



Legislation Details (With Text)

File #: 2017-856 **Version:** 1 **Name:** Conch Tour Train Franchise
Type: Ordinance **Status:** Passed
File created: 6/13/2017 **In control:** City Commission
On agenda: 7/5/2017 **Final action:** 7/5/2017

Title: An Ordinance granting a Franchise to Conch Tour Train, Inc. to operate city-wide sightseeing/shuttle operation; Providing terms and conditions, including the following: Providing that Ordinance does not prohibit City from operating a shuttle service; Defining the territory to be served; Authorizing city inspection of sightseeing/shuttle vehicles; Providing for the observance of current and future rules and regulations, insurance requirements and indemnification; Limiting assignment of the Franchise; Providing consideration for grant of the Franchise and contingent relief; Directing the procedure for designation of stops and operational requirements of Franchisee; Providing for inspection of books and records; Authorizing the issuance of permits; Establishing the duration of the Franchise; Providing for the establishment of rates, fees and routes; Specifying default provisions and procedure for notice, suspension and/or termination upon default, including appeal provisions; Providing remedies upon bankruptcy of Franchisee; Indicating Franchise is not a waiver of other city requirements; clarifying that no joint venture is created; Prohibiting discrimination; Providing for construction and interpretation of provisions; Indicating time is of the essence; Providing for attorneys fees, waiver of jury trial and specifying venue in the event of litigation; Providing for notice, acknowledgement, acceptance and cumulative provisions; Specifying the Franchise constitutes the entire agreement between the parties and may only be amended by subsequent Ordinance of the City Commission; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Jim Scholl

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A, 3. Exhibit B, 4. Supplement to Application

Date	Ver.	Action By	Action	Result
7/5/2017	1	City Commission	Adopted	Pass
6/20/2017	1	City Commission	Passed to Second Reading	Pass

An Ordinance granting a Franchise to Conch Tour Train, Inc. to operate city-wide sightseeing/shuttle operation; Providing terms and conditions, including the following: Providing that Ordinance does not prohibit City from operating a shuttle service; Defining the territory to be served; Authorizing city inspection of sightseeing/shuttle vehicles; Providing for the observance of current and future rules and regulations, insurance requirements and indemnification; Limiting assignment of the Franchise; Providing consideration for grant of the Franchise and contingent relief; Directing the procedure for designation of stops and operational requirements of Franchisee; Providing for inspection of books and records; Authorizing the issuance of permits; Establishing the duration of the Franchise; Providing for the establishment of rates, fees and routes; Specifying default provisions and procedure for notice, suspension and/or termination upon default, including appeal provisions; Providing remedies upon bankruptcy of Franchisee; Indicating Franchise is not a waiver of other city requirements; clarifying that no joint venture is created; Prohibiting discrimination; Providing for construction and interpretation of provisions; Indicating time is of the essence; Providing for attorneys fees, waiver of jury trial and specifying venue in the event of litigation; Providing for notice, acknowledgement, acceptance and cumulative provisions; Specifying the Franchise constitutes the

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