

ORDINANCE NO. C-18-03

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 27-2 – PENALTIES AND VIOLATIONS, OF CHAPTER 27 - VEHICLES FOR HIRE, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 27-26 – INTERURBAN TRANSPORTATION, AMENDING SECTION 27-91 – CHAUFFEUR’S REGISTRATION DISPLAYED IN VEHICLE, AMENDING SECTION 27-92 – DRIVER’S PERMIT; PENALTY, AMENDING SECTION 27-260 – PENALTY, PROVIDING FOR ADDITIONAL PENALTIES, PROVIDING FOR ENFORCEMENT PURSUANT TO SECTION 1-6 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida (the “City”) desires to promote, protect, and improve the health, safety and general welfare of its residents and visitors; and

WHEREAS, over the past year, the City’s Transportation and Mobility Department (“TAM”) has received numerous complaints from residents about unlicensed, uninsured, and unpermitted golf carts and other vehicles transporting passengers, creating significant traffic congestion on City roadways, failing to obey traffic rules, and frequently driving on sidewalks, thus creating a nuisance and posing serious risks to the occupants of the vehicles, pedestrians, and vehicle drivers; and

WHEREAS, the number of complaints received by TAM about this has increased over the past year, giving rise to a concern for the safety and well-being of the City’s residents and visitors; and

WHEREAS, the current penalty provisions contained in Chapter 27 of the Code of Ordinances of the City of Fort Lauderdale (“Chapter 27”) do not provide a mechanism for enforcement of violations of the Chapter’s provisions and have not deterred violations committed by the vehicles’ drivers and the local businesses that employ them; and

WHEREAS, certain provisions contained in Chapter 27 require revision to create a consistent scheme for enforcement of the chapter;

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

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

SECTION 1. That Section 27-2 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

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

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

SECTION 2. That Section 27-26 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

- (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.

SECTION 3. That Section 27-91 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

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.~~

SECTION 4. That Section 27-92 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is repealed as follows:

~~Sec. 27-92. – Driver’s permit; penalty.~~

~~If any person holding an operator’s permit violates any provision 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.~~

SECTION 5. That Section 27-260 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is repealed as follows:

~~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.~~

SECTION 6. That, at the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in this Ordinance, to the numbering, lettering, and capitalization structure established in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct non-substantive scrivener’s errors in the codification of this Ordinance.

SECTION 7. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 8. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 9. That this Ordinance shall be in full force and effect upon its final passage.

PASSED FIRST READING this the 23rd day of January, 2018.

PASSED SECOND READING this the ____ day of _____, 2018.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI