

ORDINANCE 2021-12

AN ORDINANCE OF THE WALTON COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING A TEMPORARY MORATORIUM WITHIN THE UNINCORPORATED AREAS OF WALTON COUNTY UNTIL SEPTEMBER 30, 2021 ON THE OFFERING FOR HIRE OF MICROMOBILITY DEVICES, AND ON THE SUBMITTAL AND PROCESSING OF APPLICATIONS, AND ISSUANCE OF ANY PERMITS OR FRANCHISES PERTAINING TO THE OFFERING FOR HIRE OF MICROMOBILITY DEVICES, IN ORDER TO ALLOW AN OPPORTUNITY FOR THE COUNTY TO DEVELOP REGULATIONS FOR SUCH USES IN THE COUNTY RIGHTS QF WAY; PROVIDING FOR SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

WHEREAS, Walton County has previously adopted Ordinance 2019-25, on December 10, 2019 related to a temporary moratorium on the the offering for hire of micromobility devices, and on the submittal and processing of applications, and issuance of any permits or franchises pertaining to the offering for hire of micromobility devices, and;

WHEREAS, due to the unforeseen and unprecedent COVID-19 pandemic during 2020, the County deemed it necessary to extend said temporary moratorium until April 30, 2021 by adoption of Ordinance 2020-16 on August 27, 2020, and;

WHEREAS, the previously declared state of emergency related to the COVID-19 pandemic within Walton County remains in effect, and;

WHEREAS, County staff has been unable to complete the necessary review and analysis of this specific issue prior to the expiration of the existing extended temporary moratorium due to the pandemic, and;

WHEREAS, the County is in process of holding the first of multiple public hearings related to the potential adoption of a mobility plan and possible related fees, and the County's consultants therein are anticipated to provide analysis to the County on any policy related to this topic based on those plans and public feedback thereon, and;

WHEREAS, the lack of regulation or discontinuation of this temporary moratorium during the height of the County's tourism season presents potential harm and hazhard to the general public, and of specific concern is the potential for unmanaged or unsupervised exchanges of micromobility devices without proper sanitization during the COVID-19 pandemic, and;

WHEREAS, the County determines that based on the prior two ordinances on this matter having been duly noticed and enacted; the COVID-19 pandemic and on-going state of emergency and its impact on County staff; the needed input and analysis on the related mobility plan from consultants and the general public; and the potential harm and hazhard that the lack of regulation on this topic could create, specifically in relation to the already declared state of emergency; the limited extension of the moratorium set forth below costitutes an emergency circumstance and immediate enactment of this ordinance is necessary.

2021-12

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, FLORIDA:

Section 1. The foregoing whereas clauses are hereby adopted as findings of fact.

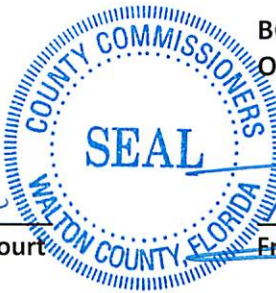
Section 2. The temporary moratorium, and all terms and conditions thereof, previously imposed in Ordinances 2019-25 and 2020-16 is hereby extended until and through September 30, 2021, unless the Board rescinds or extends the moratorium by subsequent ordinance or unless the moratorium is terminated in another ordinance prior to this date.

Section 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Passed and duly adopted in regular session by the Board of County Commissioners of Walton County, Florida, this 37th day of April 2021.

Attest:

for Kim Wilkin
Alex Alford, Clerk of the Circuit Court
And County Comptroller



BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

Trey
Frank ("Trey") A. Nick, III, Chairman