

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

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 78 OF THE CODE OF ORDINANCES ENTITLED "VEHICLES FOR HIRE" BY AMENDING SECTION 78-4 TO PROVIDE FOR A REVISED DEFINITION OF LIMOUSINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the limousine/luxury vehicle service has evolved dramatically since the establishment of the length in the City's current ordinance.

WHEREAS, the enactment of this ordinance will promote the health, safety and welfare of the citizens and visitors of the City of Key West.

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

Section 1: That Section 78-4 of the code of ordinances is hereby added/amended as follows:\*

**Sec. 78-4. - Limousines.**

(a) For purposes of this chapter, the term "limousine" shall be defined as follows: a luxury chauffeur driven motor vehicle

that is engaged for the exclusive use of the passenger(s), which provides seating accommodations for not more than twenty (20) passengers ~~automobile sedan having four or more doors, over 20 feet in length, providing eight seats or less~~ exclusive of the driver, not having a meter, not having business advertising on the exterior, rented or hired by appointment only at least two hours in advance, rented on a time basis rather than a per-mile basis, and intended for limited use and special ceremonies, and not including vans or buses. ~~For special ceremonies only, including but not limited to weddings, a Rolls Royce and a Bentley shall constitute a limousine.~~ "Luxury" vehicle shall be defined as those recognized by the automotive industry and the manufacturer as such, including but not limited to Lincoln, Cadillac, Mercedes Benz, Rolls Royce, Bentley or other similar vehicles.

(b) Limousines shall be exempt from requirements contained in the following sections: 78-62, 78-95(a)(5), 78-128(a)(3) and (5), 78-129(a)(2)-(6) and (13), 78-131, 78-161, 78-163 and 78-164.

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Otherwise, they shall be subject to all provisions of sections 78-1, 78-31, 78-32, 78-61 through 78-63, and divisions 3 and 4 of article II of this chapter.

(c) Operation of a vehicle meeting the definition of limousine set forth in subsection (a) of this section on other than a by-appointment-only, two-hours-in-advance basis shall constitute a violation of this chapter and shall subject the licensee to the penalties set forth in section 78-32.

(d) The passenger vehicle for hire vehicle license granted to a limousine will so designate on the face of the license.

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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.

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 \_\_\_\_\_, 2019.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Filed with the Clerk \_\_\_\_\_, 2019.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

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