

- 1 (a) To operate a non-motorized vehicle: ~~(a) while carrying more than four passengers, (b)(a)~~
2 while carrying a number of passengers that exceeds the number of passenger seats which such
3 vehicle was designed to accommodate, or ~~(e)(b)~~ while any passenger is standing or while any
4 passenger is sitting anywhere other than in the passenger seat thereof; provided, however, that
5 children aged five years old or younger, may be seated in the lap of another passenger and will
6 not count as an additional passenger.
- 7 (b) To collect fares, make change, or embark or debark passengers while the non-motorized
8 vehicle is in motion.
- 9 (c) To operate, park, stand, or stop the non-motorized vehicle in a manner which violates any
10 city ordinance or state law or disrupts the flow of vehicular traffic on any street.
- 11 (d) To operate, maneuver, incline, spin, tilt, tip, slope, or position a human-powered non-
12 motorized vehicle in any manner that would unnecessarily place a passenger in other than an
13 upright, seated position.
- 14 (e) To operate a non-motorized vehicle upon the sidewalk portion of a public right-of-way,
15 except at the direction of a law enforcement officer.
- 16 (f) To operate a non-motorized vehicle on any street listed on the prohibited streets list
17 established by the vehicles for hire administrator or on any street posted at a speed greater than
18 30 miles per hour.
- 19 (g) To operate a non-motorized vehicle with sound produced by a radio, tape player, CD
20 player, DVD player, or other mechanical sound making device or instrument from the non-
21 motorized vehicle so that the sound is plainly audible at a distance of 25 feet or more from such
22 vehicle, Non-motorized vehicles shall not be eligible for a loudspeaker permit.
- 23 (h) To operate or ride more than two abreast, except when overtaking and passing a bicycle
24 or vehicle proceeding in the same direction.

1 (i) To allow any passenger or occupant of the non-motorized vehicle to drink or consume
2 alcoholic beverages or to possess an open container of alcoholic beverages.

3 **Section 2.** It is the intent of the City Commission that the provisions of Section 1 of this
4 ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville,
5 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
6 relettered in order to accomplish such intent.

7 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
8 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
9 finding shall not affect the other provisions or applications of this ordinance that can be given
10 effect without the invalid or unconstitutional provision or application, and to this end the
11 provisions of this ordinance are declared severable.

12 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
13 such conflict hereby repealed.

14 **Section 5.** This ordinance shall become effective immediately upon adoption.


15 **PASSED AND ADOPTED** this 4th day of February, 2016.

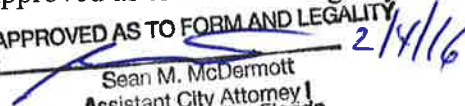
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EDWARD B. BRADDY
MAYOR

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Attest:


KURT M. LANNON
CLERK OF THE COMMISSION

Approved as to form and legality:
APPROVED AS TO FORM AND LEGALITY
By:  2/4/16
Sean M. McDermott
Assistant City Attorney
City of Gainesville, Florida
NICOLEE M. SHALLEY
CITY ATTORNEY

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28 This ordinance passed on first reading this 21st day of January, 2016.

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30 This ordinance passed on second reading this 4th day of February, 2016.