

ORDINANCE  
NUMBER 2025 –

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 CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Section 316.20655, Florida Statutes, allows the County, through the exercise of its powers under Section 316.008, Florida Statutes, to adopt an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas and prohibit the operation of an electric bicycle on a bicycle path, multi-use path, or trail network; and

WHEREAS, the Babcock Ranch Community Independent Special District ("BRCISD") requested that the County adopt certain regulations of electric bicycles within BRCISD and to include prohibitions on use of motorcycles, including those operating under gasoline or electric power, on bicycle paths, greenways, multi-use paths and trail networks within BRCISD; and

WHEREAS, the County maintains sufficient jurisdiction and authority pursuant to Sections 316.006 and 316.008, Florida Statutes, other relevant state and federal

laws, and the Charlotte County Code of Laws and Ordinances (the "Code") to regulate the activities subject to this ordinance; and

WHEREAS, the Board finds that amending and restating Article I of Chapter 2-4 of the Code as provided below will protect the health, safety, and welfare of Charlotte County's residents, guests, and visitors.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. Article I, Chapter 2-4, of the Code is hereby amended to read as follows (words that are stricken out are deletions; words that are underlined are additions):

Sec. 2-4-4. Prohibitions on operating electric bicycles and motorcycles in the Babcock Ranch Community.

(a) Applicability. This Ordinance applies to lands in the Babcock Ranch Community Independent Special District and located within Charlotte County, ("BRCISD"), consisting of approximately 13,631 acres, as described in Section 4, Chapter 2007-307, Laws of Florida.

(b) Definitions. For purposes of this section, the following words and phrases shall have the meanings ascribed to them:

*Electric Bicycle* shall mean the term "electric bicycle" as defined in Section 316.003, Florida Statutes, as amended from time to time.

*Class 3 Electric Bicycle* shall mean the term "Class 3 electric bicycle" as defined in Section 316.003, Florida Statutes, as amended from time to time.

*Motorcycle* shall mean the term "motorcycle" as defined in Section 316.003, Florida Statutes, as amended from time to time, and shall include all motor vehicles,

pocket bikes or similar devices, that are manufactured without pedals and have not been modified to have pedals, therein defined notwithstanding the means of propulsion of such vehicle, including but not limited to the use of gasoline, electricity, battery or other fuels or systems as a means of propulsion.

*Off-Highway Vehicle or Motorcycle* as defined in Section 261.03, Florida Statutes, as amended from time to time.

(c) Prohibited.

(1) It shall be unlawful for any person to operate a Class 3 electric bicycle on any designated street, sidewalk, sidewalk area, bicycle path, greenway, multi-use path, or trail network in the BRCISD.

(2) It shall be unlawful for any person to operate a motorcycle on any designated street in the BRCISD unless such vehicle is registered and in compliance with Section 320.02, Florida Statutes, and all other applicable laws and ordinances.

(3) It shall be unlawful for any person to operate a motorcycle on any designated sidewalk, sidewalk area, bicycle path, greenway, multi-use path, or trail network in the BRCISD.

(4) It shall be unlawful for any person to operate an off-highway vehicle or motorcycle on any designated sidewalk, sidewalk area, bicycle path, greenway, multi-use path, or trail network in the BRCISD.

(5) Official use of motorcycles or electric bicycles by duly licensed law enforcement officers, BRCISD employees, HOA employees, and BRCISD or HOA contractors performing authorized duties are exempt from prohibitions as described in this section.

82           (d) Signage authorized. The BRCISD may install at its own cost, but always  
83 subject to County's final approval, such signage as is necessary and appropriate to  
84 designate the prohibited operation areas as described in this section.

85           (e) Penalties. A violation of this section is a noncriminal traffic infraction,  
86 punishable as a moving violation as provided in Chapter 318, Florida Statutes.

87           Sec. Secs. 2-4-4, 2-4-5. - Reserved.

88           Section 2.   The publisher of this County's Code is directed to incorporate the  
89 amendments in Chapter 2-4, Article I, of the Code.

90           Section 3.   If any clause, phrase, provision, section or sentence of this  
91 Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction,  
92 such invalidity or unconstitutionality shall not be construed as to render invalid or  
93 unconstitutional the remaining provisions of this Ordinance.

94           Section 4.   This Ordinance shall take effect pursuant to law.  
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98           [THE REMAINDER OF THIS SECTION INTENTIONALLY LEFT BLANK.]  
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103 PASSED AND DULY ADOPTED this 23<sup>rd</sup> day of September, 2025.

104  
105 BOARD OF COUNTY COMMISSIONERS  
106 OF CHARLOTTE COUNTY, FLORIDA  
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110 By: \_\_\_\_\_  
111 Jospeh M. Tiseo, Chairman  
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113 ATTEST:  
114 Roger D. Eaton, Clerk of the Circuit  
115 Court and Ex-Officio Clerk of the  
116 Board of County Commissioners  
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118  
119  
120 By: \_\_\_\_\_  
121 Deputy Clerk  
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123 APPROVED AS TO FORM  
124 AND LEGAL SUFFICIENCY:  
125

126  
127 By: \_\_\_\_\_  
128 Janette S. Knowlton, County Attorney  
129 LR25-0490 