VILLAGE OF KEY BISCAYNE

Village Council
Joe I. Rasco, Mayor
Oscar Sardinas, Vice Mayor
Michael F. Bracken
Franklin H. Caplan
Edward London
Nancy Stoner
Fernando A. Vazquez

SPECIAL COUNCIL MEETING

FRIDAY, AUGUST 22, 2025
3:00 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

3. ORDINANCE:

3.A.

AN EMERGENCY ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, **EXTENDING THE EXPIRATION DATE OF ORDINANCE NO. 2024-12 THAT CREATED ARTICLE V, ENTITLED "ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER MOTORIZED MOBILITY DEVICES," OF CHAPTER 26 OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR EMERGENCY FINDINGS;** PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VILLAGE ATTORNEY)

PUBLIC HEARING

TAB 1

4. OTHER BUSINESS/GENERAL DISCUSSION

5. SCHEDULE OF FUTURE MEETINGS/EVENTS:

FIRST BUDGET HEARING
THURSDAY, SEPTEMBER 11, 2025, 6:30 P.M., COUNCIL CHAMBER

SECOND BUDGET HEARING
MONDAY, SEPTEMBER, 29 2025, 6:30 P.M., COUNCIL CHAMBER

REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 14, 2025, 6:30 P.M., COUNCIL CHAMBER

6. ADJOURNMENT

I. ANY PERSON WISHING TO ADDRESS THE VILLAGE COUNCIL ON AN ITEM ON THIS AGENDA IS ASKED TO REGISTER WITH THE VILLAGE CLERK PRIOR TO THAT ITEM BEING HEARD. PRIOR TO MAKING A STATEMENT, PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

II. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK, 88 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA 33149, TELEPHONE NUMBER (305) 365-5506, NOT LATER THAN TWO BUSINESS DAYS PRIOR TO SUCH PROCEEDINGS.

III. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, 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 (F.S.286.0105).

IV. IN ACCORDANCE WITH VILLAGE CODE SECTION 2-161, ADOPTING SECTION 2-11.1(s) OF THE MIAMI-DADE COUNTY CODE, ANY PERSON ENGAGING IN LOBBYING ACTIVITIES, AS DEFINED THEREIN, MUST REGISTER AT THE VILLAGE CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON THE ABOVE MATTERS OR ENGAGING IN LOBBYING ACTIVITIES.

THE ABOVE MEETINGS ARE HELD IN THE COUNCIL CHAMBER, 560 CRANDON BOULEVARD AND ARE SUBJECT TO CHANGE. ZONING MEETINGS AND SPECIAL COUNCIL MEETINGS WILL BE SCHEDULED ON AN AS NEEDED BASIS. PLEASE VISIT www.keybiscayne.fl.gov TO VIEW THE MEETING SCHEDULE.

ORDINANCE NO. 2025-_____

AN EMERGENCY ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, EXTENDING THE EXPIRATION DATE OF ORDINANCE NO. 2024-12 THAT CREATED ARTICLE V, ENTITLED "ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND OTHER MOTORIZED MOBILITY DEVICES," OF CHAPTER 26 OF THE VILLAGE CODE OF ORDINANCES; PROVIDING FOR EMERGENCY FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 11, 2024, the Village Council adopted Ordinance No. 2024-12, codified as Article V, "Electric Bicycles, Motorized Scooters, and other Motorized Mobility Devices," of Chapter 26 of the Village Code of Ordinances (the "Ordinance"), which prohibits the operation of Electric Bicycles, Motorized Scooters, and Other Motorized Mobility Devices (collectively, the "Motorized Devices") on all streets and sidewalks under the Village's jurisdiction; and

WHEREAS, Section 6 of the Ordinance specifically provides that the Ordinance shall automatically sunset on August 30, 2025, unless otherwise extended; and

WHEREAS, the Village Council finds that it is necessary to extend the expiration of the Ordinance's provisions governing the operation of Motorized Devices on streets and sidewalks under the Village's jurisdiction to protect the life, health, and property of residents and visitors within the Village; and

WHEREAS, as such, the Village Council further finds it necessary to enact an emergency ordinance pursuant to Section 4.04 of the Village Charter and Section 166.041, Florida Statutes; and

WHEREAS, the Village Council finds that adoption of this emergency ordinance is in the best interest of the life, safety and welfare of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS: [1]

Section 1. Recitals. That the above-stated recitals, as well as the Ordinance's recitals, are true and correct and are incorporated herein by this reference.

Section 2. Emergency Finding. The Village Council hereby finds, pursuant to Section 4.04 of the Village Charter, that a public emergency affecting the life, health, and property of residents and visitors within the Village would be created if Sections 26-61 through 26-64 of the Village Code created by the Ordinance were permitted to sunset and lapse.

Section 3. Sunset Provision in the Ordinance Extended. In accordance with Section 6 of the Ordinance, the Village Council hereby extends the expiration date of the Ordinance from August 30, 2025 to October 29, 2025.

Section 4. Conflicts. That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 5. Severability. That the provisions of this emergency ordinance are declared to be severable and if any section, sentence, clause or phrase of this emergency ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this emergency ordinance but they shall remain in effect, it being the legislative intent that this emergency ordinance shall stand notwithstanding the invalidity of any part.

[1] Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words.

Section 6. **Effective Date.** That this emergency ordinance shall become effective immediately upon adoption. However, pursuant to Section 4.04 of the Village Charter, it shall be automatically repealed as of the sixty-first (61st) day following the effective date.

PASSED AND ADOPTED as an emergency ordinance on the 22nd day of August, 2025.

JOE I. RASCO
MAYOR

ATTEST:

JOCELYN B. KOCH
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
VILLAGE ATTORNEY