



TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM, City Manager

DATE: December 18, 2012

TITLE: Motion to approve a non-motorized vehicle business license for Cycle
Party Fort Lauderdale LLC

Recommendation

It is recommended the City Commission approve a motion permitting Cycle Party Fort Lauderdale LLC to operate a non-motorized vehicle subject to the following conditions:

1. Limit the operation to the Himmarshee area of Downtown Fort Lauderdale, with the exception of Andrews Avenue, SW 7th Avenue and Broward Boulevard (streets with a MPH limit of 30 or less);
2. Limit hours to 8:00am to 10:00pm every day of the week.

Background

Cycle Party Fort Lauderdale LLC. has submitted the attached application (Exhibit 1 and Exhibit 2) requesting to operate between one and four (1-4) non-motorized vehicles 7 days a week. The vehicles are quadracycles holding up to 15 persons and steered by a company driver. The proposed hours are between 8:00 am to 2:00 am on weekends and 8:00 am to 10:00 pm on weekdays. The proposed route includes South Andrews Avenue at the River Walk area, proceeding north to Las Olas Boulevard, then west on SW 2nd Street and the surrounding streets and avenues, all east of NW 7 Avenue.

Pursuant to Section 27-226 of the City of Fort Lauderdale Code of Ordinances, any person wishing to operate a non-motorized vehicle business upon the public streets must obtain a non-motorized vehicle license from the City. After providing an opportunity for the operators, City staff, and any members to be heard, Section 27-227(c) requires a review of the application based on 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.

The Police Department, Transportation and Mobility Department and Sustainable Development Department reviewed the application and recommended approval subject to the following conditions (Exhibits 3 and 4):

- Limit the operation to the Himmarshee area of Downtown Fort Lauderdale, with the exception of Andrews Avenue, SW 7th Avenue and Broward Boulevard (only permitted on streets with a MPH limit of 30 or less);
- Limit hours to 8:00am to 10:00pm every day of the week. The area is congested with vehicular and pedestrian traffic after 10:00pm

Per 27-228(b) the city commission shall, by motion, either:

(1) Disapprove the application (in such event, no application from the same operator shall be accepted by the business tax division for a minimum period of six (6) months from the date of such city commission action.

(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.”

Resource Impact

There is no fiscal impact associated with this action.

Attachment(s)

Exhibit 1 - Cycle Party Business Tax Application8

Exhibit 2 - Application for Certificate of Public Convenience and Necessity

Exhibit 3 - Police Department Evaluation

Exhibit 4 - Transportation and Mobility Evaluation

Prepared by: Skip Margerum, Code Enforcement Supervisor

Department Director: Greg Brewton, Sustainable Development