

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CITY OF FORT LAUDERDALE CODE OF ORDINANCES SECTION 8-146.1 TO ADDRESS WATER TAXI STOPS ON RIGHT-OF-WAYS AND OTHER CITY PROPERTY FRONTING A WATERWAY, ALONG WITH DELEGATION OF STAFF AUTHORITY; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, CODIFICATION AND CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, City Code Chapter 8 Boat, Docks, Beaches and Waterways Section 146.1 regulates water taxis; and

WHEREAS, Staff recommends a technical edit to the Code that clarifies the Code that a water taxi stops (whistle stops) may be allowed at a publicly dedicated right-of-way terminating at a waterway open to the public or other City owned property fronting a waterway.

WHEREAS, Staff recommends technical edits to the code designating the manager of marine facilities (in addition to the supervisor) to carry out and execute different provisions of Section 146.1.

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

SECTION 1. That Section 8-146.0. Water taxi license., is hereby amended to provide as follows:

Sec. 8-146.1. Water taxi license.

- (a) *License required; enforcement.* It shall be unlawful for any person or firm to operate water taxis without first obtaining from the city a license and paying the permit fee required for the right to operate each vessel authorized under this license. A water taxi licensee shall obtain the required business tax receipt as provided in Chapter 15 of the Code of Ordinances, prior to commencing operations.
- (b) *Application contents.* Application for a water taxi license shall be made to the supervisor or manager of marine facilities and must include the following information:

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- (1) The name, business address and telephone number of the person or firm operating the water taxi business. If a corporation or partnership, include the names of all directors, officers or partners, where applicable.
- (2) A description of each vessel proposed to be utilized as a water taxi, including a copy of the Florida vessel registration and United States Coast Guard certificate of inspection.
- (3) A list of all pilots who will operate a water taxi, including their names, addresses, employment histories over the past five (5) years, and a copy of the United States Coast Guard license for the class of vessel the pilots will operate.
- (4) Where each water taxi will be located when not in use.
- (5) The method of dispatch and the location of the dispatcher.
- (6) A certificate of insurance showing the city as a named insured on a policy or policies insuring each vessel and the business for:
 - a. Hull and machinery replacement.
 - b. Third party and passenger liability: one million dollars (\$1,000,000.00) for each vessel.
 - c. Third party property damage: fifty thousand dollars (\$50,000.00) per occurrence.
 - d. If the business has three (3) or more employees, evidence of Workers' Compensation insurance, including Jones Act coverage, is required.

All insurance policies must be kept in full force and effect at all times water taxi operations take place.

- (c) *Application review.* The marine advisory board shall review all applications. The supervisor or manager of marine facilities shall agenda each application for which all required information has been submitted for the next available regular meeting of the city commission. The supervisor or manager shall inform the city commission of the marine advisory board recommendation of approval or rejection of the merits of the application. The public shall have the right to be heard with respect to the application. The city commission, by motion, shall approve or reject the application for a license, based on the applicant's demonstration that it has the proper equipment and personnel to operate a safe and high quality water taxi operation; however, the application may be deferred to the next regular meeting if submission of additional information is required. No application from the same person or firm whose application has been rejected shall be heard by the city commission within six (6) months from the date of such rejection.

- (d) *Permits.*

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- (1) Upon the granting of a license by the city commission, the supervisor or manager of marine facilities shall give the licensee a permit for each vessel operated as a water taxi. The fee for each permit is one hundred dollars (\$100.00) and authorizes the operation of that vessel as a water taxi for a period of two (2) years. Each license is renewable for a period of two (2) years upon submission of documentation to the supervisor or manager of marine facilities that all vessels and pilot licenses and insurances are in full force and effect. The renewal fee is one hundred dollars (\$100.00) for each permit, payable thirty (30) days prior to the expiration of the permit. A water taxi license that has been revoked or suspended is not renewable. The permit shall be displayed on the vessel alongside the state commercial registration sticker.
 - (2) A license or permit may not be assigned.
- (e) *Revocation or suspension of a license.*
- (1) A license may be revoked or suspended for any of the following causes:
 - a. Failure to comply with all state and federal laws and regulations concerning the vessels of the type utilized by the licensee.
 - b. Multiple instances of careless operation of a water taxi in violation of state or local laws.
 - c. Failure to maintain all required policies of insurance in full force and effect.
 - d. Conviction by the licensee, if a person, or by any director, officer or partner of the licensee, if a corporation or a partnership, of a felony violation in this state or violation of the laws of any other state which would constitute a felony violation in this state.
 - e. Submission of false or incomplete documentation or information required by this section.
 - (2) If the supervisor or manager of marine facilities has reason to believe that a water taxi license should be revoked or suspended for one (1) or more of the aforementioned causes, he shall send written notice to the licensee to show cause to the city commission why the license should not be revoked or suspended. The supervisor or manager shall agenda a revocation hearing at the next regular meeting of the city commission held at least fifteen (15) days after receipt of the notice by the licensee. All interested parties shall have the right to be heard. Upon finding cause, the city commission may revoke or suspend any license and the permits issued thereunder.
- (f) *Municipal dock facilities; mooring in residential areas.*

- (1) A permitted water taxi may board and discharge passengers at any vacant city owned dock facility, except at dock space which has been leased to a charter or sightseeing vessel operator. If the facility has not been designated as a water taxi stop, the water taxi may remain at the facility only for as long as is required to safely board and discharge its passengers.
 - (2) A municipal dock facility, a publicly dedicated right-of-way terminating at a waterway open to the public or other City owned property fronting a waterway, except as set forth in subsection (f) (1) above, may be designated by the supervisor or manager of marine facilities as a water taxi stop. Each stop is to be utilized on a first-come-first-served basis. At each stop the captain of a water taxi shall remain within five (5) feet of the vessel except for the purpose of entering a structure, such as a restaurant, and announcing his arrival. No water taxi shall remain moored at a stop for longer than fifteen (15) consecutive minutes.
 - (3) No water taxi shall remain moored adjacent to a residential structure except to board or discharge passengers.
 - (4) No water taxi shall fuel while moored at any municipal dock facility; all fueling shall be carried out at a marine service station.
 - (g) *Loudspeakers and spotlights.* No water taxi shall at any time have in use loudspeakers or any device to amplify sound, with the exception of an internal intercom system, the sounding of horns for navigational purposes, passenger pickup and discharge for safety-related purposes, or in the case of an emergency. No water taxi shall at any time, except for safety-related purposes, illuminate by spotlight or any other means any of the sights or places of interest located along its route of operation, including, but not limited to, residential dwellings, businesses or government buildings.
 - (h) *Enforcement.* This section shall be enforced by the supervisor or manager of marine facilities and his designees and by all city law enforcement officers.
- (Ord. No. C-89-135, § 2, 12-5-89; Ord. No. C-95-10, § 1, 3-21-95; Ord. No. C-06-45, § 3, 1-4-07)

SECTION 2. CODIFICATION AND SCRIVENER'S ERRORS. The City intends that this Ordinance will be made part of the Code of Ordinance; that sections of this Ordinance can be re-numbered or re-lettered to accomplish codification and, regardless of whether this Ordinance is ever codified, the Ordinance can be re-numbered or re-lettered, and typographical errors that do not affect the intent can be corrected with the authorization of the City Manager, or the City Manager designee, without the need for a public hearing.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed, only to the extent of such conflict.

SECTION 4. 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 5. That this Ordinance shall be effective immediately upon its passage and adoption.

PASSED FIRST READING this _____ day of _____, 2025.

PASSED SECOND READING this _____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN