



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • JULY 8, 2025

City Commission Chamber

Regular City Commission Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
John Penny	Mayor	Present	
Debra Snow	City Commissioner	Present	
Penny Currie	City Commissioner	Present	
Jeffrey DeLanoy	City Commissioner	Present	
Roy Johnson	City Commissioner	Present	

b. Invocation by City Commissioner Penny Currie

Commissioner Currie led the invocation.

c. Pledge of Allegiance

Mayor Penny led the Pledge of Allegiance to the Flag.

2. PUBLIC COMMENTS

The following individuals came forward to speak to the Mayor and City Commissioners:

John Loesche, Holly Hill; Steve Smith, Holly Hill; Elijah Miller, Holly Hill; Jim Legary, Holly Hill; Phil Wahby, Holly Hill; Danielle Latona, Holly Hill.

3. APPROVAL OF MINUTES

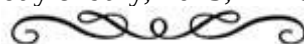
1.

Minutes - June 24, 2025 Workshop Discussion on Water Tower with Mead & Hunt and
June 24, 2025 Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Debra Snow, City Commissioner
SECONDER:	Penny Currie, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

Enacted and approved this 8th day of July, 2025, in Holly Hill



4. CONSENT AGENDA - ITEMS (2)

Mayor Penny asked if there was any member from the audience that wished to speak on any item on the Consent Agenda or if any member of the Commission wished to pull an item for further discussion. There was no one.

1. -2025-R-49 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving an Increase to the Agreement with the Alternative Asphalt for Paving and Repairs from an Annual Amount Not to Exceed \$75,000 to an Annual Amount Not to Exceed \$100,000 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Josef Grusauskas, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION**2025-R-49**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE TO THE AGREEMENT WITH THE ALTERNATIVE ASPHALT FOR PAVING AND REPAIRS FROM AN ANNUAL AMOUNT NOT TO EXCEED \$75,000 TO AN ANNUAL AMOUNT NOT TO EXCEED \$100,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE TO THE AGREEMENT WITH THE ALTERNATIVE ASPHALT FOR PAVING AND REPAIRS FROM AN ANNUAL AMOUNT NOT TO EXCEED \$75,000 TO AN ANNUAL AMOUNT NOT TO EXCEED \$100,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission had approved an agreement with The Alternative Asphalt for paving and repairs in an amount not to exceed \$75,000 through Resolution 2025-R-5 on January 14, 2025; and

WHEREAS, the capital project of repaving the City Hall parking lot was included in this not to exceed amount; and

WHEREAS, the City has currently expended \$69,250 for asphalt repairs and additional funds will be needed for asphalt repairs through the end of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION

OF THE CITY OF HOLLY HILL, FLORIDA:

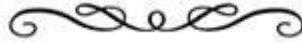
SECTION 1. That the City Commission of the City of Holly Hill approve the increase to the agreement with the Alternative Asphalt for paving and repairs from an annual amount not to exceed \$75,000 to an annual amount not to exceed \$100,000.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of JULY, 2025.

Enacted and approved this 8th day of July, 2025, in Holly Hill



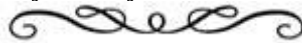
2. -DOC-2025-5

Position Pay Plans - Fiscal Years: 2025-2026 & 2026-2027

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

Enacted and approved this 8th day of July, 2025, in Holly Hill



5. **REGULAR AGENDA**

1. -2025-R-50 Resolution

A Resolution of the City of Holly Hill, Florida, Ratifying Years 2 and 3 of the Three-Year Agreement with the Police Benevolent Association (P.B.A.) October 1, 2024 - September 30, 2027; Providing for Severability; and Providing for an Effective Date.

(Requested by Joseph Forte, City Manager)

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION**2025-R-50**

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING YEARS 2 AND 3 OF THE THREE-YEAR AGREEMENT WITH THE POLICE BENEVOLENT ASSOCIATION (P.B.A.) OCTOBER 1, 2024 - SEPTEMBER 30, 2027; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING YEARS 2 & 3 OF THE THREE-YEAR AGREEMENT WITH THE POLICE BENEVOLENT ASSOCIATION OF HOLLY HILL (P.B.A.) OCTOBER 1, 2024 - SEPTEMBER 30, 2027; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, negotiations between management of the City of Holly Hill and representatives from the Police benevolent Association (P.B.A.) have concluded with an agreement between the representatives and now requires ratification by the City Commission; and

WHEREAS, on June 30, 2025, management was advised that the members of the P.B.A. voted in support of the proposed agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City Commission hereby ratifies the attached Agreement with the P.B.A. as an amendment to the three-year contract, effective the first full pay period in October 2025 and expiring on September 30, 2027.

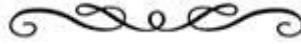
SECTION 2. That if any section, subsection, sentence, clause, phrase, or portion of this resolution, or application hereof, is for any reason held invalid or unconstitutional by an Court, such portion or application shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all resolutions made in conflict with this Resolution are hereby repealed.

SECTION 4. That this Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of JULY, 2025.

Enacted and approved this 8th day of July, 2025, in Holly Hill



2. -2025-R-51 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida Approving a Budget Amendment Request Utilizing Carry Forward Funds in the Amount of \$200,600 to Create a Budget for the Lift Station #20 Bypass Pump Project, Awarding All State Civil Construction the Construction for This Project at a Cost of \$176,500 and Authorizing the City Manager to Execute the Same; Providing for Severability and Providing for an Effective Date.

(Requested by Josef Grusauskas, Public Works)

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION

2025-R-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA APPROVING A BUDGET AMENDMENT REQUEST UTILIZING CARRY FORWARD FUNDS IN THE AMOUNT OF \$200,600 TO CREATE A BUDGET FOR THE LIFT STATION #20 BYPASS PUMP PROJECT, AWARDING ALL STATE CIVIL CONSTRUCTION THE CONSTRUCTION FOR THIS PROJECT AT A COST OF \$176,500 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA APPROVING A BUDGET AMENDMENT REQUEST UTILIZING CARRY FORWARD FUNDS IN THE AMOUNT OF \$200,600 TO CREATE A BUDGET FOR THE LIFT STATION #20 BYPASS PUMP PROJECT, AWARDING ALL STATE CIVIL CONSTRUCTION THE CONSTRUCTION FOR THIS PROJECT AT A COST OF \$176,500 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City Commission approved the submission of a grant application to provide for a bypass pump to serve lift station #20 on September 9, 2024; and

WHEREAS, the City was awarded a grant in the amount of \$150,000 through the Volusia County Community Development Block Grant Program on February 4, 2025 for the lift station #20 bypass pump project; and

WHEREAS, the design of this project was completed and an Invitation to Bid for construction broadcast on May 16, 2025; and

WHEREAS, a bid opening was held on June 10, 2025 with seven (7) bids received; and

WHEREAS, the lowest responsive, responsible bid received was from All State Civil Construction in the amount of \$176,500; and

WHEREAS, the bid submitted by All State Civil Construction was reviewed and recommended by the engineer of record with concurrence from City staff.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City Commission of the City of Holly Hill approve a budget amendment request utilizing carry forward funds in the amount of \$200,600 to create a budget for the Lift Station #20 bypass pump project.

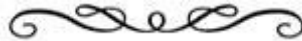
SECTION 2. That the City Commission of the City of Holly Hill award a contract with All State Civil Construction for the provision and installation of a bypass pump to serve lift station #20 in the amount of \$176,500 and authorizer the City Manager to execute the same.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of JULY, 2025.

Enacted and approved this 8th day of July, 2025, in Holly Hill



6. PUBLIC HEARINGS

1. -2025-O-3089 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending and Restating, Chapter 42, Pensions and Retirement; Article III, Firefighters' Pension Plan, Section 42-69 Vesting Providing for Codification; Providing for Severability of Provisions; Repealing All Ordinances in Conflict Herewith and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

ORDINANCE**2025-O-3089**

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING AND RESTATING, CHAPTER 42, PENSIONS AND RETIREMENT; ARTICLE III, FIREFIGHTERS' PENSION PLAN, SECTION 42-69 VESTING PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING AND RESTATING, CHAPTER 42, PENSIONS AND RETIREMENT; ARTICLE III, FIREFIGHTERS' PENSION PLAN, SECTION 42-69 VESTING PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill Firefighters are presently provided pension and certain other benefits under Ordinances of the City of Holly Hill; and

WHEREAS, the City Commission desires to clarify and restate the provisions of the Firefighters' Retirement Plan to change the vesting period from six (6) years to eight (8) years for all personnel hired after October 1, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City of Holly Hill Firefighters' Retirement System is hereby amended and restated as set forth in the document designated THE CITY OF HOLLY HILL FIREFIGHTERS' RETIREMENT SYSTEM attached hereto and made a part hereof.

SECTION 2. Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Holly Hill.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court,

administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. That this Ordinance shall become retroactively effective on October 1, 2024.

APPROVED AND AUTHENTICATED on this 8th day of JULY, 2025 for second and final reading.

**CITY OF CITY OF HOLLY HILL
FIREFIGHTERS' RETIREMENT SYSTEM**

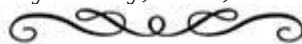
Sec. 42-69. - Vesting.

If a member terminates his employment as a firefighter, either voluntarily or by discharge, and is not eligible for any other benefits under this system, the member shall be entitled to the following:

(1) If the member was hired prior to October 1, 2024 and has less than six (6) years of credited service or if the member was hired after October 1, 2024 and has less than eight (8) years credited service upon termination, the member shall be entitled to a refund of his accumulated contributions or the member may leave it deposited with the fund.

(2) If the member was hired before October 1, 2024 and has six (6) or more years of credited service or the member was hired after October 1, 2024 and has eight (8) or more years of credited service upon termination, the member shall be entitled to a monthly retirement benefit, determined in the same manner as for normal or early retirement and based upon the member's credited service, average final compensation and the benefit accrual rate as of the date of termination, payable to him commencing at the member's otherwise normal or early retirement date, determined based upon actual years of credited service, provided he does not elect to withdraw his accumulated contributions and provided the member survives to his otherwise normal or early retirement date. If the member does not withdraw his accumulated contributions and does not survive to his otherwise normal or early retirement date, his designated beneficiary shall be entitled to a benefit as provided herein for a deceased member, vested or eligible for retirement under pre-retirement death.

Enacted and approved this 8th day of July, 2025, in Holly Hill



2. -2025-O-3090 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Adopting a New Section 58-133 (Prohibiting Smoking and Vaping at Publicly Owned Parks and

Recreation Facilities Within the City; Providing for Severability; and Providing for an Effective Date.

(Requested by Joseph Forte, City Manager)

Mayor Penny opened public participation.

Danielle Latona, Holly Hill; Charlotte Bugard, Holly Hill.

Mayor Penny closed public participation.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

**ORDINANCE
2025-O-3090**

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING A NEW SECTION 58-133 (PROHIBITING SMOKING AND VAPING AT PUBLICLY OWNED PARKS AND RECREATION FACILITIES WITHIN THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING A NEW SECTION 58-133 (PROHIBITING SMOKING AND VAPING AT PUBLICLY OWNED PARKS AND RECREATION FACILITIES WITHIN THE CITY.); PROVIDING FOR DEFINITIONS AND EXCEPTIONS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 386.209 of the 2025 Florida Statute expressly authorizes municipalities to adopt and enforce restrictions as to smoking within the boundaries of any public parks that the municipality owns and to further restrict smoking within the boundaries of public parks that are within the municipality's jurisdiction but are owned by the County, unless such restriction conflicts with a County Ordinance; and

WHEREAS, despite the foregoing, Section 386.209 of the 2025 Florida Statute preempts municipalities from further restricting unfiltered cigars beyond those restrictions established by State Law; and

WHEREAS, to the extent permitted by law, the City of Holly Hill desires to restrict vaping and the smoking of tobacco at its parks within the City of Holly Hill; and

WHEREAS, the City Commission of the City of Holly Hill finds that the provisions of this Ordinance are in the best interests of the citizens of and visitors to the City of Holly Hill and that such restrictions are necessary for the health, safety, and welfare of the citizens of and visitors to the City of Holly Hill.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission of the City of Holly Hill hereby repeals Sec. 58-133. (Smoking and/or use of tobacco products at designated youth athletic fields/parks.) and adopts a new Section 58-133 (Prohibiting smoking and vaping at publicly owned parks and recreation facilities within the City.) to read as follows:

Section 58-133 (Prohibiting smoking and vaping at publicly owned parks and recreation facilities within the City.)

(a) Definitions. For purposes of this Section the terms listed have the following meanings:

(1) Public Parks means and refers to all recreational parks and venues owned or otherwise operated by the City of Holly Hill, including those facilities, structures, and buildings located thereupon, which include, but are not limited to: bleachers, seating, gymnasiums, stadiums, courts, fields, buildings, restrooms, parking lots, amphitheaters, pavilions, picnic areas, and playground areas. However, that portion of Hollyland Park that is under the control of Pictona of Holly Hill, Inc. pursuant to an agreement with the City shall be excluded from this regulation.

(2) Smoking means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.

(3) Vape or Vaping means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance. The term does not include the mere possession of a vapor-generating electronic device.

(b) Prohibited Acts. Except for the smoking of unfiltered cigars, smoking or vaping within a public park is prohibited. Regardless of the foregoing, nothing in this Section may be interpreted as permitting or allowing the smoking of unfiltered cigars when such activity is otherwise prohibited or forbidden by general law.

(c) Signage. The City Manager or his/her designee is authorized to display one or more

signs prohibiting smoking and vaping at the parks and youth athletic activities as specified in this Section.

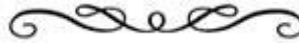
SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 4. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of JULY, 2025 for second and final reading.

Enacted and approved this 8th day of July, 2025, in Holly Hill



3. -2025-O-3091 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending Chapter 66 (Traffic and Vehicles), Article III (Bicycles), Division 1 (Generally) to Prohibit Electric Bikes, Mobility Devices and Motorized Scooters from Sidewalk; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Byron Williams, Police)

Mayor Penny opened public participation.

Charlotte Bugard, Holly Hill; Danielle Latona, Holly Hill; Phil Wahby, Holly Hill; Gilles Blais, Holly Hill.

Mayor Penny closed public participation.

*Commissioner Currie made a motion to **AMEND ORDINANCE 3091, CHILDREN TRAVELING TO AND FROM THE HOLLY HILL SCHOOL ARE EXEMPT FROM ORDINANCE 3091**, seconded by Commissioner Snow.*

Mayor Penny stated that they will now vote on the AMENDED ORDINANCE 3091.

Mayor Penny asked if there was anyone in the audience that would like to discuss the AMENDED Ordinance?

Gilles Blais, Holly Hill.

Mayor Penny closed public participation.

*Commissioner Currie made a motion to **APPROVE THE AMENDED ORDINANCE 3091**, seconded by Commissioner Snow.*

Commissioner DeLanoy stated that he still believes that they need to make it where it's not just the kids going back and forth to school. He's not sure how it should be written. He doesn't know how to put it out there unless somebody else does but he still doesn't think it's a good idea to just say they have to be going back and forth to school.

PASSED, 4-1. (DeLanoy - No)

RESULT:	ADOPTED AT 2ND READING [4 TO 1]
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, Johnson
NAYS:	DeLanoy

**ORDINANCE
2025-O-3091**

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 66 (TRAFFIC AND VEHICLES), ARTICLE III (BICYCLES), DIVISION 1 (GENERALLY) TO PROHIBIT ELECTRIC BIKES, MOBILITY DEVICES AND MOTORIZED SCOOTERS FROM SIDEWALK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 66 (TRAFFIC AND VEHICLES), ARTICLE III (BICYCLES), DIVISION 1 (GENERALLY) TO PROHIBIT ELECTRIC BIKES, MOBILITY DEVICES AND MOTORIZED SCOOTERS FROM SIDEWALK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in recent years there has been a substantial increase in the use of motorized bikes and other similar means of transportation; and

WHEREAS, Florida Statute, Section 316.1995 provides:

(1) Except as provided in s. 316.008, s. 316.20655, s. 316.212(8), or s. 316.2128, a person may not drive any vehicle other than by human power upon a bicycle path, sidewalk, or sidewalk area, except upon a permanent or duly authorized temporary driveway; and

WHEREAS, Florida Statute, Section 316.20655 provides:

(1) Except as otherwise provided in this section, an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle, including s. 316.2065. An electric bicycle is a vehicle to the same extent as a bicycle. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction; to prevent a municipality, county, or agency of the

state having jurisdiction over a bicycle path, multi-use path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multi-use path, or trail network; and

WHEREAS, Florida Statute, Section 316.008 provides:

(1) The provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

(g) Restricting the use of streets.

(h) Regulating the operation of bicycles; and

WHEREAS, these types of motorized means of transportation are larger than human powered bicycles, travel faster and therefore pose a significantly higher risk of injury for pedestrians walking on the sidewalks; and

WHEREAS, the City believes that these motorized means of transportation should not be allowed to operate on sidewalks for the safety of pedestrians using sidewalks; and

WHEREAS, words with strike through (~~strike through~~) the characters are deletion to the text and words which are underlined (underlined) are additions to the text.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
OF THE CITY OF HOLLY HILL, FLORIDA:**

SECTION 1. The City Commission hereby amends Chapter 66 (Traffic and Vehicles), Article III (Bicycles), Division 1 (Generally) to read as follows:

ARTICLE III. - BICYCLES

DIVISION 1. - GENERALLY

Sec. 66-71. - Definitions. The City hereby adopts and incorporates herein the definitions in Florida Statute Section 316.003, as amended.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Bicycle* any device propelled by human power, or any moped propelled by a pedal-activated helper motor with a manufacturer's certified maximum rating of 1½ brake horsepower, upon which any person may ride, having two tandem wheels, either of which is 20 inches or more in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.~~

Sec. 66-72. - Removal, destruction or alteration of frame number, license plate, etc.

It shall be unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame registered pursuant to this article. It shall also be unlawful for any person to remove, destroy, mutilate or alter any license plate, seal or registration card during the time in which such license plate, seal or registration card shall operate.

Sec. 66-73. - Brakes.

Every bicycle, when operated upon a street, shall be equipped with a brake adequate to control the movement of and to stop such vehicle whenever necessary. Such brakes shall be maintained in good working order at all times.

Sec. 66-74. - Sale of unclaimed bicycles.

(a) When any bicycle shall have remained in the custody of the city for a period of six months without a valid claim of ownership having been made for such bicycle, it shall be sold at public auction to the highest and best bidder for cash.

(b) Prior thereto a notice of such sale shall be published one time in a local newspaper of general circulation at least ten days prior to such sale. Such notice shall also be posted for ten days prior to such sale at the city hall and in one other public place.

(c) All moneys received from such sale or sales shall be deposited in the general fund of the city.

Sec. 66-75. - Operation on Sidewalks.

(a) All vehicles that are propelled exclusively by human power, including bicycles, are allowed to operate on sidewalks, unless prohibited by signage posted by the City. Operations shall be in compliance with all applicable State laws.

(b) A motorized wheeler chair or other motorized ADA vehicles are allowed to be operated on a sidewalk in compliance with all applicable State laws.

(c) All vehicles not described in (a) or (b) above shall be prohibited from being operated on a sidewalk, including electric bikes (all classes), motorized scooters and mobility devices, even if the vehicle is being propelled or partially propelled by human power at the time of use. This prohibition only applies to sidewalks that are under the City's jurisdiction. Therefore, this prohibition does not apply to sidewalks adjacent to the following roads: Ridgewood Avenue (U.S. 1), LPGA Blvd., Nova Road, and that portion of Mason Avenue from the bridge to the railroad tracks.

Sec. 66-76 - Operation on Roadways.

(a) A person operating any vehicle, including bicycles, electric bikes (all classes), electric scooters and mobility devices, upon a roadway within the city limits, will do so utilizing the right shoulder of the roadway or a specially designed lane.

(b) Vehicles, including bicycles, electric bikes (all classes), mobility devices and motorized scooters may be operated on roadways where the posted speed limit is 35 miles per hour or less, or where bike lanes are present, per State law.

(c) Vehicles utilizing any roadway may cross roadways at crosswalks and intersections in accordance with applicable traffic control devices.

(d) Operators must adhere to all State and local traffic regulations.

Sec. 66-77 - Parking.

Operators of vehicles including bicycles, electric bikes (all classes), mobility devices or motorized scooters shall not be parked upon any street or right-of-way in a manner that:

(a) Blocks pedestrian walkways, driveways, ADA ramps, fire hydrants, or building entrances;

(b) Obstructs vehicular traffic or visibility at intersections.

(c) Must be parked upright using a stand, if equipped, and within designated parking zones where provided.

(d) The City may designate specific micro mobility parking areas, and devices found outside such areas may be subject to removal or citation.

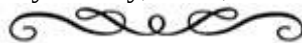
SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 4. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of JULY, 2025 for second and final reading.

Enacted and approved this 8th day of July, 2025, in Holly Hill



7. COMMUNICATIONS

A. City Manager Comments

Mr. Forte reminded everyone about the upcoming Volusia League of Cities dinner for July 24th in DeLand; Mr. Forte mentioned that he was speaking with Malia Gray, the city's event coordinator, and she asked if the Commission would consider charging for the concert series as follows: \$10 box seat, \$5 for chair and the bleachers would remain free of charge in the near future. The Mayor and Commissioners stated that they would like to think about it for a while and get with Mr. Forte individually and if needed, a workshop to further discuss it.

B. City Attorney Comments

None.

C. Mayor's Comments

Mayor Penny informed the Commissioners that he will be out of town on August 12th, so Vice-Mayor Johnson will run that meeting.

D. District City Commission Comments

Commissioner Currie informed the Mayor and Commissioners that she will not be at the July 22nd meeting because she will be at her annual family reunion.

Commissioner Snow mentioned FastSigns, one of the city's local businesses that is involved in many things with the city. Last week and this week they are doing an internship for high schoolers who come in and they had Police Chief Williams there as their guest speaker, Mayor Penny was there and she was there interacting with the kids, they're bright, they asked great questions and they are very insightful, it was a pleasure to be there. FastSigns is a great business and they support the city in everything we do for the community.

E. Mayor's Conclusion Comments

Mayor Penny mentioned that he has been getting a lot of emails from concerned citizens about SB180 pre-emptions, that passed last year pertaining to Emergencies: *(it states: "Emergencies; Prohibiting certain local governments from adopting ordinances for substantial improvements or repairs to a structure which include cumulative substantial improvement periods; prohibiting certain entities from assessing impact fees for specified replacement structures; revising public hurricane shelter funding prioritization requirements for the Division of Emergency Management; authorizing certain servicemembers to provide medical care in specified circumstances; revising requirements for the state comprehensive emergency management plan, etc.")* The League of Cities had a board meeting today about it.

8. ADJOURNMENT

The workshop adjourned at approximately 7:15 PM.