

ECONOMIC / BUSINESS IMPACT ESTIMATE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING ARTICLE I OF CHAPTER 2-4 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; REGULATING THE OPERATION OF ELECTRIC BICYCLES ON STREETS, SIDEWALKS AND SIDEWALK AREAS IN THE BABCOCK RANCH COMMUNITY; PROVIDING DEFINITIONS FOR THE TERMS "ELECTRIC BICYCLE," "MOTORCYCLE," AND "OFF-HIGHWAY VEHICLE OR MOTORCYCLE"; PROHIBITING THE OPERATION OF ELECTRIC BICYCLES ON BICYCLE PATHS, GREENWAYS, MULTI-USE PATHS, AND TRAIL NETWORKS IN THE BABCOCK RANCH COMMUNITY; PROVIDING A PENALTY FOR VIOLATION OF THIS SECTION; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC PURPOSE: *State what the ordinance is designed to accomplish. Describe present situation and the effect the ordinance will have thereon. How does the ordinance serve the public health, safety, and welfare?*

The amendment to this section, specifically dealing with the area known as the Babcock Ranch Community Independent Special District (ISD), will assist the community in regulating the types of vehicles that are allowed to travel in certain areas. The ISD has had previous incidents where a higher speed e-bicycle, known as Class 3 electric bicycles which can operate faster than 28mph and as much as above 50mph, are traveling on sidewalks, and colliding with or making pedestrians or regular bicyclists on sidewalks take evasive actions. There have also been instances where these vehicles travel on greenways and shoulders causing damage to the community property and risk the same potential injury to pedestrians or regular bicyclists. Also documented instances where these vehicles travel too fast and fly through crosswalks where actual motor vehicles need to take evasive actions or perform emergency braking to avoid a collision with the vehicle and rider, who is most likely a juvenile without any protective gear. Along with these instances, the ISD is seeing what amounts to electric motorcycles and vehicles that would be considered an off-highway vehicle that are traveling on the same areas. This is a danger to the community as a whole and state statutes have not caught up with the technology that is evolving with these types of vehicles.

ECONOMIC PURPOSE: *Consider costs and benefits to everyone affected by the proposed ordinance. Identify specific groups that will be impacted and estimate costs and benefits.*
(Part A)

A. Cost of Implementation of Ordinance.

There is no cost to the implementation of this amendment. The ISD already has a Traffic Enforcement Agreement with the Sheriff of Charlotte County, signed April 14, 2020, under 2020-017. This gives the Sheriff the discretion to enforce laws within the ISD and this ordinance amendment provides for the Sheriff's enforcement.

B. Source of Funds/Ultimate Burden of Costs.

Any violation of this ordinance will be a traffic citation and potentially the tow of any unregistered vehicles from roadways. This cost will be the burden of the offender.

C. Benefits of Implementation.

There are other communities in Florida performing similar actions regarding Class 3 e-bicycles and e-motorcycles for the safety of the community. This is no different and will benefit the community by eliminating the threat of high-speed vehicles traveling on sidewalks or other community trails/greenways which could pose a threat to the peaceful enjoyment of the community property by residents without risk of injury.

D. Describe data/methods used to make above estimates.

There is no cost of implementation, and the fines are statutory requirements within Florida Statute 318.

**BUSINESS IMPACT:
(Part B)**

E. Estimate of direct compliance costs on affected businesses; identify any new charge or fee.

There are no direct compliance costs on businesses. The businesses that sell these products are already responsible for educating the buyers to conform to local laws/ordinances.

F. Estimate of County's regulatory costs, including any new revenue from fees/charges.

It is unknown how many violations will occur. There will be a warning period, as always, with the start of the new ordinance to educate the community. The County gets a statutory percentage of any citation and that will not change. The purpose of the ordinance is to educate and provide safety to the community without generating regulatory costs. The Sheriff already actively patrols the ISD and is responsible for traffic enforcement, so there will not be any new costs to the agency.

*G. Estimate number of businesses likely to be impacted.
(Contact Economic Development Office at 941-764-4941)*

No business will be impacted by this new ordinance. As stated above, the businesses that sell the products are already responsible for education.

H. Describe data/methods used to make above estimates.

As stated above, there are no costs for enforcement or regulatory checks. A check with the Economic Development Office

confirmed there are no current bicycle stores that sell e-bicycles located in the ISD.

The County Tax Collector has a computer program, which takes data from the tax rolls and identifies all existing businesses/categorizes them by specific type.