

C7 AQ A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO ENHANCE ENFORCEMENT AGAINST INDIVIDUALS OPERATING MOTORIZED MEANS OF TRANSPORTATION ON THE SIDEWALKS IN VIOLATION OF THE PROHIBITION AGAINST SUCH CONDUCT, AS SET FORTH IN SECTION 70-67 OF THE CITY CODE; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROVIDE MONTHLY UPDATES AS TO THE EFFECTIVENESS OF THEIR INCREASED ENFORCEMENT EFFORTS AT EACH PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE (“PSNQLC”) MEETING.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: February 3, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO ENHANCE ENFORCEMENT AGAINST INDIVIDUALS OPERATING MOTORIZED MEANS OF TRANSPORTATION ON THE SIDEWALKS IN VIOLATION OF THE PROHIBITION AGAINST SUCH CONDUCT, AS SET FORTH IN SECTION 70-67 OF THE CITY CODE; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROVIDE MONTHLY UPDATES AS TO THE EFFECTIVENESS OF THEIR INCREASED ENFORCEMENT EFFORTS AT EACH PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE ("PSNQLC") MEETING.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Commissioner Alex Fernandez.

FISCAL IMPACT STATEMENT

The sponsor of this item requests that the Administration be prepared to address the fiscal impact of this proposed measure, if any, at the City Commission meeting.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Enhance Enforcement of Electronic Devices on the Sidewalks. (Fernandez) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. 2025 - _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO ENHANCE ENFORCEMENT AGAINST INDIVIDUALS OPERATING MOTORIZED MEANS OF TRANSPORTATION ON THE SIDEWALKS IN VIOLATION OF THE PROHIBITION AGAINST SUCH CONDUCT, AS SET FORTH IN SECTION 70-67 OF THE CITY CODE; AND FURTHER, DIRECTING THE ADMINISTRATION TO PROVIDE MONTHLY UPDATES AS TO THE EFFECTIVENESS OF THEIR INCREASED ENFORCEMENT EFFORTS AT EACH PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE (“PSNQLC”) MEETING.

WHEREAS, Section 70-67 of the City Code prohibits the operation of motorized means of transportation, in, on, or upon any sidewalk in the City, except for (a) wheelchairs or other motorized means of transportation when used by disabled persons and (b) electric personal assistive mobility devices, where otherwise not prohibited, which are restricted to a maximum speed of eight miles per hour; and

WHEREAS, the enforcement of the City’s prohibition against operating motorized means of transportation (“electronic devices”) on sidewalks is a critical component of ensuring pedestrian safety, promoting equitable use of public spaces, and preserving City residents’ quality of life; and

WHEREAS, the sidewalks are primarily designated for pedestrian use, and the operation of electronic devices, such as electric scooters or electric bicycles, poses significant risks to both pedestrians and the operators of the electronic devices; and

WHEREAS, the prohibition set forth in Section 70-67 is essential to minimize collisions, prevent injuries, and maintain an orderly flow of foot traffic, particularly in Miami Beach which is known for its high level of tourist activity and dense urban environment; and

WHEREAS, without consistent enforcement, noncompliance with this prohibition could lead to dangerous conditions, eroding public trust in the City’s ability to manage its public spaces effectively; and

WHEREAS, in order to address these challenges, the Administration must enhance its enforcement efforts to ensure compliance with the prohibition against operating electric devices on the sidewalk; and

WHEREAS, such enhancement should include increased deployment of law enforcement personnel, possibly in conjunction with the implementation of public awareness campaigns to educate residents and visitors about the rules and associated penalties for noncompliance; and

WHEREAS, monthly updates at Committee as to the effectiveness of the enhanced enforcement efforts can serve to determine whether additional, or alternative, measures are necessary.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby directs the City Administration to enhance enforcement against individuals operating motorized means of transportation on the sidewalks in violation of the prohibition against such conduct, as set forth in Section 70-67 of the City Code; and further, directing the Administration to provide monthly updates as to the effectiveness of their increased enforcement efforts at each Public Safety and Neighborhood Quality of Life ("PSNQLC") meeting.

PASSED and ADOPTED this ____ day of _____, 2025.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

Date

[Handwritten signature] *12/24/2025*