

**ORDINANCE NO. 2024-5**

**AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 2007-19 THE ST. JOHNS COUNTY BEACH CODE; THIS ORDINANCE SPECIFICALLY AMENDS SECTION 1.01 DEFINITIONS BY PROVIDING DEFINITIONS FOR “DRONES,” “ELECTRIC BICYCLE,” “ELECTRIC SCOOTER,” “E BIKE,” “E SCOOTER,” AND “OTHER ELECTRIC MOTORIZED DEVICES”; AMENDS SECTION 3.02(E) TO PROVIDE UPDATED THE ST. JOHNS COUNTY ORDINANCE REFERENCED; AMENDS SECTION 3.14, AIRCRAFT BY ADDING DRONES TO THE PROHIBITION OF AIRCRAFTS; ADDING SECTION 3.15 ELECTRIC MOTORIZED DEVICES WHICH PROHIBITS THE CARELESS OPERATION OF E-BIKES, E-SCOOTERS, AND OTHER ELECTRIC MOTORIZED DEVICES; MAKING FINDINGS OF FACT; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the number of electric bicycles, electric scooters, and other electronic motorized devices in use in St. Johns County continue to rise; and

**WHEREAS**, 6,404 bicycles and e-bikes were involved in reported traffic accidents in the State of Florida in 2021, including 197 fatalities, according to the Florida Highway Safety and Motor Vehicle Traffic Crash Statistics Report; and

**WHEREAS**, St. Johns County’s beaches are home to several species of nesting sea turtles that are on the Federal Endangered Species list and are protected under the Endangered Species Act, and

**WHEREAS**, the Incidental Take Permit (ITP) for Beach Driving and Related Activities, Permit Number TE091980-0, issued to St. Johns County by the U.S. Fish and Wildlife Services, regulates the operation of motorized vehicles on St. Johns County beaches, including locations and time of allowable operation; and

**WHEREAS**, according to a study by Downs & St. Germain Research, an estimate 3,025,500 tourist visited to St. Johns County in the period from July 2021 to June 2022; and

**WHEREAS**, the use of the beach by a high volume of tourist and citizens of St. Johns County provides a compelling reason to draft sensible safety regulations to preserve and protect property and the life, health, and safety of the public; and

**WHEREAS**, Section 316.20655, Florida Statutes, has established certain regulations for electric bicycles and electric scooters, subsection (1) of the statute expressly provides that counties with jurisdiction over beaches and dunes are not prevented from restricting or prohibiting the operation of an electric bicycle on such beaches or dunes; and

**WHEREAS**, St. Johns County wishes to prohibit the careless operation of e-bikes, e-scooters, and other electric motor devices, in areas of the beach within County control and jurisdiction.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**, as follows:

**Section 1.** The above recitals are hereby adopted as legislative findings by the St. Johns County Board of County Commissioners and incorporated and made a part of this Ordinance.

**Section 2.** Section 1.01, “Definitions” of St. Johns County Ordinance No. 2007-19 is amended to include the following:

Section 1.01. Definitions.

**DRONE** – A drone is defined as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

**ELECTRIC BICYCLE, E-BICYCLE, OR E-BIKE** - Means a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for use of the rider, and electric motor of less than 750 watts, meeting the specifications of any of these three classes enumerated in section 316.003(23), F.S.

**ELECTRIC SCOOTER OR E-SCOOTER** - Means any vehicle or micro mobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on a level ground. The term does not include an electric bicycle.

**OTHER ELECTRIC MOTORIZED DEVICES** – Means any vehicle or electric motorized device including micro mobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than four wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground. The term does not include electric bicycle or electric scooter.

**Section 3.** Section 3 of St. Johns County Ordinance No. 2007-19 is amended to include the following:

### SECTION 3. REGULATION OF USE AND CONDUCT ON THE BEACH.

#### Section 3.02. Restrictions on Animals on Beach.

- (a) No person in control of, who owns, or who is responsible for any hooved animal shall permit such animal to be on any portion of the beach between the southern boundary of the Surfside Beach Access Ramp extending south to the southern boundary of St. Johns County from May 1 to October 31 of each year and during county recognized spring break periods as predetermined from time to time by the Supervisor of Beach Management and the Sheriff.
- (b) The County Administrator shall develop and implement a permit process and/or education program including protected species training that will authorize horseback riding on designated beaches.
- (c) Any person who owns, is responsible for, or in control of any dog or cat on the beach of St. Johns County (1) shall then have in their possession and in the close proximity of such animal an implement or material by which defecation of such animal may be removed from said beach; and (2) shall promptly remove any defecation of such animal from the beach using such implement or material.
- (d) St. Johns County Ordinance 2017-36 as maybe amended, is hereby incorporated by reference.

Section 3.14 Aircraft. No one operating, directing or responsible for any aircraft, seaplane, helicopter, glider, balloon, dirigible, parachute, drone or other aerial apparatus shall take off from or land

within upon the beach.

Section 3.15 Electric Motorized Devices. It shall be unlawful for any person to:

(a) Operate any e-bike, e-scooter, or other electric motorized device in a careless manner. Careless operation of an e-bike, e-scooter, or other electric motorized device shall include but is not limited to:

- (1) Operation of an e-bike, e-scooter, or other electric motorized devices with another person on the handlebars or in any position in front of the operator;
- (2) Operation of an e-bike, e-scooter, or other electric motorized devices at a speed greater than is reasonable and prudent under the conditions, having regarded to the actual and potential hazards then existing, including but not limited to, the safety of the operator or any other person or property;
- (3) Failing to yield to pedestrians;
- (4) Weaving in and out of pedestrians traffic or stationary beachgoers;
- (5) Operation of e-bike with more riders, operators, or passengers than for which it was designed; or
- (6) Any occurrence where inadvertence to the safe and normal operational procedures of the e-bike, e-scooter, or other electric motorized devices causes or is likely to cause damage to any person or property.

(b) All operators shall at all times yield the right-of-way to pedestrians and shall take such precautions as may be necessary before parking, or before moving a vehicle previously parked, to avoid accident or collisions with or injury to any persons or property.

Section 3.16. Violations. Violations of Sections 3.01-3.15 shall be punished as provided for in Section 10.00 of this Code.

**Section 4.** Section 5 of St. Johns County Ordinance No. 2007-19 is amended to include the following:  
**SECTION 5. TRAFFIC AND PARKING REGULATIONS.**

Section 5.03. Prohibited Acts. It shall be prohibited for any person to:

- (a) Operate a motor vehicle on any portion of the beach other than in the driving area;
- (b) Operate any vehicle on the beach at a speed of more than ten (10) miles per hour;
- (c) Park or operate a motor vehicle on the beach at any time other than the hours established herein;
- (d) Operate any motor vehicle on the beach so as to pass any other motor vehicle, except under circumstances indicating that such other vehicle is in a temporarily disabled condition;
- (e) Park any motor vehicle on any portion of the beach other than in the parking area;
- (f) Cause any motor vehicle to enter the beach other than through an open vehicular approach;
- (g) Cause any motor vehicle to enter the beach without having paid the required vehicular access fee;
- (h) Fail to obey any directive of a beach ranger or law enforcement officer authorized under the provisions of this Code;
- (i) Sit or lie on the beach in the driving or parking area except while in a vehicle;
- (j) Operate any vehicle not customarily used on public streets and highways, including but not limited to, go-carts, all-terrain vehicles (ATV's), and other similar vehicles;
- (k) Operate any motor vehicle so as to intentionally cause sand to be thrown into the air or across any beach area.

(1) Operate a horn except for a bonafide safety purpose.

All operators shall at all times yield the right-of-way to pedestrians, shall take such precautions as may be necessary before parking, or before moving a vehicle previously parked, to avoid accident or collision with or injury to any persons or property.

**Section 5.** The remaining portions of St. Johns County Ordinance No. 2007-19 shall remain in full force and effect.

**Section 6.** Severance Clause. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, subsections, sentences, clauses, phrases, or provision of this Ordinance.

**Section 7.** Effective Date. This Ordinance shall take effect upon its being filed with the Department of State of Florida.

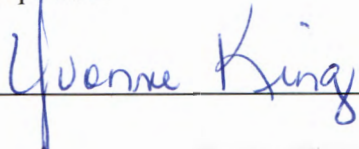
**PASSED AND ENACTED** by the Board of County Commissioners of St. Johns County, Florida, this 16th day of January, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

Rendition Date: JAN 18 2024

By:   
Sarah Arnold, Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit Court  
& Comptroller

By:   
Deputy Clerk

Effective Date: JAN 18 2024



# LOCALiQ

FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

## PROOF OF PUBLICATION

Brandon Patty, Clerk of Circuit Attn: Artricia Allen Deputy Cler  
CLERK OF THE COURTS  
Minutes And Records  
500 San Sebastian View

Saint Augustine FL 32084

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

01/03/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/03/2024

*Keegan Moran*  
*[Signature]*

Legal Clerk

Notary, State of WI, County of Brown

8.25.26

My commission expires

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MARIAH VERHAGEN  
Notary Public  
State of Wisconsin

NOTICE OF PUBLIC HEARING OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing to consider adoption of the following ordinance of a regular meeting on Tuesday, January 16, 2024, at 9:00 a.m. in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 2007-19 THE ST. JOHNS COUNTY BEACH CODE; THIS ORDINANCE SPECIFICALLY AMENDS SECTION 1.01 DEFINITIONS BY PROVIDING DEFINITIONS FOR "DRONES," "ELECTRIC BICYCLES," "ELECTRIC SCOOTER," AND "OTHER ELECTRIC MOTORIZED DEVICES"; AMENDS SECTION 3.02(E) TO PROVIDE UPDATED THE ST. JOHNS COUNTY ORDINANCE REFERENCED; AMENDS SECTION 3.14, AIRCRAFT BY ADDING DRONES TO THE PROHIBITION OF AIRCRAFTS; ADDING SECTION 3.15 ELECTRIC MOTORIZED DEVICES WHICH PROHIBITS THE CARELESS OPERATION OF E-BIKES, E-SCOOTERS, AND OTHER ELECTRIC MOTORIZED DEVICES; MAKING FINDINGS OF FACT; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, and may be examined by interested parties prior to the said public hearing. Please take note that the proposed ordinance is subject to revision prior to hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made with respect to any matter considered at the hearing, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact ADA Coordinator, at (904) 209-0400 or at the Facilities Management Department, 2414 Dobbs Road, St. Augustine, FL 32086. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of this hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
BRANDON J. PATTY, ITS CLERK  
By: Yvonne King, Deputy Clerk



## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

January 22, 2024

Honorable Brandon Patty  
Clerk of Courts  
St. Johns County  
500 San Sebastian View  
St. Augustine, FL 32084

Dear Honorable Brandon Patty,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns County Ordinance No. 2024-5, which was filed in this office on January 18, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh

