

Chapter 27 - VEHICLES FOR HIRE

FOOTNOTE(S):

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Cross reference— Advertising on vehicles, § 3-1; licenses, taxation and miscellaneous business regulations, Ch. 15; spitting in public transportation bus, § 16-79; traffic, Ch. 26. [\(Back\)](#)

State Law reference— Municipal Home Rule Powers Act, F.S. ch. 166. [\(Back\)](#)

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.

Permit means a license issued 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.

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.

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.

(Code 1953, § 42-1; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-81-28, § 3, 4-21-81)

Sec. 27-2. - Penalties.

Any person who is convicted of violating any provision of this chapter for which a penalty is not otherwise provided in this chapter shall be fined not less than fifty dollars (\$50.00) nor more than one hundred fifty dollars (\$150.00) for each offense.

(Code 1953, § 42-4; Ord. No. C-73-136, § 2, 12-18-73)

Sec. 27-3. - Enforcement.

The director of the Department of Transportation and Mobility 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.

(Code 1953, § 42-2; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 1, 4-18-78; [Ord. No. C-14-20, § 1, 4-15-14](#))

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, any police officer or other official as may be designated in this chapter.

(Code 1953, § 42-3; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 2, 4-18-78; [Ord. No. C-14-20, § 2, 4-15-14](#))

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 city for discharging persons accepted for transportation outside the city. While the vehicle is in the city, 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. Any person in control or possession of such vehicle who violates this provision shall be subject to a fine of no less than fifty dollars (\$50.00) or more than one hundred fifty dollars (\$150.00) for each offense.
- (b) However, the director of the Department of Transportation and Mobility 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.

(Code 1953, § 42-22; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 6, 4-18-78; [Ord. No. C-14-20, § 3, 4-15-14](#))

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 city, except taxicabs operating in Port Everglades, Port Authority, Florida, by virtue of authority from the City of Hollywood, Florida, without first obtaining from the city a certificate of public convenience and necessity and paying the permit fee or local business tax required for the right to operate each vehicle authorized under the certificate of public convenience and necessity.

(Code 1953, § 42-8; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 13, 1-4-07](#))

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 city, only by operating and picking up from Port Everglades as a means of public transportation for ships arriving and docking at Port Everglades.

(Code 1953, § 42-21; Ord. No. C-73-136, § 2, 12-18-73)

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.
- (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.

(Code 1953, § 42-11; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-83-72, § 2, 6-21-83; [Ord. No. C-14-20, § 4, 4-15-14](#))

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 (as a matter of right) 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.

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

(Code 1953, § 42-9; Ord. No. C-73-136, § 2, 12-18-73)

Sec. 27-45. - Limitation on number of taxicab permits under 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 city commission and must establish that 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 city at least fourteen (14) days in advance, and a copy shall be sent by certified mail to each certificate holder by the city clerk. 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 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 city (taking into consideration the nature, extent and volume of tourist business) including development or geographical expansion.
 - (4) Such other factors as the board may deem relevant which may require a change in the maximum number of taxicab permits previously fixed by the commission.
- (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 census report shows that the number of city inhabitants has increased to a number sufficient to authorize the city 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).

(Code 1953, § 42-10; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-8, § 1, 1-17-78; Ord. No. C-80-8, § 1, 1-15-80; Ord. No. C-83-72, § 1, 6-21-83; Ord. No. C-86-43, § 1, 6-3-86; [Ord. No. C-14-20, § 5, 4-15-14](#))

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 certificate holders utilizing the following procedures:
 - (1) The Department of Transportation and Mobility shall notify each certificate holder by certified letter that the city has and intends to issue unassigned permits.
 - (2) Any certificate holder desiring additional permits shall reply in writing to the Department of Transportation and Mobility and state the number of permits he desires and also furnish the following information:
 - a. The gross annual income per permit for previous year.
 - b. A description of the operation of the company, including the approximate number of taxicabs on the road during each shift for the different seasons.

c. 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 and if any certificate holder responds under paragraph (a)(2) above, a public hearing shall be called giving notice as provided in section 27-45
- (b) The city commission shall determine at the public hearing which certificate holder or holders will be issued the unassigned permits.

(Code 1953, § 42-17; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 4, 4-18-78; [Ord. No. C-14-20, § 6, 4-15-14](#))

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

- (a) In addition to the taxicab permits authorized in section 27-45, each company holding a certificate of public convenience and necessity from the city may obtain one (1) additional permit to operate a taxicab specifically designed and constructed as a taxicab to transport the handicapped, which permit shall be identified as a "permit for taxicab for handicapped." Unless otherwise specifically provided, such taxicab for the handicapped shall be subject to all regulations and requirements of this chapter applicable to regular taxicabs.
- (b) A special fee of two dollars (\$2.00) may be charged for transporting handicapped 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 certificate of public convenience and necessity of the company violating this provision.

(Code 1953, § 42-12; Ord. No. C-73-136, § 2, 12-18-73)

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 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 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 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 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 state, government or country of an offense which would be a felony if committed within this state.
- (b) Violation of this section shall be grounds for revocation and cancellation of a certificate of public convenience and necessity.
- (c) The city shall either suspend or revoke a certificate of public convenience and necessity to operate taxicabs upon proof, after due notice and hearing, that such certificate is held in violation of this section.
- (d) All persons subject to this section shall submit for fingerprinting at the police department before making use of any certificate of public convenience and necessity under this chapter.

(Code 1953, § 42-54; Ord. No. C-73-136, § 2, 12-18-73)

Sec. 27-49. - Evidence of insurance.

After a certificate is issued, but 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 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 22½-9, as it may be amended from time to time.

(Code 1953, § 42-20; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-75-7, § 1, 1-21-75; Ord. No. C-86-43, § 4, 6-3-86; [Ord. No. C-14-20, § 7, 4-15-14](#))

Sec. 27-50. - Reserved.

Editor's note—

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 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 is filed. 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.

(Code 1953, § 42-35; Ord. No. C-73-136, § 2, 12-18-73)

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

The service of the 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 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 shall give written notice to such certificate 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 Department of Transportation and Mobility may recommend to the commission that the certificate and/or permits be revoked or suspended, and the commission shall set the matter down for hearing on the question of suspension or revocation as provided in this article.

(Code 1953, § 42-14; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 3, 4-18-78; [Ord. No. C-14-20, § 8, 4-15-14](#))

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

- (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 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.

(Code 1953, § 42-13; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-81-67, § 1, 9-15-81)

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

A 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 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.

(Code 1953, § 42-19; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 5, 4-18-78; [Ord. No. C-14-20, § 9, 4-15-14](#))

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

- (a) 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 under a permit for handicapped vehicle on any regular taxicab.
 - (2) The sale, transfer or lease of a certificate of public convenience and necessity without the approval required in section 27-53
 - (3) Violation of the provisions of section 27-84
 - (4) Violation of section 27-80 or section 27-82
 - (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 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 city 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) The hearing in connection with the revocation of a certificate 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.

(Code 1953, § 42-15; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-86-43, § 2, 6-3-86)

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.

(Code 1953, § 42-16; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-86-43, § 3, 6-3-86; Ord. No. C-90-26, § 1, 5-1-90)

Secs. 27-57—27-75. - Reserved.

DIVISION 3. - OPERATIONAL RULES

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

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. 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; such records shall be kept for a period of two (2) years.

(Code 1953, § 42-26; Ord. No. C-73-136, § 2, 12-18-73)

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 police department or the Department of Transportation and Mobility on demand.

(Code 1953, § 42-27; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 8, 4-18-78; [Ord. No. C-14-20, § 10, 4-15-14](#))

Sec. 27-78. - 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.

(Code 1953, § 42-28; Ord. No. C-73-136, § 2, 12-18-73)

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, and the owner shall notify the Department of Transportation and Mobility 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.

(Code 1953, § 42-38; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 11, 4-18-78; [Ord. No. C-14-20, § 11, 4-15-14](#))

Sec. 27-80. - Misleading advertising.

It shall be unlawful for the owner or operator of any 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.

(Code 1953, § 42-39; Ord. No. C-73-136, § 2, 12-18-73)

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

- (a) The taxicabs of every owner operating a taxicab in the city 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 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 city 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.

(Code 1953, § 42-36; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 10, 4-18-78; [Ord. No. C-14-20, § 12, 4-15-14](#))

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 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.

(Code 1953, § 42-37; Ord. No. C-73-136, § 2, 12-18-73)

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 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 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.

(Code 1953, § 42-25; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 7, 4-18-78 ; [Ord. No. C-14-20, § 13, 4-15-14](#))

Sec. 27-84. - Refusal to convey.

No driver or operator of any taxicab who holds a certificate of public convenience and necessity 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.

(Code 1953, § 42-46; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-32, § 1, 10-3-06](#))

Sec. 27-85. - Taxicab meters required.

- (a) No taxicab shall be allowed on the streets of the city 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 city. 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 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.

(Code 1953, § 42-32; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 9, 4-18-78; [Ord. No. C-14-20, § 14, 4-15-14](#))

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 city 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 city.

(Code 1953, § 42-33; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-34; Ord. No. C-73-136, § 2, 12-18-73)

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

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

(Code 1953, § 42-50; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-51; Ord. No. C-73-136, § 2, 12-18-73)

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

No person shall operate any taxicab upon the streets of the city and no person who owns or controls any taxicab shall permit it to be so driven and no such vehicle licensed by the city 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 Broward County Ordinance No. 76-17.

(Code 1953, § 42-52; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-47, § 1, 4-18-78)

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

Every driver of a taxicab operating within the city 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 county. Failure to display the same at all times that the vehicle is in operation shall constitute an offense and be punishable as provided in section 1-6 of this Code.

(Code 1953, § 42-57; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 1, 4-18-78)

Sec. 27-92. - Driver's permit; penalty.

If any person holding an operator's permit violates any provisions of section 27-88 or 27-95 of this chapter for which a penalty is not otherwise provided, he shall be punished as provided in section 1-6.

(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.

(Code 1953, § 42-47; Ord. No. C-73-136, § 2, 12-18-73)

Sec. 27-94. - Accidents.

All accidents arising from or in connection with the operation of 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 police department, and compliance with the provisions of chapter 26 pertaining to accidents shall be mandatory.

(Code 1953, § 42-43; Ord. No. C-73-136, § 2, 12-18-73)

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

Whenever any driver of a vehicle for hire has been convicted of a violation of a city ordinance, the police department shall notify the Department of Transportation and Mobility of such conviction and 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.

(Code 1953, § 42-44; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 12, 4-18-78; [Ord. No. C-14-20, § 15, 4-15-14](#))

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

No person operating a taxicab in or through the 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 city except at established bus stops, bus stands, taxicab stands and the like.

(Code 1953, § 42-60; Ord. No. C-73-136, § 2, 12-18-73)

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— 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.

(Code 1953, § 42-61; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-62; Ord. No. C-73-136, § 2, 12-18-73)

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 city.

(Code 1953, § 42-40; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-45; Ord. No. C-73-136, § 2, 12-18-73)

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

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

(Code 1953, § 42-49; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-65; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 14, 1-4-07](#))

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.

(Code 1953, § 42-66; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 13, 4-18-78; [Ord. No. C-14-20, § 16, 4-15-14](#))

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.

(Code 1953, § 42-67; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-50, § 1, 4-18-78)

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.

(Code 1953, § 42-68; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-69; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-70; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 15, 1-4-07](#))

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 Injury Liability Amount	Property Damage Policy Amount
\$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.

(Code 1953, § 42-71; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 16, 1-4-07](#) ; [Ord. No. C-14-20, § 17, 4-15-14](#))

Sec. 27-133. - Special permit tag to be affixed to vehicle.

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

(Code 1953, § 42-72; Ord. No. C-73-136, § 2, 12-18-73)

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).

(Code 1953, § 42-75; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 17, 1-4-07](#))

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

- (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.

(Code 1953, § 42-76; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 18, 1-4-07](#) ; [Ord. No. C-14-20, § 18, 4-15-14](#))

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.

(Code 1953, § 42-77; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 19, 1-4-07](#))

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 city to any person who is not duly licensed to operate a motor vehicle under the laws of the

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 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 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.

(Code 1953, § 42-78; Ord. No. C-73-136, § 2, 12-18-73)

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 police officer or the personnel of the Department of Transportation and Mobility.
- (b) The licensee shall keep a record of all known accidents. The licensee shall report to the police department 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).

(Code 1953, § 42-79; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-78-43, § 14, 4-18-78; [Ord. No. C-14-20, § 19, 4-15-14](#))

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.

(Code 1953, § 42-90; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-90-26, § 3, 5-1-90)

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.

(Code 1953, § 42-91; Ord. No. C-73-136, § 2, 12-18-73)

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 operating information as may be required by the city commission. Every operator shall maintain the records containing such

information and other data required by this chapter at a place readily accessible for examination by the city commission or such person as it may designate.

(Code 1953, § 42-92; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-93; Ord. No. C-73-136, § 2, 12-18-73)

Sec. 27-175. - Inspection of vehicles.

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

(Code 1953, § 42-94; Ord. No. C-73-136, § 2, 12-18-73; Ord. No. C-90-26, § 4, 5-1-90)

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 city 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 license inspector.

(Code 1953, § 42-95; Ord. No. C-73-136, § 2, 12-18-73)

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.

(Code 1953, § 42-96; Ord. No. C-73-136, § 2, 12-18-73)

Secs. 27-178—27-190. - Reserved.

DIVISION 2. - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

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 city without first obtaining from the city a certificate of public convenience and necessity and paying the permit fee or local business tax required for the right to operate each vehicle authorized under the certificate of public convenience and necessity.

(Code 1953, § 42-85; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-06-45, § 20, 1-4-07](#))

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

(a) The city Department of Transportation and Mobility shall issue a permit nor shall the Finance Department 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 application for a certificate of public convenience and necessity with the city Department of Transportation and Mobility; and

- (2) The city commission reviews the application; and
- (3) The city commission authorizes the city Department of Transportation and Mobility to issue a certificate of public convenience and necessity to the applicant.
- (b) Any applicant desiring a certificate of public convenience and necessity shall apply in writing to the city commission 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.
 - (2) The number of motor vehicles the applicant desires to operate, including a brief description of each vehicle.
 - (3) The rate 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.
 - (4) The permanent location at which such vehicle(s) will be stored or parked when not in use.
 - (5) 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.
 - (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.
 - (10) 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.
 - (11) The date the application is made.
- (c) The city Department of Transportation and Mobility shall review each application submitted to determine sufficiency. Upon such a determination, the city Department of Transportation and Mobility shall forward each application to the city commission for review. 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 may issue certificate(s) of convenience and necessity to those applicants who have provided the requisite information.
- (d) Each unsuccessful application will be retained by the city Department of Transportation and Mobility for one (1) year from the date of application and shall be submitted to city commission at the next opportunity.

(Code 1953, § 42-86; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-04-52, § 1, 10-5-04](#) ; [Ord. No. C-06-45, § 21, 1-4-07](#) ; [Ord. No. C-14-20, § 20, 4-15-14](#))

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.

(Code 1953, § 42-87; Ord. No. C-73-136, § 2, 12-18-73; [Ord. No. C-14-20, § 21, 4-15-14](#))

Sec. 27-194. - Renewal of 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.

(Code 1953, § 42-88; Ord. No. C-73-136, § 2, 12-18-73)

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

- (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.

(Code 1953, § 42-89; Ord. No. C-73-136, § 2, 12-18-73)

Secs. 27-196—27-210. - Reserved.

ARTICLE VI. - NONMOTORIZED VEHICLES—FOR HIRE

FOOTNOTE(S):

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Editor's note— [Ord. No. C-11-16, § 1, adopted July 6, 2011](#), amended the title of Article VI to read as herein set out. Prior to inclusion of said ordinance Article VI was titled, "Nonmotorized Vehicles." See also the Code Comparative Table.

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 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.

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.

(Code 1953, § 42-97; Ord. No. C-88-32, § 1, 5-3-88)

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 for each approved nonmotorized vehicle. Each 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 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.

(Code 1953, § 42-100; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-14-20, § 22, 4-15-14](#))

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.
- (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.

(Code 1953, § 42-103; Ord. No. C-88-32, § 1, 5-3-88)

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 city without first having obtained a nonmotorized vehicle license.

(Code 1953, § 42-106; Ord. No. C-88-32, § 1, 5-3-88)

Sec. 27-227. - Application.

- (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 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 Department of Sustainable Development 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.

(Code 1953, § 42-98; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-14-20, § 23, 4-15-14](#))

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

- (a) When the Department of Transportation and Mobility has received the evaluations described in section 27-227, 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 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:
 - (1) Disapprove the application (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);
 - (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 shall issue a license to an approved operator which shall not be transferable without the approval of the city commission. The license shall include a statement of all conditions specified by the city commission. The city 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.

(Code 1953, § 42-99; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-06-45, § 22, 1-4-07](#) ; [Ord. No. C-14-20, § 24, 4-15-14](#))

Sec. 27-229. - Renewal.

- (a) The holder of a license 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.

(Code 1953, § 42-104; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-06-45, § 23, 1-4-07](#) ; [Ord. No. C-14-20, § 25, 4-15-14](#))

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.

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.

(Code 1953, § 42-102; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-14-20, § 26, 4-15-14](#))

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

- (a) After a minimum of six (6) months have passed from the date a license was issued, an operator may submit a written request for permission to modify the licensed operation. A request for a new route or for use of two (2) or more additional vehicles shall be treated as an initial license application.
- (b) The operator shall apply to the Department of Transportation and Mobility 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(c), 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. The city commission 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 approves all or some of the requested modifications, the operator shall be issued an amended license by the Department of Transportation and Mobility. If the city commission approves an increase in the number of nonmotorized vehicles, the Department of Transportation and Mobility shall issue the appropriate number of additional permits upon payment of the applicable permit fee.

(Code 1953, § 42-105; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-14-20, § 27, 4-15-14](#))

Sec. 27-232. - Suspension and revocation.

- (a) A license 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(b)(3), 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 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 becomes aware of any reason which may constitute grounds for suspension or revocation of a license, 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 may suspend a license 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 operator whose license has been revoked shall not be eligible to apply for reinstatement of the license or a new license for a period of three (3) years.

(Code 1953, § 42-101; Ord. No. C-88-32, § 1, 5-3-88; [Ord. No. C-14-20, § 28, 4-15-14](#))

Secs. 27-233—27-249. - Reserved.

ARTICLE VII. - NONMOTORIZED VEHICLES—SELF PROPELLED

DIVISION 1. - BICYCLE-SHARING FACILITIES

Sec. 27-250. - Purpose and findings.

- (a) The purpose of this division is to:
 - (1) Support a bicycle-sharing program in order to offer residents and visitors of the city the ability to use rented bicycles as an alternative form of short-term transportation.
 - (2) Support the provision of an important amenity and means of transportation for city residents, workers and visitors, and help bring visitors to the city, displace car traffic, take pressure off the city's parking needs and improve public health by providing opportunities for exercise.
 - (3) Help the city meet its goals of reducing air pollution and greenhouse gas emissions.
 - (4) Enable the success of city-supported bicycle-sharing program facilities by permitting bicycle-sharing facilities to be placed at optimal locations throughout the urban environment that prioritize visibility, location desirability and convenience, among other considerations.
 - (5) Recognize the lack of sufficient public or private open space at optimal locations and permit at certain locations placement of facilities of a city-sponsored bicycle-sharing program within the city right-of-way and on other city owned land.
 - (6) Provide for the placement of bicycle-sharing facilities in the right-of-way and city owned property through the granting of a bicycle-sharing facility permit and a permit and license agreement.
 - (7) In order to fund a high quality city-supported program with the features the city desires, the program allows limited advertising for sponsors on city-supported bicycle-sharing facility stations and bicycles located in the right-of-way and on city owned property.
- (b) The city commission finds that the display of signs consistent with this division on city-supported bicycle-sharing facility stations and bicycles in the right-of-way and on city owned property will not cause aesthetic blight or traffic hazards of the sort unacceptable to the city. Rather, when included as part of the overall program, such signs will further the city's substantial governmental interests set forth in section 27-250 by:
 - (1) Allowing the city to select and control the location and appearance of the station and signs;
 - (2) Identifying the station as part of the city-supported bicycle-sharing program;

- (3) Providing necessary directions and instructions for using the bicycle-sharing program;
- (4) Allowing for attractive, well-maintained public bicycle facilities;
- (5) Providing information about sponsors of the program thereby defraying the cost of offering the program to the public;
- (6) Offering an environmentally beneficial transportation option that relieves vehicular congestion and reduces air pollution and greenhouse gas emissions;
- (7) Improving public health by providing opportunities for recreation and exercise; and
- (8) The city commission further finds that signs mounted on the bicycles and bicycle-sharing station used in the city-support bicycle-sharing program are incidental to the primary use of the bicycles as vehicles.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-251. - Applicability.

The provisions of this division shall only apply to bicycle-sharing facilities within the right-of-way or on city owned properties that are part of a city-supported bicycle-sharing program. For purposes of this division, the applicant/managing agent and owner shall be jointly and severally liable for complying with the provisions of this division, the permit and the permit and license agreement.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-252. - Definitions.

For the purpose of this division, the following words shall have the meanings indicated.

Bicycle-sharing facility (BSF) means a facility and all attachments and operational aspects thereto that are part of a bicycle-sharing program. This definition includes, but is not limited to, a station, informational signs, bicycles, solar panels, payment kiosk or other equipment attached to and necessary for the facility's operation.

Bicycle-sharing facility station or station means the platform to which the BSF equipment is attached, payment kiosk, bicycle docks and all other parts of the facility not including the bicycles and signs.

Bicycle-sharing program is a program, which provides specially designed bicycles for short-term rental to the public at multiple facilities throughout the city so users of the bicycles are able to return the bicycles at any other bicycle-sharing facility within the Broward County sponsored program.

City-supported means the BSF program sponsored by Broward County as provided in this division.

City owned property means property owned by the city pursuant to deed, easement lease, license or dedication and may include city park land or any other property owned by or under the control of the city. When city owned property is identified for use for a BSF, it shall be considered an ancillary ROW area subject to city right-of-way standards and regulations and under the jurisdiction of the city engineer.

Contact information includes the address, telephone number(s), e-mail address(es) and any and all other means that would allow city staff to contact a person, including the address of any registered agent.

Department means the Department of Sustainable Development or such department, which has the responsibility for the administration of the planning and zoning requirements of the city as designated by the city manager.

Director shall mean the director of the Department of Sustainable Development.

Managing agent is the person who, by virtue of his or her position, operates a bicycle-sharing program and has control, including physical and contractual, over the bicycle-sharing facilities used therein. As used herein the managing agent shall be the person or entity who is the applicant as defined in section 27-254.

Owner means any person who jointly or severally is vested with all or part of legal title to or beneficial ownership of the bicycle-sharing facilities.

Person means any individual, partnership, association, corporation, joint venture, limited liability company or partnership, trust or other entity that may enter into contracts.

Right-of-way or *ROW* means the surface and space above and below an improved or unimproved public roadway, highway, boulevard, road, freeway, bridge, alley, court, street, bicycle lane, public sidewalk and terrace in which the city or other public entity has an interest in law or equity whether held in fee, easement, dedication, plat or other estate or interest including any other dedicated right-of-way for travel purposes.

([Ord. No. C-11-16, § 2, 7-6-11](#) ; [Ord. No. C-14-20, § 29, 4-15-14](#))

Sec. 27-253. - Permit required.

No person, establishment or entity shall conduct a bicycle-sharing program unless a permit has been issued in accordance with this division.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-254. - Permit application.

(a) Application for a permit to provide a bicycle-sharing program may be made by the managing agent with the written consent of the owner ("applicant") of the bicycle-sharing program and shall be submitted to the department on a form provided by the director. Unless otherwise provided herein, the following is a list of the minimum requirements to complete application. Additional information necessary in order to determine if the requirements of this division have been met may be required by the department:

- (1) Name, address, and telephone number of the owner(s) and managing agent(s). The phone number(s) shall be the number that the managing agent can be reached during all hours of the bicycle-sharing program operation.
- (2) Proposed hours of bicycle-sharing program operation.
- (3) Proposed locations and addresses of the bicycle-sharing program facilities. A description and drawing of each proposed bicycle-sharing facility location must be sufficient enough to permit city staff to draft a legal description of the area sought for placement of the BSF.
- (4) Proposed fees to be charged to the customer, if any.
- (5) A basic description of the bicycle-sharing program.
- (6) If in a right-of-way or city owned property, preliminary approval of the location by the city engineer. If on park land, preliminary approval of the location by the city parks and recreation department.
- (7) Copy of proof of insurance required in accordance with the provisions of section 27-259 of this division.
- (8) An application shall be accompanied by a non-refundable application fee of one hundred dollars (\$100.00) for the initial permit for each location and one hundred dollars (\$100.00) annually for permit renewals for the same location. After October 1, 2011, these fees may be amended by resolution adopted by the city commission. There shall be no proration of the application and initial processing fee. This application fee shall cover each location of a bicycle-sharing facility. Any application to increase the size of a permitted bicycle-sharing facility shall be accompanied by a new fee under this division.
- (9) A current survey or plot plan indicating all existing utilities infrastructure above, on and below or within ten (10) feet of a BSF site.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-255. - Application review process; permit review criteria.

- (a) Within five (5) business days of receiving a permit application, the department shall determine if the information provided is complete and notify applicant of any deficiencies in the application. Upon submittal of additional information the department will determine if the application is complete and shall notify applicant if there are deficiencies. If an applicant fails to provide additional information requested by the department within two (2) weeks of notification, the application shall be considered withdrawn by the applicant and a new application will be required. The review of the application shall not commence until the application is determined to be complete by the department. Once the application is determined to be complete, the department shall notify the applicant of same.
- (b) Applicant shall be responsible for submitting an application for a revocable license agreement to use a portion of right-of-way or city owned property to the city's property and right-of-way committee for review and recommendation. The department shall submit the application to other city departments with interest in the bicycle-sharing program for their review and comment, including but not limited to engineering, building services, police and risk management departments.
- (c) If the property and right-of-way committee recommends approval of a revocable license agreement on right-of-way or other city owned property, a request for preparation of a permit and license agreement for use of ROW and city owned land shall be submitted to the city attorney's office for preparation as provided in section 27-258
- (d) Upon preparation of the permit and license agreement and execution by the applicant, the applicant may within sixty (60) days of the execution request city commission consideration.
- (e) If the city commission determines that the proposed bicycle-sharing facility application meet the standards and requirements of this division, and if the city commission approves a permit and license agreement for location of and permit for the BSF, which approval is within the city commission's sole discretion, the city commission may approve the application with such conditions, if any, as determined to be necessary to promote the health, safety and welfare of the public.
- (f) If the property and right-of-way committee does not recommend approval, the applicant may request that the application be forwarded to the city commission for review.
- (g) In addition to a BSF permit, owners/managing agents shall be required to obtain a city business tax receipt to operate a BSF within the city's jurisdiction and building or other permits required pursuant to the Florida Building Code and any other regulations applicable to a BSF.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-256. - Standards and criteria for application review.

The following standards and criteria shall be used in reviewing the application and such standards and criteria must be met in order for a permit to be approved:

- (1) *Bicycle facility location:* The bicycle-sharing facility location must meet the following:
 - a. A bicycle-sharing facility may only be within a right-of-way that is under the city's jurisdiction or city owned property. However, this shall not preclude the applicant from obtaining independent permits from a public entity with jurisdiction over a public right-of-way or property owned by another public entity (jurisdictional agency) for a bicycle-sharing facility, subject to the applicant obtaining a permit for a BSF as provided in this division. Applicant shall apply to the city if a jurisdictional agency approves a BSF on that jurisdiction's right-of-way or other publicly owned land. The applicant shall submit copies of insurance policies meeting the provisions of this division and shall include the city as an additional named insured on any policies provided to insure another jurisdictional agency and a statement indemnifying the city as provided in section 27-259 of this division.
 - b. If on right-of-way or city owned property, the location of the bicycle-sharing facility does not unnecessarily or unduly interfere with the public's right of travel or use at the location.

- c. If in a public park, the location of the bicycle-sharing facility complies with all applicable ordinances and does not unnecessarily or unduly interfere with the public's right of travel or use at the location.
- (2) *Bicycle facility:* A bicycle-sharing facility and the equipment shall be permitted subject to meeting the following dimensional criteria:
- a. *Single-sided bicycle-sharing facility station area:*
 - 1. Maximum of thirty-three (33) feet in length;
 - 2. Maximum of five (5) feet, eight (8) inches in width; and
 - 3. Provides a minimum four-foot back-up zone for maneuvering bicycles into and out of the bicycle docks.
 - b. *Double-sided bicycle-sharing facility station area:*
 - 1. Maximum of sixty-four (64) feet in length;
 - 2. Maximum of eight (8) feet, six (6) inches in width; and,
 - 3. Provides a minimum four-foot back-up zone for maneuvering bicycles into and out of the bicycle docks on both sides of the station.
 - c. *Solar panel:*
 - 1. A solar panel attached to the station shall be limited to a maximum height of eleven (11) feet, three (3) inches. The solar panel may be located in a different area subject to the approval of the city engineer.
 - d. *Pavement kiosk terminal including all elements associated with the kiosk terminal:*
 - 1. One (1) kiosk terminal shall be permitted and shall not exceed a height of seven (7) feet (1) inch.
 - e. All elements of the bicycle-sharing facility shall be located no closer than ten (10) feet from all utility infrastructure including, but not limited to, all above and below ground utilities.
- (3) *Signage on a bicycle-sharing facility:* The city, or the owner or managing agent operating under a bicycle-sharing facility permit, may place advertisements and other signs on city-supported bicycle-sharing facilities in the public right-of-way or on city owned property subject to the following requirements:
- a. *On individual bicycles:*
 - 1. *Sponsorship logo panels located on individual bicycles:*
 - i. The logo of only one (1) sponsor shall be permitted on the parts of the bicycle provided in subsection (3)a.1.ii.;
 - ii. Sponsorship logos shall only be permitted on the front basket, rear splashguard and handlebar shroud.
 - 2. *Instruction panels located on individual bicycles:*
 - i. Instructions for the use of the individual bicycle may only be located on the handlebar top, handlebar face, and handlebar throat shroud;
 - ii. All information displayed must be directly related to the operation and use of the bicycle and the bicycle-sharing facility only.
 - 3. *Operator logos on individual bicycles:*
 - i. Operator logos include only the name and logo of the owner, managing agent or manufacturer of the bicycle-sharing facility or other symbol to identify the equipment as a bicycle-sharing facility;

- ii. In addition to the sponsorship logos and instructions, no more than two (2) operator logos may be permitted anywhere on the frame of the bicycle.
- b. *On BSF station:*
 - 1. *Poster board sign:*
 - i. One (1) poster board sign is permitted per BSF and must be permanently attached to the station, may not exceed a height of six (6) feet, six (6) inches and have no more than two (2) sign faces;
 - ii. The poster board sign face shall be a maximum of twenty-six (26) inches wide by thirty (30) inches tall;
 - iii. The poster board sign shall not be illuminated, nor shall it include any flashing, moving, digital or electronic changeable copy features;
 - iv. The poster board sign shall be aimed toward users of the facility and not aimed toward the roadway, street frontage or motor vehicle traffic;
 - v. One (1) side of the poster board sign shall include a map of the bicycle-sharing facility locations or other directional information and instructions for use of the facility and may also include maps of other government facilities located within the bicycle-sharing facility boundaries; and
 - vi. A poster board sign may include a City of Fort Lauderdale logo and/or the logo of the owner, managing agent, or manufacturer of the bicycle-sharing facility of not more than one-half ($\frac{1}{2}$) of a square foot in area on either face of the sign.
 - vii. In lieu of a map and the signs provided in subsection v. and vi. of this subsection, the other side of the poster board sign may display text describing the bicycle-sharing program and up to one (1) logo and/or business name of the owner, managing agent or manufacturer of the bicycle-sharing facility of not more than one-half ($\frac{1}{2}$) of a square foot in area.
 - viii. In addition to the map or the sign provided in subsection v., vi., and vii. of this subsection, the other side of the poster board sign may display the name and logo of one (1) sponsor plus the logo of either the city and/or the logo of the owner, managing agent or manufacturer of the bicycle-sharing facility.
 - 2. *Sponsor logos:*
 - i. A maximum of four (4) sponsor logos shall be permitted on the bicycle-sharing station other than an individual bicycle;
 - ii. Sponsor logos permitted under this subsection 2. shall not exceed a size of twelve (12) inches by nine (9) inches measured by drawing a box around the sign copy to identify the sponsor of the facility;
 - iii. Sponsor logos shall include only the logo and/or business name of the sponsor, and must include the words "sponsored by" or a similar statement to signify the sponsorship; and
 - iv. Sponsor logos shall not be illuminated nor shall they include any flashing, moving or digital or electronic changeable copy features.
 - 3. *Operator logos:* In addition to the logos on the poster board sign, the following signs bearing only the name and logo(s) of the owner, managing agent, or manufacturer of the bicycle-sharing facility or other symbol solely to identify the equipment as a city-supported bicycle-sharing facility may be displayed on the station as follows:
 - i. One (1) two-sided round sign of not more that two (2) square feet in area per side;

- ii. Up to two (2) additional signs of not more than one-half ($\frac{1}{2}$) square foot mounted on the station; and,
 - iii. One (1) sign incorporated into the instructional panel described above.
 - iv. Logo signs under this subsection shall not include any sponsor logo.
4. *Instructional panel:*
- i. One (1) instructional panel with information for operating the bicycle-sharing facility a maximum of twelve (12) square inches placed on the payment kiosk bearing the logo or business name only of the owner, managing agent, or manufacturer of the bicycle-sharing facility, and no other logos, business names or sponsorship signs of any kind.
5. *Payment kiosk:*
- i. One (1) sign of not more than twenty (20) square inches, mounted upon the payment equipment, to identify credit cards accepted for payment.
 - ii. One (1) sign of not more than one hundred five (105) square inches may be mounted upon the payment kiosk denoting the location of the bicycle-sharing station.
6. Drawings illustrating the dimensional requirements provided in this section 26-256 are included in a document entitled Bicycle Station Facility Standards and dated July 2011 on file with the department and are adopted and incorporated herein as if fully set out.
7. Any sign on a bicycle-sharing facility in the public right-of-way or on city owned property not authorized by this division is prohibited.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-257. - Operational standards.

The applicant/managing agent, owner or both shall be responsible to ensure that the following requirements are met during bicycle-sharing facility operations:

- (1) Unimpeded ingress/egress to and from other businesses or institutions in the area.
- (2) The bicycle-sharing facility operation shall be limited to the bicycle-sharing facility operation routes and bicycle-sharing facility locations specified in the permit.
- (3) A bicycle-sharing facility proposed to be located near a sidewalk or other public pedestrian path shall be located so that the minimum width for an accessible route required by section 11-4.3.3 of the Florida Building Code is provided.
- (4) *Removal of facilities.* The applicant, owner or both, shall remove the bicycle-sharing facility in the right-of-way or on city owned property that is permitted under this division upon thirty (30) days' written notice by the city. Additionally, the applicant, owner or the owner's heirs or assigns shall be entitled to no damages for removal of any bicycle-sharing facility, and if the owner shall not remove the same upon due notice, it shall be removed at the applicant's expense.
- (5) *Permits and approvals.* Applicant is responsible for obtaining and maintaining all other required permits and approvals necessary to install and operate the bicycle-sharing facilities in the right-of-way or on city owned property. Failure to have or maintain valid permits or approvals will cause the bicycle-sharing facility permit granted under this division to immediately expire. Such expiration shall apply to the location in question, other locations or the entire program as the case may be.
- (6) *Restoration.* After a bicycle-sharing facility is removed, the owner, managing agent or both shall restore the right-of-way or city owned property to its original condition. City may charge the

owner, managing agent or both for its costs associated with restoring the right-of-way or city owned property to its original condition if the owner, managing agent or both fails to do so.

- (7) *Signs.* As a condition of approval, the applicant must agree and acknowledge that all signs on the bicycle-sharing facility are subject to the provisions of this division that supersede the provisions of section 47-22 of the Unified Land Development Regulations ("ULDR") however, where not in conflict with the provisions of this division, the provisions of section 47-22 shall apply. Further, the applicant agrees to give the city final approval of the specifications for any signs displayed, and such approved specifications shall be included in the permit and license agreement required under section 27-258 between the owner and the city.
- (8) *Waiver.* In accepting the bicycle-sharing facility permit, the owner agrees to waive any and all right to contest in any manner the validity of this ordinance or the amount of fees or compensation charged by the city.
- (9) *Termination.* The bicycle-sharing facility permit will be terminated pursuant to the terms of the permit and license agreement required under section 27-258. Following removal of the bicycle-sharing facility and restoration of the public area on which the facilities existed to the satisfaction of the city engineer or the director of the parks and recreation department, as the case may be, the director shall provide a document terminating the permit to the owner, filing a copy with the city clerk.
- (10) *Operational changes.* If at any time after approval of the application, the owner or managing agent desires to relocate an existing BSF subject to the agreement required under section 27-258, or place new facilities in the right-of-way or on city owned property, the applicant must submit a new application to the director pursuant to the provisions of this division.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-258. - Permit and license agreement.

Following concurrence of the applicant with the conditions of approval, the director, in cooperation with the city attorney, shall prepare a bicycle-sharing facility permit and license agreement, referencing the requirements and conditions under which the bicycle-sharing facility permit will be issued including the conditions set forth in this division and the provisions of a revocable license agreement for use of the ROW or city owned land as provided in section 27-255(b). This permit and license agreement shall be executed by the applicant/managing agent and owner and be binding upon the owner, managing agent and their heirs and assigns, and the terms and conditions contained in the permit and license agreement shall remain in full force and effect as long as a bicycle-sharing facility which is the subject of the permit and license agreement is in effect. The permit and license agreement shall be forwarded to the city commission for approval along with the application for permit. If approved, the permit and license agreement shall be executed by the proper city officials. Following receipt of the insurance certificate, a copy of the agreement shall be furnished to the applicant and the city clerk and the director is authorized to issue the BSF permit.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-259. - Indemnification and insurance.

- (a) As a condition of the permit and license agreement the applicant must agree to indemnify, hold harmless and defend the city its representatives, employees, and elected and appointed officials, from and against all liability, claims, damages, suits, losses, and expenses of any kind, including reasonable attorney's fees and costs for appeal, associated with or arising out of or from the permit and license agreement, the use of ROW or city owned property for bicycle-sharing program operations or arising from any negligent act, omission or error of the bicycle-sharing facility's owner, managing agent, its agents or employees or from the failure of the managing agent or owner, its agents or employees, to comply with each and every requirement of this division or with any other federal, state, or local traffic law or any combination of same.

- (b) The managing agent shall provide and maintain such public liability and property damage insurance to protect the city from all claims and damage to property or bodily injury, including death, which may arise from any aspect of the bicycle-sharing program or its operation. Such insurance, shall be provided from an insurance company with an A.M. Best rating of not less than "A" and a financial strength rating of not less than "VII," acceptable to the city's risk management division, and shall provide coverage of not less than one million dollars (\$1,000,000.00) for bodily injury, and property damage respectively per occurrence. Such insurance shall be without prejudice to coverage otherwise existing and shall name as additional insured the City of Fort Lauderdale, and city commission, its officers and employees, and shall further provide that the policy shall not terminate or be canceled prior to the termination of the permit and license agreement without thirty (30) days' written notice prior to the termination to the city's risk management division and the director at the address shown in the license.
- (c) In addition to the requirements of subsection (a) and (b) of this section 27-259, the applicant shall provide additional insurance and comply with any revised indemnification provision included in the permit and license agreement.
- (d) The managing agent shall provide proof of all required insurance prior to receiving a permit and upon each renewal thereafter.

([Ord. No. C-11-16, § 2, 7-6-11](#))

Sec. 27-260. - Penalty.

Any person causing or maintaining any bicycle-sharing facility in the right-of-way or on city owned property contrary to the provisions of this division, the permit or the terms of the permit and license agreement shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00). Each day such violation continues shall be considered a separate offense.

([Ord. No. C-11-16, § 2, 7-6-11](#))