

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6

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, Chapter 14 of the Code of Ordinances governs Parks and Recreation within Wellington; and

WHEREAS, Chapter 14, Article III, Division 2, Section 14-21 provides that roller skating, roller blading, bicycling, skateboarding, and any other similar activity is prohibited on turf, basketball courts, tennis courts, and parking lots; and

WHEREAS, Wellington has recently experienced property damage at its neighborhood parks, boat docks, and other locations due to the apparent misuse of non-human powered micromobility devices, particularly electric bicycles and motorized scooters, and other similar activities in such places; and

WHEREAS, the Wellington Council believes it is in the best interest of Wellington to amend Section 14-1 to add a definition of neighborhood park and to amend Section 14-21 to specifically identify electric bicycling and motorized scooting among the activities prohibited by this section and to clarify that such activities are also prohibited inside neighborhood parks, on boat docks, and on playground equipment to promote public safety and protect the community from further damage to public property; and

1 **WHEREAS**, Chapter 14, Article III, Division 2, Section 14-24 sets forth guidelines
2 for the use of vehicles in parks; and
3

4 **WHEREAS**, Wellington has seen an increase in the use of non-human powered
5 micromobility devices, particularly, electric bicycles and motorized scooters, in and
6 around Wellington, as well as an increase in the number of accidents involving such
7 devices in Wellington and throughout the State of Florida; and
8

9 **WHEREAS**, the Wellington Council believes it is in the best interest of Wellington
10 to amend Section 14-26 to restrict where non-human powered micromobility devices may
11 be operated in Wellington parks to protect the public from property damage and to
12 promote public safety in certain park locations that see higher amounts of pedestrian
13 traffic; and
14

15 **WHEREAS**, Chapter 14, Article I, Division 1, Sections 14-3 and 14-4 address the
16 enforcement and penalties for all of Chapter 14; and
17

18 **WHEREAS**, Section 14-3 provides that it is the duty and responsibility of the Parks
19 and Recreation employees to enforce Chapter 14 and section 14-4 further provides that
20 the penalty for violation of Chapter 14 involves a fine and/or imprisonment; and
21

22 **WHEREAS**, the Wellington Council believes it is in the best interest of Wellington
23 to amend sections 14-3 and 14-4 to clarify that enforcement of Chapter 14 may also be
24 by law enforcement officers.
25

26 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,**
27 **FLORIDA, THAT:**
28

29 **SECTION 1:** Chapter 14, Article I, Division 1, Section 14-1 of the Code of
30 Ordinances, Wellington, Florida is hereby amended to add a definition of Neighborhood
31 Park in alphabetical order to read as follows:
32

33 **Neighborhood Park:** A public recreational area located within walking or biking distance
34 to one of Wellington's neighborhoods and identified on Wellington's official website as a
35 Neighborhood Park.
36

37 **SECTION 2:** Chapter 14, Article I, Division 1, Section 14-3 of the Code of
38 Ordinances, Wellington, Florida is hereby amended to read as follows:
39

40 **Sec. 14-3: Enforcement Authority**
41

- 42 A. It shall be the duty and responsibility of the Department employees to enforce this
43 chapter. This chapter may also be enforced by Law Enforcement Officers.
44

1 B. It shall be unlawful for any person to do any act forbidden or fail to perform any
2 act required by this chapter or for any person to fail to comply with any lawful or
3 reasonable order given by Wellington employees.
4

5 C. The Council may adopt reasonable rules and regulations as are necessary to
6 manage, use, preserve, and govern park property and activities.
7

8 **SECTION 3:** Chapter 14, Article I, Division 1, Section 14-4 of the Code of
9 Ordinances, Wellington, Florida is hereby amended to read as follows:
10

11 **Sec. 14-4: Penalties**
12

13 A. Any person convicted of violating the provisions of this ~~section~~ chapter shall be
14 punished by a fine ~~not less than \$25.00 but not to exceed than \$500.00~~, or by
15 imprisonment not exceeding ~~90~~60 days, or both.
16

17 B. Any person found violating any provision of this chapter is subject to ejection and
18 arrest by a Law Enforcement Officer.
19

20 **SECTION 4:** Chapter 14, Article III, Division 2, Section 14-21 of the Code of
21 Ordinances, Wellington, Florida is hereby amended to read as follows:
22

23 **Sec. 14-21: Game and Sport Activity**
24

25 A. No person in a park shall take part in the playing of any games involving thrown
26 or otherwise propelled objects such as stones, arrows, golf balls, javelins, rockets,
27 or radio-controlled airplanes, except in areas set apart for such forms of recreation.
28 The playing or practicing by organized sponsored athletic teams of such games
29 as football, baseball, and the like, is prohibited except on fields, courts, or areas
30 designated for such use, or as directed by the Director or their authorized
31 representative.
32

33 B. Roller skating, roller blading, bicycling (including Electric Bicycles as defined in
34 chapter 22, article VII of this Code), skateboarding (including motorized
35 skateboards and hover boards), scootering (including Motorized Scooters as
36 defined in chapter 22, article VII of this Code), and any other similar activity is
37 prohibited in Neighborhood Parks, on turf, basketball courts, tennis courts, boat
38 docks, playground equipment, and in parking lots and shall be confined to those
39 areas specifically designated for such activities.
40

41 **SECTION 5:** Chapter 14, Article III, Division 4, Section 14-26 of the Code of
42 Ordinances, Wellington, Florida is hereby amended to read as follows:
43

44 **Sec. 14-26: Use of Vehicles**
45

- 1 A. No person shall operate a vehicle in a park except upon designated paved or
2 improved park roads or driveways, or in and upon designated areas or trails set
3 aside for use by such vehicles, unless directed by a law enforcement officer or
4 park employee to do so, or by official signs or markings.
5
6 B. No person, except in emergencies, shall change any parts, repair, wash, wax, or
7 polish, grease, or perform other maintenance on a vehicle on any park roadway,
8 driveway, parking lot, or other park property.
9
10 C. No person shall operate or park a motor vehicle, camper, bus, or trailer within a
11 Wellington park or parking lot except in those areas specifically designated by
12 signs to be used for such driving or parking unless authorized by the Director or
13 the Sheriff's Department. Any agents or employees of federal, state, county, or
14 municipal governmental bodies operating motor vehicles on official business shall
15 be exempt from the provisions hereof.
16
17 D. No person shall bed down, sleep, or camp overnight in a Wellington park, including
18 any parking area, nor shall camper trucks, buses, trailers, or other vehicles be
19 permitted to remain in a Wellington park unless authorized by the Director.
20
21 E. Non-Human Powered Micromobility Devices: No person shall operate a Non-
22 Human Powered Micromobility Device, as defined in chapter 22, article VII of this
23 Code, in any of the following Wellington park locations:
24
25 i. Wellington Town Center;
26
27 ii. Neighborhood Parks;
28
29 iii. The Heart Trail at Village Park during the days and hours indicated on
30 posted signage.
31

32 **SECTION 6:** Should any section, paragraph, sentence, clause, or phrase of this
33 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
34 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of
35 this Ordinance shall prevail to the extent of such conflict.
36

37 **SECTION 7:** Should any section, paragraph, sentence, clause, or phrase of this
38 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision
39 shall not affect the validity of this Ordinance as a whole or any portion or part thereof,
40 other than the part so declared to be invalid.
41

42 **SECTION 8:** This Ordinance shall become effective immediately upon adoption
43 of the Wellington Council following second reading.
44

45 **PASSED** this _____ day of _____, 20____ upon first reading.
46

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

Stephan A. Levin, Councilman

Johnny Meier, Councilman

ATTEST:

BY: _____

Chevelle D. Hall, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____

Laurie Cohen, Village Attorney