter on a designated multi-modal
27 pathway in the areas surrounding Wellington schools must adhere to the restricted
28 hours of operation during school arrival and dismissal pursuant to posted
29 signs/pavement markings.
30

31 C. Prohibitions on the operation of electric bicycles and motorized scooters at
32 Wellington facilities are addressed in chapter 14 of this Code and shall be enforced
33 as set forth therein.
34

35 **Sec. 22-50: Enforcement**
36

37 A. This article may be enforced by Law Enforcement Officers.
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39 B. A person who violates this article commits a noncriminal traffic infraction,
40 punishable as a pedestrian violation as provided in chapter 318, Florida Statutes.
41

42 C. The enforcement provisions of this section are supplemental in nature and are not
43 intended to prohibit Wellington from seeking any other remedy available at law or
44 in equity.
45

SECTION 2. Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

SECTION 3: Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4: This Ordinance shall become effective immediately upon adoption of the Wellington Council following second reading.

PASSED this _____ day of _____, 20____ upon first reading.

PASSED AND ADOPTED this _____ day of _____, 20 on second and final reading.

WELLINGTON

FOR

AGAINST

BY: _____

Michael J. Napoleone, Mayor

Maria Antuña, Vice Mayor

Amanda Silvestri, Councilwoman

Stephen A. Levin, Councilman

Johnny Meier, Councilman

ATTEST:

BY:

Chevelle D. Hall, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

1
2

BY: _____
Laurie Cohen, Village Attorney