

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 27, ARTICLE I THROUGH ARTICLE VI, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TITLED "VEHICLES FOR HIRE," REMOVING REFERENCES TO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND IMPLEMENTING AN ADMINISTRATIVE REVIEW, APPROVAL AND PERMITTING PROCESS FOR THE OPERATION OF VEHICLES FOR HIRE IN THE CITY OF FORT LAUDERDALE, FLORIDA; PROVIDING FOR DEFINITIONS; AMENDING THE APPLICATION FEE STRUCTURE; REVISING INSURANCE PROVISIONS; AND PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 27 of the Code of Ordinances of the City of Fort Lauderdale sets forth the permitting process of vehicle for hire businesses and provides the manner to safely operate vehicle for hire services in the City of Fort Lauderdale; and

WHEREAS, increased urban density, population growth, and increased tourism in the City of Fort Lauderdale can lead to changes within the transportation or transit-related industry; and

WHEREAS, the use of low-speed vehicles has emerged as a common mode of transportation in neighborhoods and communities; and

WHEREAS, at the June 18, 2024 City Commission Meeting, the City Commission requested staff to address low-speed vehicles and the operational standards for vehicle for hire services; and

WHEREAS, the City Commission recommends the implementation of an administrative review, approval and permitting process for the operation of vehicles for hire in the City of Fort Lauderdale; and

WHEREAS, City Staff recommends amending Chapter 27 of the Code of Ordinances of the City of Fort Lauderdale to update vehicle for hire service and vehicle definitions

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and establish an administrative process and update the application fee structure for vehicle for hire permits;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 27 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to provide as follows:

ARTICLE I. - IN GENERAL

Sec. 27-1. Definitions.

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

~~*Certificate of public convenience and necessity* means the license required to engage in a business which operates taxicabs and other vehicles for hire.~~

Motel or hotel courtesy car means a vehicle for hire conveying passengers who are guests at a hotel or motel or firm being offered transportation services between affiliated hotels or motels or to other points of transportation in the City.

Low-speed vehicle means any four-wheeled vehicle whose top speed is greater than 20 miles per hour, but not greater than 25 miles per hour, which are only permitted to operate on streets where the posted speed limit is 35 miles per hour or less, must be fully registered with the State of Florida, and adhere to the requirements set forth in F.S. 316.2122, when operating on roadways.

~~*Permit* means a license issued by the Department and required to operate a vehicle for hire service. pursuant to and under a certificate of public convenience and necessity and is an integral and indivisible part of such certificate. Such permit or right enables the holder of a certificate to operate a motor vehicle for each permit. A permit cannot exist without a certificate of public convenience and necessity.~~

Rental car with chauffeur means any passenger-type vehicle for hire that is rented with chauffeur or driver by the hour, day, week or month.

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Sightseeing vehicle means a vehicle for hire transporting passengers over the streets of the City in accordance with a contract previously made between the owner or operator and the passenger.

Taxicab means a vehicle for hire conveying passengers at a rate of fare permitted by this chapter and for which vehicle the owner or operator thereof provides a person to direct, drive and operate such vehicle and which is equipped and operated with a meter as provided in this chapter.

Tri-County area means Broward, Palm Beach, or Miami-Dade County, Florida.

U-Drive-It vehicle means any motor vehicle for hire including passenger cars, trucks, motorcycles, motor scooters and motorbikes, rented or leased to others for hire, without a driver.

Vehicle for Hire shall mean any motorized, or self-propelled vehicle engaged in the transportation of persons within the city limits for compensation, either through rates or voluntary compensation, and includes, but is not limited to, limousines, taxicabs, luxury vehicles, low-speed vehicles, and non-emergency medical transportation vehicles.

Sec. 27-2. Penalties.

Any violation of the provisions of this chapter may result in the termination, cancellation, revocation or suspension of any license, or permit, or certificate of public convenience and necessity issued pursuant to this chapter, as provided therein, and shall be subject to enforcement in accordance with the following:

- (1) Chapter 11 of the Code of Ordinances of the City of Fort Lauderdale; or
- (2) Section 1-6 of the Code of Ordinances of the City of Fort Lauderdale.

Sec. 27-3. Enforcement.

The Director of the ~~Department of Transportation and Mobility~~ Department shall be in direct control of the enforcement of the provisions of this chapter and all ordinances relating to vehicles for hire, including, but not limited to, taxicabs, U-Drive-Its, courtesy cars and sightseeing operations. This authority shall not be construed in limitation or derogation of the police authority, police departments, or inspectors therewith.

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Sec. 27-4. Obedience to lawful orders.

It shall be unlawful for any person to willfully fail or refuse to comply with any lawful order pertaining to this chapter issued by personnel authorized by the Director of the ~~Department of Transportation and Mobility~~ Department, any police officer or other official as may be designated in this chapter.

Secs. 27-5—27-25. Reserved.**ARTICLE II. TAXICABS****DIVISION 1. GENERALLY****Sec. 27-26. Interurban transportation.**

- (a) Nothing in this chapter or section shall be construed to prohibit any taxicab passenger vehicle from coming into the Ceity for discharging persons accepted for transportation outside the Ceity. While the vehicle is in the Ceity, no roof light or special light shall be used indicating that the vehicle is vacant or subject for hire. No person shall be solicited or accepted in such vehicle within the city limits.
- (b) However, the Director of the ~~Department of Transportation and Mobility~~ Department is authorized to waive this requirement when it is necessary to cooperate with adjacent cities where a large convention such as the Democratic or Republican National Convention is held.

Secs. 27-27—27-40. Reserved.**~~DIVISION 2. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND~~ PERMITS****Sec. 27-41. Required; exception.**

It shall be unlawful for any person to engage in or carry on the business of operating a taxicab within the Ceity, except taxicabs operating in Port Everglades, Port Authority, Florida, by virtue of authority from the City of Hollywood, Florida, without first obtaining from the Ceity a permit fee or local business tax required for the right to operate each vehicle ~~authorized under the certificate of public convenience and necessity.~~

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Sec. 27-42. Reciprocal privileges for Hollywood taxicabs.

Any taxicab which is duly licensed in the City of Hollywood, Florida, and which is authorized to operate and to pick up passengers from Port Everglades, Florida, as a means of public transportation for such passengers from ships arriving and docking at Port Everglades, Florida, is hereby authorized to operate in the municipal limits of this Ceity, only by operating and picking up from Port Everglades as a means of public transportation for ships arriving and docking at Port Everglades.

Sec. 27-43. New applications.

- ~~(a) Applications for new certificates of public convenience and necessity for taxicab operators will not be accepted by the city until a public hearing has been held pursuant to section 27-45 to increase the number of taxicab permits.~~
- ~~(b) Any applicant desiring a certificate of public convenience and necessity, including current certificate holders, may apply in writing to the city commission after furnishing and verifying the following information:~~
 - ~~(1) The name and address of the applicant and, if a corporation, names and addresses of its officers and directors.~~
 - ~~(2) The number of motor vehicles the applicant desires to operate, including a brief description of each vehicle.~~
 - ~~(3) The permanent location at which such vehicles will be stored or parked when not in use as required by section 27-79.~~
 - ~~(4) The actual owner or owners of any vehicles if the applicant does not own them.~~
 - ~~(5) A financial statement prepared by a certified public accountant.~~
- ~~(c) A filing fee of one hundred fifty-one dollars (\$151.00) shall accompany each new application for a certificate of public convenience and necessity for taxicabs. The fee is in addition to the fee required for each permit to be operated under a certificate of public convenience and necessity. The fee shall not be returned if the application is considered by the city commission.~~

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- ~~(d) Each application for a certificate of public convenience and necessity shall also be accompanied by a tender of the license fee as provided by section 15-57.~~
- ~~(e) The city commission may, after a public hearing at one (1) of its regular commission meetings, authorize issuance of a new certificate to an applicant who has demonstrated that the additional taxicab service to be provided will meet the public convenience and necessity.~~
- (a) Any applicant desiring a permit, including current permit holders, may apply to the Transportation and Mobility Department and the Director of the Transportation and Mobility Department may issue a permit, after the applicant applies in writing and furnishes and verifies the following information:
- (1) The name and address of the applicant and, if the applicant is a business entity, the name and address of the business entity.
 - (2) The number of motor vehicles the applicant desires to operate, including proof of vehicle registration and photographs of each vehicle.
 - (3) A brief description of the type of transportation service proposed, including a map of the proposed service area or route, if the transportation is operating on a fixed route.
 - (4) The rate and fares proposed to be charged.
 - (5) The permanent location at which such vehicle(s) will be stored or parked when not in use.
 - (6) The identity of the owner or owners of such vehicle(s) if the applicant does not own such vehicle(s).
 - (7) List of all drivers and copies of chauffeur registration issued by the Broward County Consumer Affairs Division, or successor agency, in accordance with Chapter 22 ½ - Motor Carriers, of the Code of Broward County, Florida.
 - (8) A comprehensive listing of any violations or complaints made against the applicant, or against the current business entity, or against any former business entity that involved any of the same corporate officers, directors, managers, or partners, as applicable, regarding vehicle(s) for hire for incidents that occurred in the State of Florida.

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(9) Acknowledgments by the applicant of the following:

- a. That the applicant, or the officers, directors, partners or managers, if owned by a business or corporate entity, and all drivers shall comply with all applicable city, county, state, and federal laws, rules ordinances and statutes, including, but not limited to:
 - i. Parking, stopping, and standing in accordance with Chapter 26, Article IV of the Code of Ordinances of the City of the Fort Lauderdale, Florida;
 - ii. The operation of radios or other mechanical or electronic soundmaking devices or instruments in vehicles pursuant to Section 316.3045 Florida Statutes, as may be amended;
 - iii. All vehicle for hire operational requirements, such as inspection requirements, signs and markings on vehicles, and other provisions identified in Chapter 27 of the City of Fort Lauderdale Code of Ordinances; and
 - iv. All proposed rates and fares, including operating based on gratuity or voluntary compensation, provided in this application, are to be upheld by the applicant during active operating hours. Taxicab meters are required in all taxicab vehicles. Rates and fares cannot be changed or modified without prior written approval by the Transportation and Mobility Department.
- b. All permits issued to operate as a vehicle for hire must be firmly affixed to each vehicle operating under the approved application. Permits may not be modified, transferred, sold or reassigned.
- c. All required insurance policies must be maintained and kept in full force and effect at all times by the applicant and filed with the Transportation and Mobility Department in accordance with Chapter 27.
- d. A valid City of Fort Lauderdale local business tax receipt must always be maintained in full force and effect in accordance with Section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.

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- e. A non-refundable application fee of one hundred fifty-one dollars (\$151.00) shall accompany each new application for taxicab permits. The non-refundable application fee is in addition to the fee required for each permit to operate a taxicab.
 - f. After the application has been approved, but before a permit can be issued to operate, the applicant must obtain a local business tax receipt in accordance with section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.
- (b) Applications for the issuance of permits that exceed the limitation for the number of taxicab permits, as set forth by the City, may not be accepted until a public hearing has been held pursuant to Section 27-45, to increase the number of such taxicab permits.

Sec. 27-44. Renewal.

- (a) ~~The holder of a certificate of public convenience and necessity shall be entitled (as a matter of right) to a certificate each year by making application to the city license inspector and submitting the information contained in subsection (b) of this section. Such renewal shall set forth the number of permits operated by such certificate holder during the previous year. The certificate holder shall be entitled to (as a matter of right) the same number of permits held at the end of the previous year. The permit holder may apply to renew a permit by submitting a new application, as set forth in the provisions of this Article. The permit holder shall be entitled to apply for the same number of permits held at the end of the previous year.~~
- (b) ~~Information required to renew a certificate of public convenience and necessity includes the following:~~
- ~~(1) The name and address of the applicant and, if a corporation, names and addresses of its officers and directors.~~
 - ~~(2) The actual owner or owners of such vehicles if the applicant does not own the vehicles.~~
 - ~~(3) An accurate certified account of records for the previous year or the nearest previous accounting period, including a profit and loss statement for the previous year, setting forth earnings and expenditures for operation, insurance premiums paid, including but not limited to unemployment, worker's compensation, social security, public liability.~~

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- (eb) A non-refundable filing application fee of one hundred dollars (\$100.00) shall accompany each renewal application for a ~~certificate of public convenience and necessity~~ permit for taxicabs. This non-refundable fee is in addition to the fee required for each permit to be operated a taxicab. ~~under a master certificate of public convenience and necessity.~~
- (dc) Each renewal application for ~~certificate of public convenience and necessity~~ a permit shall be accompanied by a tender of the license fee, as provided by section 15-57.

Sec. 27-45. Limitation on number of taxicab permits under permits~~certificates~~; procedure to increase limit.

- (a) On and after November 20, 1979, not more than two hundred (200) taxicab permits ~~under certificates of public convenience and necessity~~ shall be issued until a public hearing is held. Such public hearing shall be held annually in the month of June before the eCity eCommission and must establish that there is an adequate need that would ~~public convenience and necessity~~ require additional taxicab service before new permits can be authorized. Notice of such hearing shall be published in a newspaper of general circulation in the eCity at least fourteen (14) days in advance, and a copy shall be sent by certified mail to each permit ~~certificate~~ holder by the eCity eClerk. All certificate holders and members of the public shall have the right to be heard and offer evidence pertinent to the matter of ~~public convenience and necessity~~. In determining whether such permits ~~public convenience and necessity~~ require additional taxicab service, consideration shall be given to the following:
- (1) Public demand for taxicab service.
 - (2) The effect of an increase in the number of taxis on the safety of existing vehicular and pedestrian traffic.
 - (3) The growth of the eCity, (taking into consideration the nature, extent and volume of tourist business) including development or geographical expansion.
 - (4) Such other factors as the ~~board~~ City Commission may deem relevant which may require a change in the maximum number of taxicab permits previously fixed by the eCommission.
- (b) Despite any provision which is or may appear to be to the contrary in this section, the requirements of this section shall become operative only at such time as any federal or state

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census report shows that the number of eCity inhabitants has increased to a number sufficient to authorize the eCity to issue one (1) or more additional permits based on the inhabitants-to-permit ratio as prescribed in the Broward County Code of Ordinances, ~~section 22½-11(3)~~ Chapter 22 ½ – Motor Carriers, of the Code of Broward County, Florida.

Sec. 27-46. Issuance of unassigned taxicab permits.

- (a) When the City, through enforcement of ordinances, has unassigned taxicab permits, the permits may be issued to existing permit ~~certificate~~ holders utilizing the following procedures:
- (1) ~~The Department of Transportation and Mobility~~ Transportation and Mobility Department shall notify each permit ~~certificate~~ holder by certified letter that the eCity has and intends to issue unassigned permits.
 - (2) Any ~~certificate~~ permit holder desiring additional permits shall reply in writing to the ~~Department of Transportation and Mobility and state~~ Department stating the number of desired permits ~~he desires and also~~ furnish the following information:
 - a. ~~The gross annual income per permit for previous year.~~
 - ba. A description of the operation of the company, including the approximate number of taxicabs on the road during each shift ~~for the different seasons.~~
 - eb. A description of how additional permits will be used.
 - (3) Thirty (30) days after the issuance of certified letters by the ~~Department of Transportation and Mobility~~ Department and if any ~~certificate~~ permit holder responds under paragraph (a)(2) above, ~~a public hearing shall be called giving notice as provided in section 27-45. the~~ Department may issue any unassigned permits to the permit holder, as available.
- (b) ~~The city commission shall determine at the public hearing which certificate holder or holders will be issued the unassigned permits.~~

Sec. 27-47. Additional permit for taxicab for ~~handicapped~~ disabled.

(a) In addition to the taxicab permits authorized in section 27-45, each company holding a ~~certificate of public convenience and necessity~~ permits to operate taxicabs from within the eCity may obtain one (1) additional permit to operate a taxicab specifically designed and constructed as a taxicab to transport the ~~handicapped disabled~~, which permit shall be identified as a "permit for taxicab for ~~handicapped disabled~~." Unless otherwise specifically provided, such taxicab for the ~~handicapped disabled~~ shall be subject to all regulations and requirements of this eChapter applicable to regular taxicabs.

- (b) A special fee of two dollars (\$2.00) may be charged for transporting ~~handicapped disabled~~ persons in such specially designed taxicabs over and above the regular taxicab fares established by ordinance.
- (c) It shall be unlawful to place or use the permit authorized in this section or any tag issued in connection therewith on any regular taxicab, and such use shall be grounds for revocation of the ~~permit(s) certificate of public convenience and necessity~~ of the company violating this provision.

Sec. 27-48. Prohibition of felons.

- (a) No person who shall have been convicted of a felony or who is or has been in custody as a felon within five (5) years of the date of application for permits ~~a certificate of public convenience and necessity~~ or renewal thereof, whichever is later, shall be permitted to engage in the taxicab business under ~~a certificate of public convenience and necessity~~ the permits authorized by this article; and no person who shall have been convicted of a felony or who is or has been in custody as a felon within five (5) years of the date of application for ~~a certificate of public convenience and necessity~~ permits or renewal thereof, whichever is later, shall be a member, officer, director, stockholder, or an employee of a corporation, association, partnership or individual proprietorship holding permits ~~a certificate of public convenience and necessity~~ authorizing it to engage in the taxicab business under the authority of this article. A person who shall be convicted of a felony after becoming engaged in the taxicab business or who shall be convicted of a felony after becoming a member, officer, director, stockholder, or an employee shall not be permitted to continue in such taxicab business or to continue as such member, officer, director, stockholder or employee. For the purpose of this section, conviction of a felony shall include conviction under the laws

of any ~~s~~State, government or country of an offense which would be a felony if committed within this ~~s~~State.

- (b) Violation of this section shall be grounds for revocation and cancellation of a permit(s) to operate as a taxicab business ~~certificate of public convenience and necessity~~.
- (c) The ~~e~~City shall either suspend or revoke a ~~certificate of public convenience and necessity~~ permit to operate taxicabs upon proof, after due notice and hearing, pursuant to Section 27-56, that such ~~certificate~~ permit holder is held in violation of this section.
- (d) All persons subject to this section shall submit for fingerprinting at the ~~p~~Police ~~d~~Department before making use of any ~~certificate of public convenience~~ permit and necessity under this chapter.

Sec. 27-49. Evidence of insurance.

~~After a certificate is issued, but b~~Before a permit is issued to or sought to be renewed by any person or corporation to operate a taxicab, the applicant shall submit to the ~~Department of Transportation and Mobility~~ Department a copy of the evidence of insurance required to be submitted to and approved by the Broward County Consumer Affairs Division or its successor agency under Broward County Code of Ordinances, ~~Section Chapter~~ Chapter ~~22½-9~~, as it may be amended from time to time.

Sec. 27-50. Reserved.

Editor's note(s)—Section 2 of Ord. No. C-90-26, adopted May 1, 1990, repealed in its entirety § 42-24 of the 1953 Code which had been codified herein as § 27-50. The section pertained to inspection of all vehicles before operation.

Sec. 27-51. Cost of permit fee, age of vehicles.

The holder of or applicant for a ~~certificate of public convenience and necessity~~ permit shall pay for each permit thereunder a minimum fee as provided in section 15-57 per vehicle per year, payable when the new or renewal application for the ~~certificate of public convenience and necessity~~ permit is filed with the Transportation and Mobility Department. Such fee shall apply regardless of the age of the motor vehicle, except for a limitation that no vehicle shall be permitted

to be operated whose age is greater than five (5) years at the time of application, the age or year to be governed by the manufacturer's serial number.

Sec. 27-52. Continuous adequate service and compliance with City ordinances.

The service of the permit holder ~~of every certificate of public convenience and necessity~~ shall be operated regularly to the extent reasonably necessary to meet the public demand for service and in accordance with this article. If the service of any ~~certificate~~ permit holder is discontinued for any reason except on account of strike, act of God or cause beyond its control or any applicable provision of this ~~Chapter~~ violated, the ~~Department of Transportation and Mobility~~ Department shall give written notice to such ~~certificate~~ permit holder to restore service and/or comply with the applicable provisions of this chapter or allow suspension. Within thirty (30) days after the notice, the ~~Director of the Department of Transportation and Mobility~~ may ~~recommend to the commission that the certificate and/or permits be revoked or suspended, the permit and the commission shall set the matter down for hearing on the question of suspension or revocation as provided in this article.~~

Sec. 27-53. Sale, transfer or lease of ~~certificates~~ permits.

It shall be unlawful for any permit holder to transfer, sell, or lease a permit to operate a taxicab business.

- (a) ~~No certificate of public convenience and necessity issued for taxicab operators shall be assigned, transferred or leased without written application verified by the transferor and transferee, setting forth the following:~~
- ~~(1) The contract which forms the basis of the sale or transfer.~~
 - ~~(2) A certified financial statement of the transferee.~~
 - ~~(3) The affiliation, ownership or control in any transportation company, including taxicab firms or corporations.~~
 - ~~(4) Control or affiliation, if any, in respect of existing certificate holders.~~
- (b) ~~It shall be unlawful for any certificate holder to transfer in part a certificate of public convenience and necessity. It is deemed the policy of the city that a permit cannot be~~

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~~transferred separate and apart and without the sale, transfer or assignment of the certificate; provided, however, that a certificate holder may sell, assign or transfer to another certificate holder a portion of its permits with the approval of the city commission.~~

- ~~(c) It shall be unlawful for any person or certificate holder to lease certificates or permits without first applying to the city for permission therefor. In consideration of the sale, transfer or lease of a certificate of public convenience and necessity, the commission shall hold a public hearing giving notice as provided in section 27-45 which will provide all certificate holders an opportunity to be heard or present objections in connection with such sale, transfer or lease~~

Sec. 27-54. Replacement or substitution of motor vehicles.

A permit holder of a certificate of public convenience and necessity and permits thereunder may make replacements or substitutes of motor vehicles by obtaining the necessary inspection statement on the new car from the Broward County Consumer Affairs Division or its successor agency and furnishing the ~~Department of~~ Transportation and Mobility Department with the inspection certificates, a statement of which vehicle is to be replaced or substituted and the transfer of insurance, the make and model of the new vehicle, and photos of the new vehicle.

Sec. 27-55. Suspension or revocation—Certificates Permits.

- (a) The Director of the Transportation and Mobility Department has the authority to suspend, revoke, or both, the permits held by a taxicab business, if the permit holder is found to have violated any of the following: ~~A holder of a certificate of public convenience and necessity shall have the certificate suspended, revoked, or both if, after a public hearing held by the city commission, the holder is found to have violated any of the following:~~
- (1) The use of a tag issued for a vehicle under a disabled parking permit, on any regular taxicab.
 - (2) ~~The sale, transfer or lease of a certificate of public convenience and necessity without the approval required in~~ Violation of the provisions of section 27-53.
 - (3) Violation of the provisions of section 27-84.
 - (4) Violation of section 27-80 or section 27-82.

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- (5) Failure to keep proper records as required by the provisions of this article.
- (6) Failure to provide continuous adequate service as defined in section 27-52.
- (7) Failure to obtain, purchase and pay for the permit.
- (8) Failing to make use of a ~~certificate~~ permit issued under this division for a consecutive period of six (6) months.
- (9) Such violations set forth and in effect under the provisions of this chapter and the ordinances of the eCity pertaining to traffic offenses.
- (10) Undue number of meters registering high or low as described in section 27-85.
- (11) Failure to submit evidence of insurance as required by section 27-49 or failure to maintain such insurance in full force and effect.

(b) Permit suspension is automatic if section 27-49 is violated.

Sec. 27-56. Appeals of Suspension or revocation—~~Certificates~~ Permits.

- (a) An appeal of the suspension, revocation, or both of a permit must be initiated within ten (10) days of the effective date of the suspension or revocation, or both, of a permit. An appeal is initiated by the permit holder filing a written notice of appeal with the Director. The appeal shall specify all reasons why the permit holder believes the permit should not have been suspended or revoked, or both.
- (b) Upon timely receipt of a written notice to appeal, the Director shall forward the appeal to the City Manager, who shall set a meeting with the permit holder within ten (10) business days.
- (c) At the meeting the City Manager may modify, grant or deny the suspension, revocation or both. Should the permit holder seek an appeal from the City Manager's decision, the permit holder shall furnish notice of such request for appeal, to the City Clerk not later than ten (10) days after the date of the registered letter advising the permit holder of the suspension or revocation, or both, of the permit.

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- (d) Upon receipt of a request for appeal, the City Clerk shall thereupon fix the date and time at which the City Commission shall hear the appeal. Upon setting the matter for hearing, the City Clerk shall notify the permit holder of the date and time of such hearing. At the conclusion of the hearing, the City Commission shall either sustain the decision of the City Manager or direct the City Manager to reinstate the permit. The City Commission's decision shall be final subject to appeal to the appropriate court of competent jurisdiction, according to the Florida Rules of Civil Procedure.
- (e) The filing of a notice of appeal shall not stay an order by the Director to revoke a permit until final decision of the city commission.

~~Sec. 27-56. Same—Permits.~~

- (a) ~~Permits (all or part) issued under a certificate of public convenience and necessity shall be suspended, revoked, or both if, after a public hearing held by the city commission, the holder is found to have violated any of the following:~~
- ~~(1) Failure to have the required Broward County inspection sticker prior to use by the public.~~
 - ~~(2) Undue number of meters registering high or low as described in section 27-85.~~
 - ~~(3) Failure to use the number of permits authorized within a six-month period from the date of issuance or renewal of permits.~~
 - ~~(4) Failure to submit evidence of insurance as required by section 27-49 or failure to maintain such insurance in full force and effect.~~
- (b) ~~The hearing in connection with the revocation of a permit shall require the holder thereof to show cause as to the alleged charges of failing to comply with the applicable provisions of this chapter. However, suspension is automatic if section 27-49 is violated.~~

Secs. 27-57—27-75. Reserved.

DIVISION 3. OPERATIONAL RULES

Sec. 27-76. Companies to keep records of operation; examination by the eCity.

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Every taxicab company shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures and such other operating information as may be required by the ~~city commission~~ Transportation and Mobility Department. Every company shall maintain the records containing such information and other data required by this article at a place readily accessible for examination by the ~~city commission~~ Department; such records shall be kept for a period of two (2) years.

Sec. 27-77. Daily trip record.

Each taxicab company shall keep a daily trip record of the operation of each of its vehicles for hire. Such trip record shall include the name of the driver, the vehicle number, the time each call is dispatched, the destination of the passenger and the time of arrival at that destination. The daily trip records of the drivers shall be collected and stored by the taxicab company at their main office of business and shall be accessible to the ~~pPolice dDepartment~~ or the ~~Department of Transportation and Mobility~~ Department on demand.

Sec. 27-78. Reserved. ~~Uniform system of accounting.~~

~~The city commission shall establish a uniform system of accounting, and every certificate holder shall furnish a financial statement in compliance therewith.~~

Sec. 27-79. Permanent operating location; registration; changes of location.

The owner of each and every motor vehicle used for the transportation of persons which is for hire within the City shall have a permanent operating location for such motor vehicle when such motor vehicle is not actually in operation. A sign shall be displayed at such location advising the public that such location is the permanent operating location of the company and designating the kind of business carried on at such location. Such operating location shall be registered by the owner of the motor vehicle with the ~~Department of Transportation and Mobility~~ Department, and the owner shall notify the ~~Department of Transportation and Mobility~~ Department of any change in the operating location of the motor vehicle. Such location shall be in a proper zoned area and shall be sufficient to accommodate all vehicles for hire assigned to such location.

Sec. 27-80. Misleading advertising.

It shall be unlawful for the owner or operator of any taxicab or vehicle for hire to advertise or solicit business in such a manner as to confuse the public, either by imitating the name of any competitor or his colors or by advertising or doing business while using a name at that time being used by a competitor.

Sec. 27-81. Identification and colors of taxicabs.

- (a) The taxicabs of every owner operating a taxicab in the eCity shall be of a color scheme and bear the owner's trade name, monogram or insignia which are clearly and easily distinguishable from the color scheme, owner's trade name, monogram or insignia used on the taxicab of any other owners already operating under this article. No change whatever in the color scheme or distinguishing characteristics of any taxicab shall be made without written permission from the ~~Department of Transportation and Mobility~~ Department and it shall be unlawful for any person soliciting patronage from any vehicle described in this article to represent by word, sign or insignia that the vehicle for which he is soliciting such patronage is a vehicle owned or operated by other than the actual owners.
- (b) Every taxicab operated in the eCity shall bear the following identification:
 - (1) The owner's trade name, monogram or insignia, together with a taxicab number and the owner's telephone number, shall be painted upon the metal portion of the outside of each side of the taxicab.
 - (2) The cab number shall be painted upon the outside rear panel of the taxicab or affixed in such fashion as to be clearly visible from the rear.

Sec. 27-82. Signs and markings on vehicles.

- (a) All taxicabs operated under the provisions of this article, when situated or operated upon the streets of the city, shall have a sign attached to or printed upon such vehicle reading "Taxi" or "Cab," and if desired such signs as may designate the trade name under which such vehicle is operated; provided, however, that it shall be unlawful for the operator of any such vehicle for hire operated under the provisions of this article to permit any other signs, either

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painted or attached to such vehicle, to be displayed thereon except as permitted or required by this article.

- (b) It shall be unlawful for the operator of any vehicle operated as a taxicab to advertise or permit to be advertised on the outside of such vehicle any advertisement relating to rates or cut rates.
- (c) Such rates shall only be shown within the cab on the meter and on a display card within the vehicle.

Sec. 27-83. Advertising material permitted on certain vehicles.

- (a) The operators of taxicabs shall be permitted to display advertising material on taxicabs and make a charge for such space, provided that such advertising matter shall be displayed only by one (1) of the following methods:
 - (1) In a frame or holder on the rear panel of such taxicab and such frame or holder shall not protrude over the sides of the taxicab or the bumper or above the bottom of the rear window; or
 - (2) In a V-shape frame or holder on the roof of such taxicab which may be illuminated to display the advertising material contained therein. Such frame or holder and any sign contained therein shall be noise-free and shall not protrude over the front or back edges of the taxicab roofline which is the point where the roof, windshield and rear window of the vehicle are joined.
- (b) The ~~Department of Transportation and Mobility~~ Department is hereby empowered and directed to promulgate rules regulating the size (within the above-stated limitations), type and subject matter of advertisements displayed on taxicabs and the ~~Department of Transportation and Mobility~~ may order and compel the operators of any such taxicabs to remove therefrom any advertising matter found to be objectionable. It is declared to be against the public interest for any ~~certificate~~ permit holder or operator to advertise rates or cut rates in such frame or holder or in any other place or on any outer portion of the vehicle.

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Sec. 27-84. Refusal to convey.

No driver or operator of any taxicab who holds a ~~certificate of public convenience and necessity~~ permits issued pursuant to this chapter shall refuse or neglect to convey any orderly person upon request anywhere within the City limits for and in consideration of the rates of compensation set forth by ordinance; provided, however, that such taxicab shall not have been previously engaged at the time of such request or such taxicab is not disabled in such manner that it is unable to convey the person requesting transportation.

Sec. 27-85. Taxicab meters required.

- (a) No taxicab shall be allowed on the streets of the eCity without a meter, which meter shall conform to the type of meter usually maintained on taxicabs, and the meter shall be maintained and used for the purpose of correctly measuring and computing the charge for waiting time or the distance traveled by such taxicab while employed and shall be operated by mechanical means, the power for which is derived by cable from the transmission of such taxicab or by star gear attached to the front wheels of such taxicab, before such taxicab may be operated for hire on the streets and thoroughfares of the eCity. Such taxicab and meter shall be subject to inspection by the Broward County Consumer Affairs Division or its successor agency.
- (b) If a meter is found to be operating improperly, the ~~Department of Transportation and Mobility~~ Department can summarily order that the meter be put out of service until such time as the meter is corrected and rechecked by the Broward County Consumer Affairs Division or its successor agency. If inspection of meters indicates that an undue number of meters of any one (1) operator repeatedly register high or low, the ~~Department of Transportation and Mobility~~ may consider this as a proper basis for recommending action leading toward the suspension or revocation of the ~~certificate of public convenience and necessity~~ permits to operate as a taxicab.

Sec. 27-86. Meter flag in taxicabs to be down when transporting.

It shall be unlawful for any person operating a taxicab on the public streets of the eCity to transport a passenger in such taxicab unless the meter flag shall be down. When a passenger engages and enters a taxicab, the flag, signal or other device affixed to such taximeter shall be

so placed as to denote that such taxicab is employed. This provision shall apply even though the passenger is being transported to a destination beyond the corporate limits of the eCity.

Sec. 27-87. Position of taxicab meters, lighting.

All taxicab meters shall be placed in such a position in such taxicabs that the face thereof and the fare numerals may be easily seen and read by a passenger sitting in any part of the taxicab. No taximeter shall be used between sunset and sunrise unless the face thereof shall be illuminated by a light so arranged as to throw a continuous light thereon.

Sec. 27-88. Right of driver to demand fare in advance.

Every driver of any taxicab operating in the eCity shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid.

Sec. 27-89. Failure, refusal of passengers to pay fare.

It shall be unlawful for any person engaging the service of any taxicab to fail or refuse to pay the lawful charge or rate therefor upon request of the operator of such service after the use of such vehicle for hire.

Sec. 27-90. Driver's permit required.

No person shall operate any taxicab upon the streets of the eCity and no person who owns or controls any taxicab shall permit it to be so driven and no such vehicle licensed by the eCity shall be so driven unless the driver of such vehicle shall have first obtained and shall have then in force a driver's permit issued under the provisions of the Code of Broward County, Florida Chapter 22 ½ ~~Broward County Ordinance No. 76-17.~~

Sec. 27-91. Chauffeur's registration displayed in vehicle.

Every driver of a taxicab operating within the eCity shall display in a frame in the driver's compartment, in full view of the passenger, the most recent chauffeur's registration issued to him by the Broward eCounty.

Sec. 27-92. Reserved.

Editor's note(s)—Ord. No. C-18-03, § 4, adopted February 6, 2018, repealed § 27-92, which pertained to driver's permit; penalty and derived from Code 1953, § 42-59; Ord. No. C-73-136, § 2, 12-18-73.

Sec. 27-93. Obstructing traffic.

No driver shall park or stop or operate his vehicle in such a manner as to unduly obstruct traffic or to constitute a nuisance to other vehicles and pedestrians.

Sec. 27-94. Accidents.

All accidents arising from or in connection with the operation of taxicabs or vehicles for hire which result in death or injury to any person, or damage to any vehicle or property shall be reported by quickest means of communication to the ~~p~~Police ~~d~~Deartment, and compliance with the provisions of ~~e~~Chapter 26 pertaining to accidents shall be mandatory.

Sec. 27-95. Reporting convictions of drivers to companies.

Whenever any driver of a taxicab or vehicle for hire has been convicted of a violation of a city ordinance, the ~~p~~Police ~~d~~Deartment shall notify the ~~Department of Transportation and Mobility Department~~ of such conviction and the Director of the Department of Transportation and Mobility shall report such conviction to the employing company ~~when, in his judgment, the offense has a relationship to the driver's employment.~~

Sec. 27-96. Use of established stands for loading or discharging passengers or property.

No person operating a taxicab in or through the ~~e~~City shall be permitted to have or maintain any stand on any street, alley or avenue for the purpose of parking, loading or discharging passengers or property on any street, alley or avenue within the ~~e~~City except at established bus stops, bus stands, taxicab stands and the like.

Sec. 27-97. Manner of using stands by operators.

- (a) Open stands shall be used by drivers of taxicabs on a first-come, first-served basis. However, no one (1) company shall unreasonably monopolize all spaces when drivers of other companies seek the second, third or fourth space. The driver shall pull on to the open stand from the rear and shall advance forward as the vehicles ahead pull out. Drivers shall stay within five (5) feet of their vehicles for hire; they shall not solicit passengers nor engage in loud or boisterous talk while at an open stand.

Cross reference(s)—Stopping, standing or parking of taxicabs, § 26-139.

- (b) Nothing in this section shall be construed as preventing a passenger from boarding the vehicle for hire of his choice that is parked at open stands.

Sec. 27-98. Parking in front of residences.

No person owning, driving or otherwise having in charge any taxicab shall, for more than five (5) minutes, occupy with such vehicle the street next to the sidewalk in front of any residence without the express or implied consent of an occupant of such residence.

Sec. 27-99. Misinformation.

It shall be unlawful for any person operating under a permit to induce any person to employ him or his vehicle by knowingly misinforming or misleading such person as to the time or place of arrival or departure of any train, airline, steamship, or other public carrier or as to the location of any public carrier depot or ticket office, hotel, public place or private residence within the eCity.

Sec. 27-100. Disposition of property left in taxicabs.

It shall be the duty of each taxi driver to deliver to the company office all property left in taxicabs by passengers immediately after the property is found.

Sec. 27-101. Passenger riding in front seat permitted.

Passengers may ride in the front seat with the driver, if they so request.

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Secs. 27-102—27-125. Reserved.

ARTICLE III. MOTEL OR HOTEL COURTESY CARS

Sec. 27-126. Service limited to guests; application for license.

Any person operating a courtesy car shall not have authority to transport any passengers or persons who are not guests at a hotel or motel or firm or who are not registered at such hotel or motel. Prior registration by mail or other arrangement shall be considered registration. Any person or firm desiring to operate a courtesy car shall pay the local business tax required to operate the same, ~~and such application shall set forth the following:~~

- ~~(1) The name of the hotel, motel or firm in which the courtesy car shall be registered.~~
- ~~(2) The kind of car.~~

Sec. 27-127. Inspection of vehicle.

Each hotel courtesy car shall be inspected for safety of operations by the Broward County Consumer Affairs Division or its successor agency.

Sec. 27-128. Chauffeur's license and driver's permit required.

A driver of a hotel courtesy car shall hold state chauffeur's license and shall obtain a driver's permit issued under the provisions of Broward County Ordinance No. 76-17.

Sec. 27-129. Operation over bus routes or on regular schedules prohibited.

The hotel courtesy car shall not operate over routes served by franchised bus lines or operate on regular schedules.

Sec. 27-130. Charging for service rendered prohibited.

Any person operating a hotel courtesy car shall not engage in the transportation for hire business, namely shall not charge its passengers for the service rendered.

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Sec. 27-131. Business tax receipt required.

It shall be unlawful for any person or entity to engage in the business of operating hotel courtesy cars until that person or entity has paid the local business tax and obtained a receipt for such payment. The amount of tax required is set forth in section 15-57.

Sec. 27-132. Automobile liability insurance required.

- ~~(a) Before a business tax receipt is issued to any person or business entity that intends to operate hotel courtesy cars, that person or entity shall provide the city Finance Department with a certificate of insurance providing proof of automobile liability insurance (bodily injury and property damage) for each vehicle operated in the following amounts:~~

Bodily Liability Amount	Injury	Property Policy Amount	Damage
\$100,000 per person/\$300,000 per occurrence		\$100,000 per occurrence	

- ~~(b) All such automobile liability insurance policies shall be written by companies having a B or better rating (as defined in A.M. Best's Insurance Guide) and authorized to transact business in the state.~~
- ~~(c) Such certificate shall be submitted to the city Finance Department and the insurance shall be kept in full force and effect by the applicant at all times. Failure to file a current certificate with the city Finance Department or to keep the insurance in full force and effect shall automatically cancel and void the payment of the business tax.~~

Before a business tax receipt is issued to any person or business entity that intends to operate U-Drive-It vehicles, whether passenger car or truck or motorcycle, that person or entity shall be required to provide the City's Development Services Department with a certificate of insurance for the required insurance policies and coverages and maintain said insurance as follows:

Business Automobile Liability

Coverage must be afforded for all Owned, Hired, Scheduled, and Non-Owned vehicles for Bodily Injury and Property Damage in an amount not less than \$1,000,000 combined single limit each accident. If the permittee does not own the vehicle(s), the permittee shall maintain coverage for

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Hired and Non-Owned Auto Liability, which may be satisfied by way of endorsement to the Commercial General Liability policy or separate Business Auto Liability policy.

Providing proof of and maintaining adequate insurance coverage are material obligations of the permittee. The permittee shall provide the City a certificate of insurance evidencing such coverage. All insurance policies shall be through insurers authorized or eligible to write policies in the State of Florida and possess an A.M. Best rating of B or better. The City shall be included as an additional insured.

- a. If the permittee's primary insurance policy/policies do not meet the minimum requirements, as set forth in this Ordinance, the permittee may provide evidence of an Umbrella/Excess insurance policy to comply with this requirement.
- b. Any exclusion or provision in any insurance policy maintained by the operator of a U-Drive-It vehicle that excludes coverage required in this Ordinance shall be deemed unacceptable.
- c. Such certificate shall be submitted to the City Development Services Department ("DSD") and the insurance shall be kept in full force and effect by the permittee at all times. Failure to file a current certificate with DSD or to keep the insurance in full force and effect shall automatically cancel and void the payment of the business tax.
- d. The City does not in any way represent that the types and amounts of insurance required hereunder are sufficient or adequate to protect the permittee's interests or liabilities but are merely minimum requirements established by the City's risk management division. The City reserves the right to require any other insurance coverages that City deems necessary depending upon the risk of loss and exposure to liability. The insurance requirements shall not be construed as imposing upon the City or any official or employee any liability or responsibility for any damages or injuries to any person or property.

Sec. 27-133. ~~Special permit tag to be affixed to vehicle~~ Signs and markings on vehicle.

~~Hotel courtesy cars shall carry a special small permit tag affixed to the vehicle, similar or the same as those issued to taxicabs.~~

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It shall be unlawful for the operator of any hotel courtesy vehicle to permit any signs, either painted or attached to the vehicle, to be displayed thereon, except business identification signs. All signage shall be in compliance with the Code of Ordinances of the City of Fort Lauderdale, Florida.

Secs. 27-134—27-150. Reserved.

ARTICLE IV. RENTAL CARS

Sec. 27-151. Payment of local business tax required to engage in business.

It shall be unlawful for any person or entity to engage in the business of renting motor vehicles without drivers to other persons until that person or entity has paid the local business tax and obtained a receipt for such payment. The amount of tax required is set forth in section 15-57. The local business tax required to operate an agency location is set forth in section 15-57(4236.00).

Sec. 27-152. Automobile/motorcycle liability insurance required.

- (a) ~~Before a business tax receipt is issued to any person or business entity that intends to operate U-Drive-It vehicles, whether passenger car or truck, that person or entity shall provide the city Finance Department with a certificate of insurance providing proof of automobile/motorcycle liability (bodily injury and property damage) insurance for each vehicle operated in the following amounts:~~

Bodily Injury	Property Damage
Liability Policy Amount	Policy Amount
\$100,000 per person/\$300,000 per occurrence	\$100,000 per occurrence

- (b) ~~The above provision shall also apply with respect to U-Drive-It motorcycles, motor scooters, and motorbikes, except that the liability limits for these vehicles shall be:~~

Bodily Injury	Property Damage
Liability Policy Amount	Policy Amount
\$100,000.00 per person/\$300,000.00 per occurrence	\$25,000.00

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- ~~(c) All such damage automobile/motorcycle liability insurance policies shall be written by companies having B or better rating (as defined in A.M. Best's Insurance Guide) and authorized to transact business in the state.~~
- ~~(d) Such certificate shall be submitted to the city Finance Department and the insurance shall be kept in full force and effect by the applicant at all times. Failure to file a current certificate with the city Finance Department or to keep the insurance in full force and effect shall automatically cancel and void the payment of the business tax.~~

Before a business tax receipt is issued to any person or business entity that intends to operate U-Drive-It vehicles, whether passenger car or truck or motorcycle, that person or entity shall be required to provide the City's Development Services Department with a certificate of insurance for the required insurance policies and coverages and maintain said insurance as follows:

Business Automobile Liability

Coverage must be afforded for all Owned, Hired, Scheduled, and Non-Owned vehicles for Bodily Injury and Property Damage in an amount not less than \$1,000,000 combined single limit each accident. If the permittee does not own the vehicle(s), the permittee shall maintain coverage for Hired and Non-Owned Auto Liability, which may be satisfied by way of endorsement to the Commercial General Liability policy or separate Business Auto Liability policy.

- a. Providing proof of and maintaining adequate insurance coverage are material obligations of the permittee. The permittee shall provide the City a certificate of insurance evidencing such coverage. All insurance policies shall be through insurers authorized or eligible to write policies in the State of Florida and possess an A.M. Best rating of B or better. The City shall be included as an additional insured.
- b. If the permittee's primary insurance policy/policies do not meet the minimum requirements, as set forth in this Ordinance, the permittee may provide evidence of an Umbrella/Excess insurance policy to comply with this requirement.
- c. Any exclusion or provision in any insurance policy maintained by the operator of a U-Drive-It vehicle that excludes coverage required in this Ordinance shall be deemed unacceptable.
- d. Such certificate shall be submitted to the City's Development Services Department ("DSD") and the insurance shall be kept in full force and effect by the permittee at all times. Failure

to file a current certificate with DSD or to keep the insurance in full force and effect shall automatically cancel and void the payment of the business tax.

- e. The City does not in any way represent that the types and amounts of insurance required hereunder are sufficient or adequate to protect the permittee's interests or liabilities but are merely minimum requirements established by the City's risk management division. The City reserves the right to require any other insurance coverages that City deems necessary depending upon the risk of loss and exposure to liability. The insurance requirements shall not be construed as imposing upon the City or any official or employee any liability or responsibility for any damages or injuries to any person or property.

Sec. 27-153. Renting more vehicles than permitted.

It shall be unlawful for any person engaged in the business of renting motor vehicles without drivers to other persons to rent a greater number of vehicles than the maximum number for which ~~he paid~~ the required business tax was paid.

Sec. 27-154. Inspection of license of person to whom vehicle rented.

The licensee under this article shall not rent any motor vehicle for the purpose of driving upon the streets of the ~~e~~City to any person who is not duly licensed to operate a motor vehicle under the laws of the ~~s~~State or country of his residence, and such licensee shall not rent any motor vehicle for the purpose of driving upon the streets of the ~~e~~City to any person who is visibly physically incapable of driving. The licensee shall inspect the driver's license of the person to whom the vehicle is to be rented and compare and verify the signature thereon with the signature of the person written in ~~his~~ their presence, and such licensee shall be convinced that the person to whom the vehicle is to be rented is duly authorized to drive a motor vehicle before renting such a vehicle.

Sec. 27-155. Records to be kept by licensee; inspection; reporting of accidents.

- (a) The licensee under this article shall keep a record of the registration number of the motor vehicle so rented, the name, address and the local and permanent address of the person to whom the vehicle is rented, the number of the driver's license of such person, the state or country where such license was issued and the expiration date of such license. Such record shall be kept for a minimum period of not less than four (4) years, and such record shall be

open for inspection at any time by any ~~pPolice eOfficer~~ or the personnel of the ~~Department of Transportation and Mobility~~ Development Services Department.

- (b) The licensee shall keep a record of all known accidents. The licensee shall report to the ~~pPolice dDepartment~~ all accidents involving personal injury or death. The licensee shall also report to the police department damage to vehicles or property over one hundred dollars (\$100.00).

Secs. 27-156—27-170. Reserved.

ARTICLE V. RENTAL CARS WITH CHAUFFEURS AND SIGHTSEEING VEHICLES

DIVISION 1. GENERALLY

Sec. 27-171. Application of regulations to drivers.

- (a) All regulations pertaining to drivers of taxicabs shall apply to drivers of rental cars with chauffeurs and/or sightseeing vehicles.
- (b) It shall be unlawful for any driver of a rental car with chauffeur to direct, take, or transport, or offer or agree to take or transport, in such vehicle, any person to any place, structure, or building, or to any other person, with knowledge or reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation, as such terms are defined in the Florida Statutes, or the possession, purchase or sale of controlled substances.

Sec. 27-172. Signs and markings on vehicles.

It shall be unlawful for the operator of any rental car with chauffeur and/or sightseeing vehicle to permit any signs, either painted or attached to the vehicle, to be displayed thereon, except ~~owner identification signs~~ business identification signs. All signage shall be in compliance with the Code of Ordinances of the City of Fort Lauderdale, Florida.

Sec. 27-173. Operators to keep records of operation.

Every operator of a rental car with chauffeur and/or sightseeing vehicle shall keep accurate records of receipts from operating and other expenses, capital expenditures and such other

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operating information as may be required by the ~~eCity commission~~. Every operator shall maintain the records containing such information and other data required by this ~~eChapter~~ at a place readily accessible for examination by the ~~eCity commission~~ or such person as it may be designated by the City.

Sec. 27-174. Misleading advertising.

No operator of any rental car with chauffeur and/or sightseeing vehicle shall advertise or solicit business in such a manner as to confuse the public either by imitating the name of any competitor or indicating that the operator carries on a taxicab service.

Sec. 27-175. Inspection of vehicles.

All rental cars with chauffeurs shall at all times display a valid Broward County inspection ~~sticker~~ decal.

Sec. 27-176. Solicitations.

It shall be unlawful for the operator of any rental car with chauffeur and/or sightseeing vehicle to solicit business on the streets of the ~~eCity~~ at any taxicab stand or public transportation station. All rental cars with chauffeur and/or sightseeing vehicles, when not actually hired, shall be kept at the permanent operating location designated with the Transportation and Mobility Department license inspector.

Sec. 27-177. Rates.

A rental car with chauffeur and/or sightseeing vehicle shall charge fares based on the rate as specified in the ~~certificate of convenience and necessity~~ permit application.

Sec. 27-178. Storage.

When not in operation, all vehicles shall be stored at the permanent storage location as indicated in the permit application. The Director of the Transportation and Mobility Department shall be notified, in writing, of any changes in the permanent storage location of the vehicle.

Secs. 27-1789—27-190. Reserved.**DIVISION 2. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PERMITS****Sec. 27-191. Required.**

It shall be unlawful for any person to engage in or carry on the business of operating rental cars with chauffeurs and/or sightseeing vehicles within the eCity without first obtaining from the eCity a ~~certificate of public convenience and necessity permit~~ and paying the permit fee ~~or~~ and a local business tax required for the right to operate each vehicle ~~authorized under the certificate of public convenience and necessity~~; except that, the eDirector of the ~~department of t~~Transportation and mMobility Department is authorized to waive the permit requirement ~~of a certificate of public convenience and necessity~~ for rental cars with chauffeurs and sightseeing vehicles for the period of seven (7) days before, the day of, and seven (7) days after, a National Football League Super Bowl is held in the Tri-County area, in which event it shall not be unlawful for a person to engage in or carry on the business of operating rental cars with chauffeurs and/or sightseeing vehicles within the eCity without first obtaining from the eCity a ~~certificate of public convenience and necessity~~ permit and paying the permit fee ~~or~~ and a local business tax required for the right to operate such vehicle for the period of seven (7) days before, the day of, and seven (7) days after, a National Football League Super Bowl that is held in the Tri-County area.

Sec. 27-192. Application; information to be shown; fee; procedure for issuing certificates Permits.

- (a) The city ~~Department of Transportation and Mobility Department~~ shall not issue a permit nor shall the Finance Department Development Services issue a business tax receipt for a rental car with chauffeur or for a sightseeing vehicle until:
 - (1) The individual or entity seeking such permit and/or responsible for paying the business tax files an permit application ~~for a certificate of public convenience and necessity~~ with the city ~~Department of Transportation and Mobility Department~~; and
 - (2) The city ~~commission~~ Transportation and Mobility Department reviews the application; and

- (3) ~~The city commission~~ Director of the ~~authorizes the city Department of Transportation and Mobility Department~~ authorizes issuance of a permit to the applicant. to issue a certificate of public convenience and necessity to the applicant.
- (b) Any applicant desiring a ~~certificate of public convenience and necessity~~ permit shall ~~apply in writing~~ submit an application to the ~~city commission~~ Transportation and Mobility Department ~~on an application form obtained from the city Department of Transportation and Mobility, and~~ shall provide the following information:
- (1) The name and address of the applicant, and if the applicant is a business entity, the names and addresses of ~~its officers and directors, or partners or managers, as applicable~~ the business entity.
 - (2) The number of motor vehicles the applicant desires to operate, including ~~a brief description of each vehicle~~ proof of vehicle registration and photographs of each vehicle.
 - (3) A brief description of the type of transportation service proposed, including a map of the proposed service area or route, if the transportation service is operating on a fixed route.
 - (34) ~~The rates and fares proposed to be charged. The applicant shall agree that all changes in rates and fares or charges, whether increased or decreased, shall be set by the city commission.~~
 - (45) ~~The permanent location at which such vehicle(s) will be stored or parked when not in use.~~
 - (56) ~~The identity of the owner or owners of such vehicle(s) if the applicant does not own such vehicle(s).~~
 - (6) ~~A certified financial statement.~~
 - (7) ~~A profit and loss statement, if the applicant is the holder of a certificate of public convenience and necessity.~~
 - (8) ~~An accurate certified account of records for the previous year or the nearest accounting period, including a profit and loss statement for the previous year, setting forth earnings and expenditures for operation, insurance premiums paid, including but not limited to unemployment, worker's compensation, social security, general and automobile liability.~~

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- (9) ~~Each application for a certificate of public convenience and necessity shall be accompanied by a tender of the tax as provided by section 15-57 of this Code.~~
- (7) A list of all drivers and copies of chauffeur registration issued by Broward County, in accordance with Chapter 22 ½ - Motor Carriers, of the Code of Broward County, Florida.
- (108) A comprehensive listing of any violations or complaints made against the applicant, or against the present business entity, or against any former business entity that involved any of the same corporate officers, directors, managers, or partners, as applicable, regarding vehicle(s) for hire for incidents that occurred in the State of Florida.
- (119) ~~The date the application is made.~~ Acknowledgments by the applicant of the following:
- (a) That the applicant, or the officers, directors, partners or managers, if owned by a business or corporate entity, and all drivers shall comply with all applicable city, county, state, and federal laws, rules, ordinances and statutes, including, but not limited to:
- (i) Parking, stopping, and standing in accordance with Chapter 26, Article IV of the Code of Ordinances of the City of the Fort Lauderdale, Florida;
 - (ii) The operation of radios or other mechanical or electronic soundmaking devices or instruments in vehicles pursuant to Section 316.3045 Florida Statutes, as may be amended;
 - (iii) All vehicle for hire operational requirements, such as inspection requirements, signs and markings on vehicles, and other provisions identified in Chapter 27 of the City of Fort Lauderdale Code of Ordinances; and
 - (iv) All proposed rates and fares, including operating based on gratuity or voluntary compensation, provided in this application, are to be upheld by the applicant during active operating hours. Taxicab meters are required in all taxicab vehicles. Rates and fares cannot be changed or modified without prior written approval by the Transportation and Mobility Department.

- (b) All permits issued to operate as a vehicle for hire must be firmly affixed to each vehicle operating under the approved application. Permits may not be modified, transferred, sold or reassigned.
- (c) All required insurance policies must be maintained and kept in full force and effect at all times by the applicant and filed with the Transportation and Mobility Department in accordance with Chapter 27 of the City of Fort Lauderdale Code of Ordinances.
- (d) A valid City of Fort Lauderdale local business tax receipt must always be maintained in full force and effect in accordance with Section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.
- (e) A non-refundable application fee of one hundred fifty-one dollars (\$151.00) shall accompany each new application to operate a rental car with chauffeur or for a sightseeing vehicle. The non-refundable application fee is in addition to the fee required for each permit to operate a rental car with chauffeur or for a sightseeing vehicle.
- (f) After the application has been approved, but before a permit can be issued to operate, the applicant must obtain a local business tax receipt in accordance with section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.
- (e) ~~The city Department of Transportation and Mobility Department shall review each application submitted to determine sufficiency. Upon such a determination, the city Department of Transportation and Mobility Department Director shall forward receive each application to the city commission for review and approval. The city commission may conduct a public hearing once every six (6) months, unless circumstances require more frequent meetings, to review all the applications forwarded by the city Department of Transportation and Mobility. The city Department of Transportation and Mobility shall provide each applicant with notice of the public hearing by certified mail. At the public hearing, the city commission shall review each application by considering the date of the application, the violation history of the applicant, the testimony provided by the applicant, and the comments from members of the public. The city commission Department may issue certificate(s) of convenience and necessity permit(s) to those applicants who have provided the requisite information.~~

Sec. 27-193. Insurance required.

~~(a) After a certificate is issued but before a permit is issued to any person or corporation to operate a rental car with chauffeur and/or sightseeing vehicle, the applicant for such permit shall submit to the Department of Transportation and Mobility a certificate of insurance providing proof of automobile liability insurance for each vehicle operated as follows:~~

Type of Vehicle	Bodily Injury Liability Policy Amount	Property Damage Policy Amount
Rental car with chauffeur	\$100,000 per person/\$300,000 per occurrence	\$100,000
Sightseeing vehicle	\$100,000 per person/\$300,000 per occurrence	\$100,000

~~(b) All such automobile liability insurance policies shall be written by companies having a B or better rating and authorized to transact business in the state. Such certificate shall be submitted to the Department of Transportation and Mobility and the insurance shall be kept in full force and effect by the applicant at all times. Failure to file a current certificate with the city Department of Transportation and Mobility or to keep the insurance in full force and effect shall automatically cancel and void the certificate of public convenience and necessity or permit granted to the rental car with chauffeur and/or sightseeing vehicle covered by such policy.~~

Before a permit can be issued to any person or corporation to operate a rental car with chauffeur and/or sightseeing vehicle, the applicant for such permit shall submit to the Transportation and Mobility Department a certificate of insurance providing proof of automobile liability insurance for each vehicle operated. All operators shall be required to furnish and maintain the following insurance policies and coverages as such:

Business Automobile Liability

Coverage must be afforded for all Owned, Hired, Scheduled, and Non-Owned vehicles for Bodily Injury and Property Damage in an amount not less than \$1,000,000 combined single limit each accident. If the operator does not own the vehicle, the operator shall maintain coverage for Hired and Non-Owned Auto Liability, which may be satisfied by way of

endorsement to the Commercial General Liability policy or separate Business Auto Liability policy.

- a. Providing proof of and maintaining adequate insurance coverage are material obligations of the operator. The operator shall provide the city a certificate of insurance evidencing such coverage. All insurance policies shall be through insurers authorized or eligible to write policies in the State of Florida and possess an A.M. Best rating of B or better. The city shall be included as an additional insured.
- b. If the operator's primary insurance policy/policies do not meet the minimum requirements, as set forth in this Ordinance, the operator may provide evidence of an Umbrella/Excess insurance policy to comply with this requirement.
- c. Any exclusion or provision in any insurance policy maintained by the operator that excludes coverage required in this Ordinance shall be deemed unacceptable.
- d. Such certificates shall be submitted to the City's Development Services and the insurance shall be kept in full force and effect by the applicant at all times. Failure to file a current certificate with TAM or to keep the insurance in full force and effect shall automatically cancel and void the permit(s) granted to the rental car with chauffeur and/or sightseeing vehicle covered by such policy.
- e. The City does not in any way represent that the types and amounts of insurance required hereunder are sufficient or adequate to protect the operator's interests or liabilities but are merely minimum requirements established by the City's Risk Management Division. The City reserves the right to require any other insurance coverages the city deems necessary depending upon the risk of loss and exposure to liability. The insurance requirements shall not be construed as imposing upon the City or any official or employee any liability or responsibility for any damages or injuries to any person or property.

Sec. 27-194. Renewal of permit certificate.

~~The holder of a certificate of public convenience and necessity shall be entitled (as a matter of right) to a certificate each year by making application as set forth in this article. Such renewal shall set forth the number of permits operated by the certificate holder during the previous year. Failure to activate or operate the number of permits issued under a certificate of public convenience and necessity will be cause to limit the number of permits accordingly. The permit~~

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holder may apply to renew a permit by submitting a new application as set forth in the provisions of this Article.

Sec. 27-195. Sale, transfer or lease of ~~certificates~~ permits.

It shall be unlawful for any permit holder to transfer, lease, or sell, ~~in part~~ any permit to operate a rental car with a chauffeur or sightseeing business.

~~(a) No certificate of public convenience and necessity issued under this division shall be assigned or transferred without written application verified by the transferor and transferee, setting forth the following:~~

~~(1) The contract which forms the basis of the sale or transfer.~~

~~(2) A certified financial statement of the transferee.~~

~~(3) The affiliation, ownership or control in any transportation company, including taxicab firms or corporations.~~

~~(4) The control or affiliation, if any, in respect of existing certificate holders.~~

~~(b) It shall be unlawful for any certificate holder to transfer in part a certificate of public convenience and necessity. It is deemed the policy of the city that a permit cannot be transferred separate and apart and without the sale, transfer or assignment of the certificate.~~

~~(c) It shall be unlawful for any person or certificate holder to lease certificates or permits without first applying to the city for permission therefor.~~

~~(d) In consideration of sale, transfer or lease of a certificate of public convenience and necessity the commission shall set application for hearing as provided in this article, giving all certificate holders under this article an opportunity to be heard or present objections in connection with such sale, transfer or lease.~~

Secs. 27-196—27-210. Reserved.

ARTICLE VI. NONMOTORIZED VEHICLES—FOR HIRE

DIVISION 1. GENERALLY

Sec. 27-211. Definitions.

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:

Driver means the person who possesses a valid state driver's license and who propels or the person who directs the actions of an animal which propels a nonmotorized vehicle.

~~*License* means the written authority granted to an operator by the city commission to operate a nonmotorized vehicle business over an approved route, subject to compliance with the conditions specified in this article.~~

Nonmotorized vehicle means a vehicle used in a business for transporting passengers within the City limits for compensation either through rates or voluntary compensation and which is propelled by animal or human power.

Operator means the owner of a nonmotorized vehicle business.

~~*Permit* means the tag required to be displayed on a nonmotorized vehicle to identify it as one which is authorized to operate under a license~~ *the written authority granted to an operator by the Transportation and Mobility Department to operate a nonmotorized vehicle business over an approved route, subject to compliance with the conditions specified in this article.*

Route means the streets and other rights-of-way upon which the operation of a nonmotorized vehicle is permitted by the terms of the operator's license.

Sec. 27-212. Permit.

- (a) ~~A permit in the form of a metal or plastic tag shall be issued by the Department of Transportation and Mobility~~ Department for each approved nonmotorized vehicle. ~~Each~~

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~~permit shall be inscribed with the city license number under which it is issued and the current year for which it is valid.~~ Such permit shall be, at all times during the period for which it is valid, securely attached to a conspicuous place on the left rear portion of each nonmotorized vehicle.

- (b) A five-dollar (\$5.00) fee shall be paid in advance for each permit issued. A fee of ten dollars (\$10.00) shall be charged for any replacement permit; ~~if one (1) is lost or destroyed; provided, however, that the applicant shall inform the Department of Transportation and Mobility of the number of the vehicle permit to be replaced.~~

Sec. 27-213. Prohibited conduct.

No operator or driver shall:

- (1) Leave any animal-powered nonmotorized vehicle unattended at any time.
- (2) Operate upon a route other than as permitted by the license.
- (3) Permit a nonmotorized vehicle to be in motion while anyone is standing in it or while anyone is sitting anywhere other than in the passenger seat thereof.
- (4) Collect fares, make change or embark or debark passengers while the nonmotorized vehicle is in motion.
- (5) Operate any nonmotorized vehicle in such a manner that would jeopardize the safety of a passenger transported therein or of the general public.
- (6) Operate a nonmotorized vehicle in such a way as to intentionally impede vehicular traffic or create a hazardous situation.
- (7) Park, stand or stop the nonmotorized vehicle in a manner which violates any city ordinance or state law or disrupts the flow of vehicular traffic on public streets or in a manner which may impede the flow of pedestrian traffic.
- (8) Operate a nonmotorized vehicle in disregard of any traffic-control device.
- (9) Obstruct vehicular and pedestrian traffic by unnecessarily weaving or changing lanes of travel.

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- (10) Operate, maneuver, incline, spin, tilt, tip, slope or position a human-powered nonmotorized vehicle in any manner that would unnecessarily place a passenger in any position other than seated upright.
- (11) Operate a nonmotorized vehicle upon the sidewalk portion of a public right-of-way.
- (12) Operate a nonmotorized vehicle in the wrong direction on a one-way street.
- (13) Operate a nonmotorized vehicle in disregard of any applicable state traffic law.

Secs. 27-214—27-225. Reserved.

DIVISION 2. LICENSE

Sec. 27-226. Required.

It is unlawful for any person to operate, cause to be operated or drive a nonmotorized vehicle upon the public streets of the eCity without first having obtained a nonmotorized vehicle ~~license~~ permit.

Sec. 27-227. Application.

- (a) The Transportation and Mobility Department shall not issue a permit nor shall the Finance Department Development Services issue a business tax receipt for a non-motorized vehicle for hire service until:
 - (1) The individual or entity seeking such permit and/or responsible for paying the business tax files a permit application with the Transportation and Mobility Department; and
 - (2) The Transportation and Mobility Department reviews the application; and
 - (3) The Director of the Transportation and Mobility Department authorizes issuance of a permit to the applicant.
- (b) Any applicant desiring permit shall submit an application to the Transportation and Mobility Department and shall provide the following information:

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- (1) The name and address of the applicant, and if the applicant is a business entity, the names and addresses of the business entity.
- (2) The number of vehicles the applicant desires to operate, including proof of vehicle registration, photographs of each vehicle, and photographs and descriptions of the animal to be used, if applicable. If animals are proposed to be used, a written statement from a local veterinarian certifying that each animal is in good health and fit for nonmotorized vehicle service is required. A similar statement shall be supplied to the Department every six (6) months after permit issuance, certifying that each animal is fit to continue service.
- (3) A brief description of the type of transportation service proposed, including a map of the proposed service area or route, if the transportation service is operating on a fixed route, as well as measures to be undertaken for the sanitary removal of animal waste from the route.
- (4) The rates and fares proposed to be charged.
- (5) The permanent location at which such vehicle(s) will be stored or parked when not in use, including a full description of the arrangement made for the housing and care of all animals to be used to propel nonmotorized vehicles.
- (6) The identity of the owner or owners of such vehicle(s) if the applicant does not own such vehicle(s).
- (7) A list of all drivers and copies of chauffeur registration issued by Broward County, in accordance with Chapter 22 ½ of the Code of Broward County, Florida.
- (8) A comprehensive listing of any violations or complaints made against the applicant, or against the present business entity, or against any former business entity that involved any of the same corporate officers, directors, managers, or partners, as applicable, regarding vehicle(s) for hire for incidents that occurred in the State of Florida.
- (9) Acknowledgments by the applicant of the following:
 - (a) That the applicant, or the officers, directors, partners or managers, if owned by a business or corporate entity, and all drivers shall comply with all applicable city,

county, state, and federal laws, rules, ordinances and statutes, including, but not limited to:

- (i) Parking, stopping, and standing in accordance with Chapter 26, Article IV. of the Code of Ordinances of the City of the Fort Lauderdale, Florida;
 - (ii) The operation of radios or other mechanical or electronic soundmaking devices or instruments in vehicles pursuant to Section 316.3045 Florida Statutes, as may be amended;
 - (iii) All vehicle for hire operational requirements, such as inspection requirements, signs and markings on vehicles, and other provisions identified in Chapter 27 of the City of Fort Lauderdale Code of Ordinances; and
 - (iv) All proposed rates and fares, including operating based on gratuity or voluntary compensation, provided in this application, are to be upheld by the applicant during active operating hours. Rates and fares cannot be changed or modified without prior written approval by the Transportation and Mobility Department.
- (b) All permits issued to operate as a vehicle for hire must be firmly affixed to each vehicle operating under the approved application. Permits may not be modified, transferred, sold or reassigned.
- (c) All required insurance policies must be maintained and kept in full force and effect at all times by the applicant and filed with the Transportation and Mobility Department in accordance with Chapter 27 of the Code of Ordinances of the City of Fort Lauderdale, Florida.
- (d) A valid City of Fort Lauderdale local business tax receipt must always be maintained in full force and effect in accordance with Section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.
- (e) A non-refundable application fee of one hundred fifty dollars (\$150.00) shall accompany each new application to operate a non-motorized vehicle for hire. The non-refundable application fee is in addition to the fee required for each permit to operate a non-motorized vehicle for hire.

- (f) After the application has been approved, but before a permit can be issued to operate, the applicant must obtain a local business tax receipt in accordance with section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.
- (g) The Transportation and Mobility Department shall send a copy of each completed application to the City's Police and Fire Departments and the Development Services Department for review. Each department shall provide the Transportation and Mobility Department a written evaluation of the application, including proposed conditions of approval, if applicable, based upon consideration of the following criteria:
 - (1) The size and intensity of the proposed operation and its effect upon vehicular and pedestrian traffic flow over the proposed route and the impact, if any, upon affected commercial areas, residential neighborhoods, or both.
 - (2) The existence of identical or similar operations which use or propose to use all or part of the same route and the potential for adverse effect, if any, upon traffic flow, affected commercial areas, residential neighborhoods, or any of them.
 - (3) If animals are to be used for propulsion, the adequacy of the operator's arrangements for animal welfare and the measures for preservation of sanitary conditions within the City.
 - (4) Any other public health, safety or welfare concern.
- (h) The Director of the Transportation and Mobility Department shall determine, based on the written evaluations from other City Department whether the applicant's proposed operation may have any adverse effects or is or may be fundamentally incompatible with the public health, safety or welfare. The evaluation shall specify the grounds for such conclusion and whether the application should be rejected or approved with conditions, whichever is applicable.
- ~~(a) An operator shall apply to the Department of Transportation and Mobility for a license to operate a nonmotorized vehicle business by submitting an application which shall include the following information:~~

- ~~(1) The number, type, make, model and other information which describes each type of nonmotorized vehicle to be operated or a full description of each animal to be used or both.~~
- ~~(2) The name, address and telephone number of the operator. If other than a natural person, such as a corporation, the name and address of each principal and of the registered agent shall also be submitted.~~
- ~~(3) A list of all other locales in which the operator is engaged in or associated with a nonmotorized vehicle business.~~
- ~~(4) A map depicting the proposed route which shall be of such scale as to designate in detail the exact locations of all passenger embarkation and debarkation points and, if applicable, the location at which the nonmotorized vehicles will be loaded and unloaded from a truck or trailer.~~
- ~~(5) The location of the storage facility for the nonmotorized vehicles when not in use.~~
- ~~(6) If applicable, a full description of the arrangements made for the housing and care of all animals to be used to propel nonmotorized vehicles, as well as measures to be undertaken for sanitary removal of animal wastes from the route.~~
- ~~(7) The days and hours of operation.~~
- ~~(8) The fare to be charged per passenger, per ride, or both.~~
- ~~(9) If applicable, a description of any advertising to be displayed on each nonmotorized vehicle.~~
- ~~(10) The identity of each driver, by providing a two-inch by two-inch photograph and a copy of the state driver's license for each, as well as the driver's address. Any change in the status of any driver information must be promptly reported by the operator to the Department of Transportation and Mobility.~~
- ~~(11) The name, address and telephone number of the business operation and evidence of its registration as a fictitious name or trade name, if applicable.~~
- ~~(12) If animals are proposed to be used, a written statement from a local veterinarian certifying that each animal is in good health and fit for nonmotorized vehicle service. A~~

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~~similar statement shall be supplied to the license division six (6) months after license issuance, certifying that each animal is fit to continue service.~~

- ~~(b) A filing fee of one hundred fifty dollars (\$150.00) shall accompany each application.~~
- ~~(c) The Department of Transportation and Mobility shall send a copy of each completed application to the police and fire departments, the Development Services Department and the office of the city manager. Each shall provide the Department of Transportation and Mobility a written evaluation of the application, including proposed conditions of approval, if applicable, based upon consideration of the following criteria:~~
- ~~(1) The size and intensity of the proposed operation and its effect upon vehicular and pedestrian traffic flow over the proposed route and the impact, if any, upon affected commercial areas, residential neighborhoods, or both.~~
 - ~~(2) The existence of identical or similar operations which use or propose to use all or part of the same route and the potential for adverse effect, if any, upon traffic flow, affected commercial areas, residential neighborhoods, or any of them.~~
 - ~~(3) If animals are to be used for propulsion, the adequacy of the operator's arrangements for animal welfare and the measures for preservation of sanitary conditions within the city.~~
 - ~~(4) Any other public health, safety or welfare concern.~~
- ~~(d) The Department of Transportation and Mobility shall advise the city commission of the staff evaluations, recommended conditions, or both. If a staff determination is made that the applicant's proposed operation may have any adverse effects or is or may be fundamentally incompatible with the public health, safety or welfare, the evaluation shall specify the grounds for such conclusion and recommend to the city commission that the application be rejected or approved with conditions, whichever is applicable.~~

Sec. 27-228. Procedure for review by city commission department.

- ~~(a) When the Department of Transportation and Mobility has received the Upon receipt of the evaluations described in section 27-227, by the Director of the Transportation and Mobility Department, the Director shall recommend approval or denial of the application. it shall agenda the application for consideration by the city commission at the next available regular meeting. At that meeting, the city commission shall evaluate the proposed operation in light~~

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~~of the factors set forth in section 27-227(c), after providing an opportunity for the operator, city staff and any member of the public to be heard.~~

- (b) ~~After the hearing, the city commission shall, by motion, either~~ The Director of the Transportation and Mobility Department shall either:
- (1) ~~Disapprove~~ Deny the application which ~~(in such event, no application from the same operator shall be accepted by the Department of Transportation and Mobility for a minimum period of six (6) months from the date of such city commission action)~~ when the application was denied;
 - (2) Approve the application unconditionally and grant the operator a license; or
 - (3) Approve the application subject to compliance with stated conditions. Such conditions may include, but are not limited to, a restriction on the hours or days of operation, a limitation on the number of nonmotorized vehicles which may be operated, a limitation on the size and number of signs on each nonmotorized vehicle, a modification of the proposed route and any other condition which is consistent with protection of the public health, safety and welfare.
- (c) If approved, the ~~Department of Transportation and Mobility~~ Department shall issue a ~~license~~ nontransferable permit to an approved operator which ~~shall not be transferable without the approval of the city commission.~~ The ~~license~~ permit shall be accompanied with ~~include~~ a statement of all conditions specified by ~~the city commission~~ Director of the Transportation and Mobility Department. The ~~eCity~~ reserves the right to temporarily prohibit use of or otherwise modify any approved route whenever the public interest or convenience so requires; provided, however, that the operator shall be permitted to appeal any modification which will affect a route for more than fifteen (15) days, as such appeal procedure is set forth in section 27-232.
- (d) ~~If the operator's principal place of business is located within the corporate limits of the city, proof of possession of a current city business tax receipt shall be required prior to issuance of an operator's license.~~ After the application has been approved, but before a permit can be issued to operate, the applicant must obtain a local business tax receipt in accordance with section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.

Sec. 27-229. Renewal.

- (a) The permit holder may apply to renew a permit by submitting a new application as set forth in the provisions of this Article. ~~making a new application each of a license permit may renew shall be entitled to a renewal of the license each year on October 1 by applying to the Department of Transportation and Mobility and submitting the following information:~~
- ~~(1) Any change in the operator information listed on the original or any subsequent renewal application.~~
 - ~~(2) The number and type of nonmotorized vehicles actually operated during the previous year.~~
 - ~~(3) Any fare increase imposed during the previous year or proposed during the next year.~~
 - ~~(4) Evidence of insurance.~~
 - ~~(5) A current veterinarian statement, if applicable, as prescribed by section 27-227(a)(12), above.~~
- (b) A filing fee of one hundred fifty dollars (\$150.00) shall accompany each ~~such~~ renewal application.
- (c) ~~If the operator's principal place of business is within the corporate limits of the city, each such renewal application shall be accompanied by proof of a current city business tax receipt. After the application has been approved, but before a permit can be issued to operate, the applicant must obtain a local business tax receipt in accordance with section 15-28 of the Code of Ordinances of the City of Fort Lauderdale, Florida.~~

Sec. 27-230. Insurance.

~~Each business/owner shall maintain general liability insurance with a combined single limit for death, bodily injury and property damage liability in an amount not less than \$1,000,000.00 per occurrence and an aggregate of not less than \$2,000,000.00. In addition, a no fault medical payment policy/coverage form must be maintained in an amount not less than \$10,000.00 per person. The policy or policies must provide protection consistent with the operation of non-motorized vehicles.~~

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~~All such insurance policies shall be written by companies with an A.M. Best rating of A or better and authorized to transact business in the state. A certificate of insurance, which documents the policy period and above referenced liability amounts, must be filed with the Department and Transportation and Mobility every six (6) months and approved by the city's Risk Manager prior to insurance or renewal of any permit. All such policies shall be kept in full force and effect at all times any non-motorized vehicle is operated within the city.~~

a. At all times the operator, at its expense shall be required to furnish and maintain the following insurance policies and coverages with amounts of:

1. Commercial General Liability

Coverage must be afforded under a Commercial General Liability policy with limits not less than:

- \$1,000,000 each occurrence and \$2,000,000 aggregate for Bodily Injury, Property Damage, and Personal and Advertising Injury
- \$1,000,000 each occurrence and \$2,000,000 aggregate for Products and Completed Operations
- \$25,000 per person no-fault medical payment policy/coverage

Policy must include coverage for contractual liability, independent contractors, and operation of non-motorized vehicles.

b. Providing proof of and maintaining adequate insurance coverage are material obligations of the operator. The operator shall provide the City's Development Services Department a certificate of insurance evidencing such coverage. All insurance policies shall be through insurers authorized or eligible to write policies in the State of Florida and possess an A.M. Best rating of B or better. The City shall be included as an additional insured.

c. If the operator's primary insurance policy/policies do not meet the minimum requirements, as set forth in this Ordinance, the operator may provide evidence of an Umbrella/Excess insurance policy to comply with this requirement.

d. Any exclusion or provision in any insurance policy maintained by the operator that excludes coverage required in this Ordinance shall be deemed unacceptable.

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- e. The City does not in any way represent that the types and amounts of insurance required hereunder are sufficient or adequate to protect the operator's interests or liabilities but are merely minimum requirements established by the City's Risk Management Division. The City reserves the right to require any other insurance coverages the City deems necessary depending upon the risk of loss and exposure of liability. The insurance requirements shall not be construed as imposing upon the City or any official or employee any liability or responsibility for any damages or injuries to any person or property.
- f. The operator shall also agree to indemnify and hold harmless the City for any damage to person or property which might occur during or as a result of the operation of the non-motorized vehicle for hire.

Sec. 27-231. Modification of ~~license~~permit conditions.

- (a) After a minimum of six (6) months have passed from the date a ~~license~~ permit was issued, an operator may submit a written request for permission to modify the ~~licensed-permitted~~ operation. A request for a new route or for use of two (2) or more additional vehicles shall be treated as an initial ~~license~~ permit application.
- (b) The operator shall apply to the ~~Department of Transportation and Mobility~~ Department by listing the specific modifications requested. The ~~Department of Transportation and Mobility~~ shall submit the completed application for staff review as prescribed in section 27-227, above. Staff shall conduct an evaluation of the requested modifications based upon the same criteria used for evaluating an initial license application.
- (c) The application and the evaluations shall be considered by the ~~city commission~~ Director of the Transportation and Mobility Department. The ~~city commission~~ Director may approve all of the modifications, some of them or disapprove them, subject to compliance with the notice and hearing procedures as prescribed in section 27-228.
- (d) If the ~~city commission~~ Director approves all or some of the requested modifications, the operator shall be issued an amended ~~license~~ permit by the ~~Department of Transportation and Mobility~~ Department. If the ~~city commission~~ Director approves an increase in the number of nonmotorized vehicles, the ~~Department of Transportation and Mobility~~ Department shall issue the appropriate number of additional permits upon payment of the applicable permit fee(s).

Sec. 27-232. Suspension and revocation.

- (a) A ~~license~~ permit may be suspended or revoked on any of the following grounds:
- (1) Fraud or misrepresentation of a material statement contained in the license application.
 - (2) Failure by an operator to comply with any of the provisions of this article, conditions of an approved application as set forth in section 27-228, or both.
 - (3) Failure by a business/owner to comply with any of the provisions set forth in section 27-230.
 - (4) Conduct by an operator in connection with the ~~licensed~~ permitted business in a manner which creates a public nuisance or endangers the public health, safety or welfare or the health, safety or welfare of any animal used in the business.
 - (5) The knowing and unnecessary impeding of the flow of vehicular or pedestrian traffic.
- (b) When the ~~Department of Transportation and Mobility~~ Department becomes aware of any reason which may constitute grounds for suspension or revocation of a ~~license~~ permit, it shall inform the operator by written notice of the specific nature of the grounds. ~~If the operator disputes the grounds, the Department of Transportation and Mobility shall agenda a hearing on the matter before the city commission at the next available regular meeting and shall by written notice inform the operator of the date, time and place for such hearing.~~
- (c) ~~At the specified meeting of the city commission, the Department of Transportation and Mobility and the operator shall each be afforded the opportunity to present evidence with the assistance of legal counsel, if so desired, which evidence must be relevant to the alleged grounds. Any witnesses shall be subject to the right of cross-examination. Technical rules of evidence shall not be applicable. After hearing, the city commission~~ The Director of the Transportation and Mobility Department ~~may suspend a license permit for a specified period of time or revoke the operator's license. The action of the city commission shall be conclusive and final.~~
- (d) An appeal of the suspension, revocation, or both of a permit must be initiated within ten (10) days of the effective date of the suspension or revocation, or both of a permit. An appeal is initiated by the operator filing a written notice of appeal with the Director. The appeal shall

specify all reasons why the operator believes the permit should not have been suspended or revoked, or both.

- (e) Upon timely receipt of a written notice to appeal, the Director shall forward the appeal to the City Manager, who shall set a meeting with the operator within ten (10) business days.
- (f) At the meeting the City Manager may modify, grant or deny the suspension, revocation or both. Should the operator seek an appeal from the City Manager's decision, the operator shall furnish notice of such request for appeal, to the City Clerk not later than ten (10) days after the date of the registered letter advising the operator of the suspension or revocation or both of the permit.
- (g) Upon receipt of a request for appeal, the City Clerk shall thereupon fix the date and time at which the City Commission shall hear the appeal. Upon setting the matter for hearing, the City Clerk shall notify the operator of the date and time of such hearing. At the conclusion of the hearing, the City Commission shall either sustain the decision of the City Manager or direct the City Manager to reinstate the permit. The City Commission's decision shall be final subject to appeal to the appropriate court of competent jurisdiction, according to the Florida Rules of Civil Procedure.
- (h) The filing of a notice of appeal shall not stay an order by the Director to revoke a permit until final decision of the City Commission.
- (ei) An operator whose ~~license~~ permit has been revoked shall not be eligible to apply for reinstatement of the ~~license~~ permit a new ~~license~~ permit for a period of three (3) years.

SECTION 2. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or part of ordinances in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

CODING: Words, symbols, and letters stricken are deletions; words, symbols, and letters underlined are additions.

SECTION 5. That this Ordinance shall be in full force and effect immediately upon its passage on second reading.

PASSED FIRST READING this ____ day of _____, 2025.

PASSED SECOND READING this ____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN