

CITY OF SANIBEL
ORDINANCE 26-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING CHAPTER 66, TRAFFIC; ARTICLE V, BICYCLES, MICROMOBILITY DEVICES, MOTORIZED SCOOTERS, AND MOPEDS, SECTION 66-165, DRIVING ON A BICYCLE PATH; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 66 of the Sanibel Code of Ordinances, entitled “Traffic,” contains various regulations relating to the operation of bicycles, motorized scooters, mopeds, and other motor-driven devices; and

WHEREAS, on December 3, 2019, the City Council approved Ordinance 19-011, which amended Chapter 66 of the Sanibel Code of Ordinances, to prohibit the operation of micromobility devices and motorized scooters, and allow persons 18 years or older to operate Class 1 electric assisted bicycles on Sanibel’s bicycle paths; and

WHEREAS, on September 9, 2024, the City Council approved Ordinance 24-014, which amended Chapter 66 of the Sanibel Code of Ordinances, to lower the minimum age from 18 to 16 years to operate Class 1 electric assisted bicycles on Sanibel’s bicycle paths and to authorize the city manager to establish and thereafter amend, as necessary, speed limits on bicycle paths based on certain parameters; and

WHEREAS, Section 316.003(23), Florida Statutes (2025), defines the term “electric bicycle” as follows:

A bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:

(a) “Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.

(b) “Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.

(c) “Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.; and

WHEREAS, Section 316.20655, Florida Statutes (2025), provides certain electric bicycle regulations but explicitly allows a municipality to adopt Ordinances further restricting or prohibiting the operation of electric bicycles over the municipality’s bicycle path, multiuse path, or trail network; and

WHEREAS, Section 66-161, Sanibel Code of Ordinances, provides “[u]nless the context clearly indicates otherwise, the words and terms contained in this article shall have the same meaning as the same terms contained in F.S. chs. 316 and 318.”; and

WHEREAS, the City Council, after reviewing Ordinance 24-014 and considering data collected since October 1, 2024, wishes to amend Chapter 66 of the City’s Code of Ordinances to allow the operation of Class 1, Class 2, and Class 3 electric assisted bicycles on Sanibel’s bicycle paths.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA:

SECTION 1. The recitals above are true and correct and made a part hereof.

SECTION 2. Chapter 66, Code of Ordinances, is hereby amended with ~~strikethrough~~ language indicating deletions and underlined language indicating additions as follows:

Chapter 66 - TRAFFIC

...

ARTICLE V. - BICYCLES, MICROMOBILITY DEVICES, MOTORIZED SCOOTERS, AND MOPEDS

...

Sec. 66-166 – Driving on a bicycle path.

...

- (b) This prohibition does not apply to the following:
 - (1) A public officer or employee in the performance of duty;
 - (2) A person operating a motorized wheelchair or other similar power-driven mobility device operated by "a person disabled for mobility purposes" as defined in subsection 66-244(b)(2); or
 - (3) A person age 16 or older operating a Class 1, Class 2 or Class 3 electric bicycle.

SECTION 3. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 4. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed, and the remainder shall have full force and effect and be liberally construed.

SECTION 5. Severance. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 6. Effective date. This Ordinance shall become effective immediately upon adoption.

SCHEDULED FOR SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THE 17TH DAY OF MARCH 2026.

Attest:

Scotty Lynn Kelly, City Clerk

Mike Miller, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Miller	_____
Smith	_____
DeBruce	_____
Henshaw	_____
Johnson	_____

First Reading: March 3, 2026

Publication Date: _____

Second Reading: _____