



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: July 3, 2024

Agenda Item No.

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 30, ARTICLE I TO CREATE A NEW SECTION 30-6 PERTAINING TO THE OPERATION OF MICROMOBILITY DEVICES, GOLF CARTS, LOW SPEED VEHICLES, AND MOTORIZED SCOOTERS; PROVIDING FOR THE AMENDMENT OF CHAPTER 30, ARTICLE II SECTION 30-35 PERTAINING TO HIGH-CAPACITY PASSENGER OR WORK VANS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

- SPECIAL PRESENTATION/REPORTS
- BOARD APPOINTMENT
- ORDINANCE ON 1st READING**
- NEW BUSINESS
- OTHER

- CONSENT AGENDA
- OLD BUSINESS

John

Approved by Town Manager D'Agostino

Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of
Lake Park, ou=Town Manager,
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ov, c=US
Date: 2024.06.27 15:19:44 -04'00'

Date: _____

Anders Viane / Planner
Name/Title

<p>Originating Department: Community Development</p>	<p>Costs: \$ Legal Review Funding Source: Legal Acct: #108 [] Finance</p>	<p>Attachments: → Ordinance __-2024</p>
<p>Advertised: Date: Will be advertised by Town Clerk 10 days prior to 2nd Reading Paper: [X] Not Required</p>	<p>All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.</p>	<p>Yes I have notified everyone OR Not applicable in this case AV Please initial one.</p>

Summary Explanation/Background:

This ordinance is being brought forward based on the recommendation of Palm Beach County Sherriff's office to formalize procedures relating to golf carts, low speed vehicles, and micromobility devices and in accordance with the Town's Comprehensive Plan mobility policies. Currently, State Statute regulates the device specifications of golf carts, low speed vehicles, and

micromobility devices and where they can operate, but Lake Park has not utilized the State's regulatory framework until now. This has meant that these devices were previously operating in a "gray area." To provide greater procedural clarity to our partners in law enforcement and to promote the usage of these types of mobility devices, Staff is proposing adding new language to Chapter 30, Traffic and Motor Vehicles. The new regulatory language mirrors the State's in defining golf carts, low speed vehicles, and micromobility devices and how they may be operated. This ordinance has received input from the Palm Beach County Sherriff's Office as well as the Town Attorney's office on enforcement and legal matters.

Additionally, the ordinance contemplates integration with the Town's mobility plan, specifying which types of vehicles may utilize the multimodal pathways envisioned by the mobility plan. Staff is strongly in favor of creating this framework for the safe and lawful operation of multimodal transit options in accordance with our mobility plan and comprehensive plan mobility goals. See 4.5.6, Objective 2, Policy 2.5 below:

"The Town shall evaluate developing complete street policies identified in the Mobility Plan into it's land development regulations. These land development regulations would address the anticipated users of roads, including pedestrians, bicyclists, transit, motorists. The land development regulations shall evaluate appropriate designs of roadway cross- sections based upon mobility and accessibility needs."

See also, 4.5.6, Objective 9, Policy 9.4:

"The Town shall evaluate allowing the use of micro transit vehicles, such as golf carts and neighborhood electric vehicles, by residents, businesses, visitors, and private operators."

Finally, since this ordinance is amending Chapter 30, some housekeeping elements were added to Section 30-35, further refining the definition of "high-capacity passenger van or work van," in response to issues which arose in the interpretation of this definition. The new definition is designed to eliminate any ambiguity.

Recommended Motion: I MOVE TO APPROVE ORDINANCE NO. __-2024 on first reading.

ORDINANCE 08-2024

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 30, ARTICLE I TO CREATE A NEW SECTION 30-6 PERTAINING TO THE OPERATION OF MICROMOBILITY DEVICES, GOLF CARTS, LOW SPEED VEHICLES, AND MOTORIZED SCOOTERS; PROVIDING FOR THE AMENDMENT OF CHAPTER 30, ARTICLE II SECTION 30-35 PERTAINING TO HIGH-CAPACITY PASSENGER OR WORK VANS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (Town) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town's Community Development Department has created a new Chapter 30, Article I, Section 30-6 of the Town Code providing for definitions, and regulations pertaining to the operation of low speed vehicles, micromobility devices, motorized scooters, and golf carts within the Town and recommends the adoption of the same; and

WHEREAS, the Community Development Department recommends amendments to Chapter 30, Article II, Section 30-35 of the Town Code to provide for an updated definition for high-capacity passenger van or work van; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Chapter 30, Article I, Section 30-6 is hereby created to read as follows:

(...)

Sec. 30-6. Low Speed Vehicles, Micromobility Devices, Motorized Scooters, and Golf Carts.

- (a) Definitions. The following terms when used herein shall have the meanings defined below.

Golf Cart means a motor vehicle as defined in F.S. 320.01 (22), as amended, that is built for operation on golf courses or for traveling short distances that is not capable of exceeding speeds of 20 miles per hour.

Low Speed Vehicle means a motor vehicle as defined in F.S. 320.01, as amended, that is capable of reaching speeds of at least 20 miles per hour, but not greater than 25 miles per hour.

Micromobility Device means any motorized transportation device as defined by F.S. 316.003 (41) made available for private use by reservation through online application or software for point-to-point trips and which is not capable of exceeding speeds of 20 miles per hour. This term shall include motorized scooters.

Motorized Scooter is a type of micromobility device and means any vehicle or micromobility device, as defined by F.S. 316.003 (48), that is powered by a motor, with or without a seat, designed to travel on not more than three wheels, and which is not capable of speeds greater than 20 miles per hour.

Right of way means any public or private right of way, town, county, state or federal improved road.

- (b) Operation of Low Speed Vehicles and Golf Carts.

- (1) In accordance with F.S. 316.212 (1) golf carts and low speed vehicles may be operated on private properties and right of ways within the Town of Lake Park subject to the posted speed. Golf carts may be operated within the town's rights of way in accordance with the posted speed limits not exceeding 25 miles per hour. Low speed vehicles shall be permitted on rights of way with posted speed limits not exceeding 35 miles per hour. Golf carts may be operated on the Town's multi-modal pathways, as established by the Town Mobility Plan and where posted signage allows, at speeds not exceeding 15

miles per hour. Low speed vehicles may not be operated on multi-modal pathways.

- (2) All golf carts shall be equipped with headlights, brake lights, turn signals, two round red reflectors of a minimum of three inches in diameter affixed to the rear of the golf cart within six inches of each side edge, and a windshield.
- (3) All low speed vehicles shall be equipped with headlamps, stop lamps, turn signal lamps, taillights, reflectors, parking brakes, mirrors, windshields, seat belts, and VINs.
- (4) All golf carts and low speed vehicles operated within the Town shall comply with applicable state statutes pertaining to the operation of golf carts and low speed vehicles. Any violation of applicable state statutes shall be a violation of this article. Golf cart and low speed vehicles shall comply with all applicable local and state traffic laws and operators may be issued citations or traffic or moving violations.
- (5) Golf carts may only be operated by individuals in accordance with state law. Low speed vehicles may be operated by individuals possessing a valid driver's license. Additionally, operators of low speed vehicles must be registered and insured for accidents as established under State Statute 320.02.

(c) Operation of Micromobility Devices and Motorized Scooters.

- (1) In accordance with F.S. 316.2128, micromobility devices and motorized scooters shall not be required to have a driver's license to operate. Users under 16 years of age are required to wear a helmet. Micromobility devices and motorized scooters shall comply with all the requirements applicable to bicycles established under F.S. 316.2065, except as exempted. Motorized scooters and micromobility devices may be operated within Town limits on sidewalks, bike lanes, and multi-modal pathways as established by the Town Mobility Plan and where posted signage allows, at speeds not exceeding 15 miles per hour.

(d) Enforcement of Provisions.

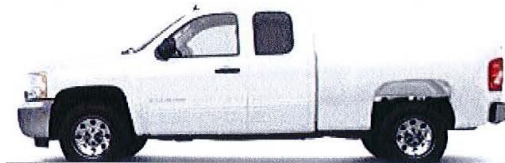
- (1) The Town's Law Enforcement provider shall enforce the provisions contained within this article.

Secs. 30-76—30-30. Reserved.

Section 3. Chapter 30, Article II, Section 30-35 is amended as follows:

Sec. 30-35. Parking of commercial vehicles in residential districts.

(...)



High-capacity passenger van or work van. A high-capacity passenger van means a vehicle with normal carrying passenger capacity of more than seven passengers, used to carry passengers, with a linear non-varying roofline, from front to back, extending over the passenger area and a glass area along the side of the van enabling passenger visibility. A work van is means a vehicle that is used to store work materials and rooftop cargo, with a linear non-varying roofline, from front to back except for the rooftop cargo, extending the entire length of the vehicle and a possible side entrance door to access materials. Example (for illustrative purposes only):



(...)

Secs. 30-36—30-60. Reserved.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Codification.

The sections of the ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

Section 6. Repeal of Laws in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Effective Date.

This ordinance shall take effect immediately upon execution.

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