

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AUTHORIZING ASSIGNMENT OF THE SIGHTSEEING
FRANCHISE GRANTED IN KEY WEST ORDINANCE NO.
17-06 FROM CITYVIEW TROLLEY TOURS OF KEY WEST,
INC. TO BUGGY BUS, INC., PURSUANT TO SECTION
6. OF THE ORDINANCE; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, Key West City Charter section 7.01(4) requires that
the grant of a franchise must be done by ordinance; and

WHEREAS, in Ordinance No. 17-06, the Key West City Commission
granted Cityview Trolley Tours of Key West, Inc. a franchise
agreement for sightseeing operations upon certain terms and
conditions; and

WHEREAS, Michael J. Thomas, Jr. for Cityview Trolley Tours of
Key West, Inc. requested City Commission approval, pursuant to
section 6 of the Franchise Agreement contained in Ordinance 17-
06, of the assignment of a sightseeing tour franchise to Buggy
Bus, Inc.; and

WHEREAS, Buggy Bus, Inc. is currently the owner of a franchise within the City of Key West, and has previously provided financial information to the satisfaction of the City Manager; and

WHEREAS, the Key West City Commission finds that granting approval of this assignment of the franchise is reasonable within the intent of Ordinance No. 17-06 and will not adversely affect the safety or welfare of the residents and visitors of Key West.

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

Section 1: That, pursuant to section 6 of Key West Ordinance No. 17-06, the assignment of the sightseeing tour franchise granted in Ordinance 17-06 from Cityview Trolley Tours of Key West, Inc., to Buggy Bus, Inc. is hereby approved.

Section 2: That all remaining provisions of the Franchise granted in Ordinance No. 17-06 remain in full force and effect.

Section 3: 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 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.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 5: 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 _____, 2018.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2018.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2018.

Filed with the Clerk _____, 2018.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK