



CITY COMMISSION ORDINANCE/RESOLUTION

TITLE: Ordinance 26-02 (Commission)

DATE: May 26, 2026

DESCRIPTION: AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 13 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "PUBLIC SAFETY;" AMENDING ARTICLE III, ENTITLED "LOST, UNCLAIMED OR SEIZED PERSONAL PROPERTY," BY CREATING SECTIONS 13-44 THROUGH 13-49, TO ESTABLISH AN IMPOUNDMENT PROCEDURE FOR MICROMOBILITY DEVICES OPERATED IN VIOLATION OF SECTION 17-4(B)(1)(d) OR SECTION 17-4(B)(3); PROVIDING FOR DEFINITIONS; PROVIDING FOR NOTICE AND HEARING; PROVIDING FOR A PERIOD OF IMPOUNDMENT; PROVIDING FOR FEES AND RELEASE; PROVIDING FOR DISPOSITION OF UNCLAIMED DEVICES; PROVIDING FOR AFFIRMATIVE DEFENSES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECOMMENDATION:

Approval of Ordinance 26-02 on second reading, amending Chapter 13 of the City Code to establish an impoundment procedure for micromobility devices operated in violation of the City's micromobility regulations.

BACKGROUND OF ITEM:

The City Commission previously adopted regulations governing the operation of micromobility devices, motorized scooters, and electric bicycles within the City. These regulations were intended to address public safety concerns arising from the unsafe or reckless operation of these devices on City streets, sidewalks, and public areas.

The City Commission approved Ordinance 26-02 on first reading on May 12, 2026.

ANALYSIS:

Amending Ordinance 26-02 creates Sections 13-44 through 13-49 of the City Code to establish a structured impoundment procedure for micromobility devices operated in violation of specified City Code provisions. The ordinance authorizes a law enforcement officer with probable cause to seize and impound a micromobility device used in violation of Section 17-4(B)(1)(d) or Section 17-4(B)(3).

The ordinance safeguards due process by requiring written notice of impoundment within forty-eight hours, excluding weekends and legal holidays. The notice must include the date, time, and location of the seizures; a description of the device; the location where the device is being held; the alleged Code violation; applicable fees; the right to request a hearing; and the applicable impoundment period.

The proposed process allows the person from whom the device was seized, the parent or guardian of a minor, or the registered or titled owner to request a hearing before the Special Magistrate within ten calendar days of notice. The hearing must be held within fourteen calendar days of the City Clerk's receipt of the request, or as soon thereafter as the Special Magistrate's calendar permits.

If the Special Magistrate finds that the City has failed to meet its burden or that an affirmative defense applies, the device must be released to the owner without payment of City-imposed fees. If the City meets its burden, the device remains impounded for the remainder of the thirty-day impoundment period.

The ordinance further provides that the owner is responsible for actual and reasonable towing, storage, and administrative processing costs incurred before the device is released. The fee schedule is to be established by a City Commission resolution and posted in the City Clerk's office and on the City's website. The ordinance also prohibits the release of an impounded device to anyone under the age of eighteen.

Additionally, the ordinance includes an educational diversion provision authorizing the City Manager or designee to reduce or waive City-imposed storage and administrative fees, but not actual towing or third-party storage costs, when the operator, or the operator and parent/guardian in the case of a minor, completes a City-sponsored educational program related to micromobility devices.

The ordinance also provides for the disposition of unclaimed devices. It establishes affirmative defenses, including where the device was reported stolen before the violation or was operated without the owner's knowledge or consent despite reasonable measures to prevent unauthorized use.

Approval on second reading will finalize the Code amendment and provide the City with an additional enforcement tool to address unsafe micromobility device operation, while preserving procedural protections for notice, hearing, and appeals.

ATTACHMENTS:

1. Amended Ordinance 26-02