

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,  
AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES BY  
AMENDING ARTICLE V, ENTITLED "SIGHTSEEING VEHICLES  
PURSUANT TO FRANCHISE" BY ADDING SECTION 78-253 TO  
PROVIDE FOR TEMPORARY EXTENSION OF EXISTING  
FRANCHISE AGREEMENT DURING PENDENCY OF  
CONSIDERATION OF APPLICATION FOR NEW OR RENEWAL OF  
FRANCHISE AGREEMENT; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS;  
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission desires to amend the Vehicle For Hire Ordinance, chapter 78 of the Code of Ordinances, to provide for regulations which take into consideration the interests of the public and franchised sightseeing vehicles industry in Key West; and

WHEREAS, the addition of section 78-253 to the Code of Ordinances will facilitate completion of amendments to the sightseeing vehicles operating pursuant to a franchise ordinance and allow good faith negotiations with prospective franchise holders.

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

Section 1: That Section 78-253 is hereby added to the Code of Ordinances as follows\*:

**Sec. 78-253 . Temporary Extension of Existing Franchise Agreement During Pendency of Application For New or Renewal of Franchise Agreement.**

In the event that a sightseeing vehicle franchise agreement expires at no fault of the holder before a ruling on the approval or denial of a new or renewal of a franchise, the holder may continue to operate the franchise pending a final decision. The holder shall cease operations immediately upon denial of the request for renewal.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~.)

Section 4: 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.

Read and passed on first reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Filed with the Clerk \_\_\_\_\_, 2015.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK