



AGENDA MEMORANDUM

City Manager

City Council Regular Meeting Date: August 19, 2025

To: City Council
From: Dana A. Souza, City Manager
Date: July 31, 2025

SUBJECT: Ordinance 25-017 amending the penalties or fines established in Section 66-37 and Section 66-101, to be consistent with the recently amended fine structure in Section 66-171, and Section 66-245 on July 15, 2025, through Ordinance 25-009.

BACKGROUND: On July 15, 2025, the City Council approved Ordinance 25-009 which amended the penalty or fine structure in Chapter 66, Article V, Bicycles, Micromobility Devices, Motorized Scooters, and Mopeds (Section 66-171), as well as for violations of Chapter 66, Article VIII, Electric Personal Assistive Mobility Devices (Section 66-245). Ordinance 25-009 amended the penalty or fine for both Code sections by changing the civil penalty for violations from a maximum of \$500 to a progressive or tiered approach. The tiered approach approved in Ordinance 25-009 was based on the tiered fine structure established in Section 66-37 and Section 66-101, as shown below.

- First offense = issued a written warning.
- Second offense = civil penalty of \$100 plus \$10 filing fees if paid within five days of issuance; if paid after five days of issuance civil penalty of \$150 plus \$10 filing fees.
- Third offense = civil penalty of \$350 plus \$10 filing fee.
- Fourth or subsequent offenses = civil penalty of \$500 plus \$10 filing fee

After discussion, the City Council voted to amend the penalty for a Second offense by increasing the number of days an offender had to pay a fine without being assessed an additional penalty from 5 days to 15 days and reduced the additional penalty for late payment from \$50 to \$25. The final language approved by the City Council is shown below.

- First offense = issued a written warning.
- Second offense = civil penalty of \$100 plus \$10 filing fees if paid within five fifteen days of issuance; if paid after five days of issuance civil penalty of \$150 \$125 plus \$10 filing fees.
- Third offense = civil penalty of \$350 plus \$10 filing fee.
- Fourth or subsequent offenses = civil penalty of \$500 plus \$10 filing fee

Sanibel is and shall remain a barrier island sanctuary

After approving Ordinance 25-009, the City Council directed staff to draft a text amendment so the penalty or fine structure in Section 66-37 and Section 66-101 are consistent with the penalty or fine structure approved by the City Council on July 15, 2025, for Section 66-171, and Section 66-245.

Ordinance 25-017 was advanced from First Reading by the City Council on July 30, 2025. Due to a public notice issue, a second First Reading was necessary.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Schedule Ordinance 25-017 for Second Reading and Public Hearing on September 8, 2025.

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