

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AMENDING SECTION 78-233. NUMBER AUTHORIZED., ARTICLE IV. SIGHTSEEING VEHICLES., CHAPTER 78. VEHICLES FOR HIRE.OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA INCREASING THE NUMBER OF SIGHTSEEING VEHICLES AUTHORIZED AND DECLARED AS A PUBLIC CONVENIENCE AND NECESSITY UNDER ARTICLE IV. FROM SEVEN(7) TO NINE (9); ADDING LANGUAGE REQUIRING THE ISSUANCE OF ANY ADDITIONAL SIGHTSEEING LICENSES BY THE CITY COMMISSION BE ISSUED IN THE SAME MANNER SET FORTH IN SEC. 78.64(b). OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there are two (2) categories of sightseeing vehicles defined in Chapter 78. *Vehicles for Hire.* of the City's Code of Ordinances, specifically defined in Section 78-1. as follows; and

"Sightseeing motor vehicles operated pursuant to business license means and includes every motor vehicle designed primarily for the purpose of carrying passengers for sightseeing for hire, whether by live or pre-recorded narration, or by electronic means such as GPS technology, operated on a scheduled route, and operated pursuant to article IV of this chapter.

Sightseeing motor vehicles operated pursuant to franchise means and includes every motor vehicle designed primarily for the purpose of carrying passengers for sightseeing for hire, whether by live or pre-recorded narration, or by electronic means such as GPS technology, or shuttle transportation, including vehicles operated for amphibious tours, and operating under a franchise ordinance granted by the city pursuant to article V of this chapter."

WHEREAS, since 1986, the number of sightseeing vehicles

authorized under Article IV. to operate under a business license in the City has been limited to seven (7); and

WHEREAS, the City finds it is necessary and in the best interest of the City to amend the number of sightseeing vehicles authorized under Article IV. to operate under a business license within City limits from seven (7) to nine (9); and

WHEREAS, the City finds it necessary to require any additional sightseeing licenses issued by the City Commission under Article IV. *Sightseeing Vehicles Pursuant to Business License*. be issued in the same manner set forth in Sec. 78-64(b) of the City's Code of Ordinances for the issuance of any additional Independent Passenger Vehicle for Hire Licenses issued by the City Commission;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That *Section 78-233. Number Authorized., Article IV. Sightseeing Vehicles., Chapter 78. Vehicles for Hire.* of the Code of Ordinances of the City of Key West, Florida is hereby amended to read as follows**:

"Sec. 78-233. - Number authorized.

The number of non-franchise sightseeing vehicles authorized and declared as a public convenience and necessity shall not exceed ~~seven~~ nine; provided, however, as the licenses are not renewed or applied for, the city commission, in its discretion, may reduce the number of licenses from time to time. Any person who has purchased such license for a non-franchise sightseeing

vehicle is not authorized to transfer the license except with the approval of the city commission.

Any additional non-franchise sightseeing vehicle for hire vehicle licenses that are issued by the City Commission shall be issued in a random drawing, held by the city clerk, from applications received by the city manager within five business days of the effective date of any ordinance increasing the amount of licenses described herein."

**At first reading, added language is underlined; deleted language is ~~struck through~~. At second reading, added language is double-underlined and deleted language is ~~double-struck through~~.

Section 3: That all Ordinances or parts of Ordinance of the City of Key West, Florida in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4. That this Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

*** REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK ***

Read and passed on first reading by the City Commission
at a meeting held this _____ day of _____, 2025.

Read and passed on final reading by the City Commission
at a meeting held this _____ day of _____, 2025.

Authenticated by the Presiding Officer and Clerk of
the Commission on the _____ day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lisette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CLERK