

ORDINANCE NO. 1184

AN ORDINANCE AMENDING ORDINANCE NO. 1005 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING CODE", BY ADDING THERETO SECTION 4.14, DEALING WITH THE PARKING OF TRUCKS, TRAILERS, AND COMMERCIAL VEHICLES ON THE PUBLIC STREETS AND IN THE RESIDENTIAL AREAS OF THE CITY OF CORAL GABLES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH INSOFAR AS THERE IS CONFLICT.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

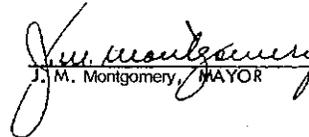
SECTION 1. That Ordinance No. 1005 of the City of Coral Gables, passed and adopted February 5, 1957, and commonly known as the "Zoning Code", be and the same is hereby amended by adding thereto Section 4.14 which shall read as follows:

"SECTION 4.14 TRUCKS, TRAILERS, AND COMMERCIAL VEHICLES - PARKING AT NIGHT OR IN RESIDENTIAL AREAS. No person shall park a truck or trailer or commercial vehicle on the public streets of the city during the nighttime, nor shall a person park a truck or trailer or commercial vehicle in any residential area of the city between the hours of six o'clock p. m. and six o'clock a. m. of the following day, except when actually loading or unloading, unless he shall first have received a written permit from the Chief of Police; nor shall any person park a truck or trailer or commercial vehicle between the hours of six o'clock a. m. and six o'clock p. m. of the same day in any residential section of the city for a period of more than one hour, except when actually loading or unloading."

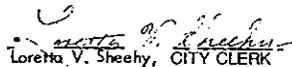
SECTION 2. That all ordinances or parts of ordinances in conflict herewith or inconsistent are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWELFTH DAY OF APRIL, A. D. 1960.

APPROVED:


J. M. Montgomery, MAYOR

ATTEST:


Loretta V. Sheehy, CITY CLERK

ORDINANCE NO. 1506

AN ORDINANCE DEALING WITH THE PARKING OF VEHICLES, INCLUDING COMMERCIAL VEHICLES, AND VEHICLES DESIGNED FOR OR ADAPTED TO LIVING OR SLEEPING QUARTERS; AMENDING SECTION 4.09 OF ORDINANCE NO. 1005, COMMONLY KNOWN AS THE "ZONING CODE"; AND AMENDING SECTION 4.14 OF THE SAME ORDINANCE; MAKING CERTAIN EXCEPTIONS; INCLUDING A SEPARABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT OR IN CONFLICT HEREWITH; MAKING EXCEPTION TO CERTAIN SIGNS AND ADVERTISING IN CONNECTION WITH CANDIDATES OR MATTERS TO BE VOTED UPON BY THE PEOPLE IN DADE COUNTY, OR ANY POLITICAL SUBDIVISION OF DADE COUNTY.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1.

- A. It shall be unlawful for any person to park any commercial vehicle, or any truck, trailer or other vehicle displaying advertising signs, in or upon any property, public or private, in any area of the City which is zoned residential. This prohibition shall not apply in cases of loading or unloading such vehicles, provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 o'clock P.M. of one day and 7:00 o'clock A. M. of the next day, nor shall it apply if such vehicle is entirely enclosed within the confines of an enclosed garage.
- B. Section 4.14 of Ordinance No. 1005, commonly known as the "Zoning Code", hereby is specifically amended so that it shall read, henceforth, as set forth in the preceding paragraph of this section and designated "A".
- C. Section 32.113 of the Code of the City of Coral Gables entitled: "Trucks, trailers, commercial vehicles, farm equipment or other vehicles - parking at night or in other residential areas" hereby is amended so as to read as set forth in paragraph "A" of Section 1 of this ordinance.

SECTION 2. No commercial vehicle shall be parked upon the streets or other public places of the City between the hours of 7:00 o'clock P.M. on one day and 7:00 o'clock A.M. of the next day. This prohibition is in addition to the total prohibition covering residential areas dealt with in Section 1 hereof.

SECTION 3.

- A. No House Car, Camp Car, Camper or House Trailer, nor any vehicle, or part of vehicle, designed or adaptable for human habitation, by whatever name known, whether such vehicle moves by its own power or by power supplied by separate unit, shall be kept or parked on public or private property within the City, except if enclosed within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operating parking area, which is not a concomitant and required under the zoning - or other - ordinance of the City.
- B. Section 4.09 of Ordinance No. 1005, commonly known as the "Zoning Code", hereby is amended so as to read precisely as set forth in Section "A" of this section.

SECTION 4. Under no circumstances and in no area, however zoned, shall any vehicle be used as living or sleeping quarters within the limits of the City.

SECTION 5. Specifically exempted from the provisions of this ordinance are advertising signs, such as those usually carried on the tops of automobiles, dealing with the candidacy of individuals for elective office and exempting, under the same circumstances, the advertising of propositions to be submitted to, and voted upon by the people. This exemption, however, shall cease ten (10) days after the date of the election in which the person or thing advertised was finally voted upon.

SECTION 6. This ordinance repeals any ordinance or parts of ordinance in conflict or inconsistent herewith, but only insofar as there is conflict and inconsistency.

SECTION 7. It is intended, and ordained by this ordinance that it shall take its proper place and be included in the Municipal Code of the City of Coral Gables.

SECTION 8. This ordinance shall take effect upon its becoming a law.

PASSED AND ADOPTED THIS TWELFTH DAY OF OCTOBER, A. D. 1965.

APPROVED:

C. L. Dressel
C. L. Dressel, MAYOR

ATTEST:

Lorena V. Sheehy
Lorena V. Sheehy, CITY CLERK

SECTION 4.08 HOUSEBOATS. No boat, houseboat, vessel or watercraft of any kind may be used as a place of abode or dwelling while anchored, moored or tied up in any part of The Coral Gables Waterway or canal, or within the City limits in Biscayne Bay. No boat, houseboat, vessel or watercraft of any kind that is not propelled by its own power shall be allowed to be or remain in any of the waterways or canals or in Biscayne Bay within The City of Coral Gables for more than six (6) hours.

SECTION 4.09 MOBILE HOUSE TRAILERS. No mobile house trailer of a type containing living quarters and designed to be towed by other motor vehicles may be used as a place of abode or dwelling within The City of Coral Gables. No such trailer may be parked in any R, D, or A Use District for more than four (4) hours without written permit therefor issued by the Department of Public Safety.

SECTION 4.10 DISTANCE REQUIREMENTS - AUTOMOBILE SERVICE STATION. No automobile service station shall be erected or located within five hundred feet (500') of any other automobile service station, or within five hundred feet (500') of any church, school or hospital. Such distance shall be measured, in the case of another automobile service station, church or hospital, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of the place of business to the main entrance of the other automobile service station, church or hospital, and, in the case of a school, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of the place of business to the nearest point of the school grounds in use as part of the school facilities.

SECTION 4.11 DISTANCE REQUIREMENTS - SALE OF ALCOHOLIC BEVERAGES AND LIQUORS. No retail beverage store, retail package liquor store, retail liquor store, retail package beverage store or club vendor shall be established or operated upon premises closer than three hundred feet (300') from any church or school. Such distance shall be measured, in the case of a church, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of said place of business to the main entrances of the church; and, in the case of a school, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of said place of business to the nearest point of the school grounds in use as part of the school facilities. A retail package beverage store may be established and operated within the distance prohibition area above described, only if such store is operated in conjunction with and as an integral part of the business of a merchant selling food and food products.

SECTION 4.12 USE OF WORD "MOTEL" OR "MOTOR COURT" LIMITED. The words "Motel" or "Motor Court" or similar designation of any motel, as defined herein, shall not be used to designate any building or facility except in a "C" or "M" District, even though the area of living units within such building meet the minimum requirements for motels under the Zoning Code of this City.

SECTION 4.13 TENTS OR DETACHED SCREEN STRUCTURES OR SCREENED ENCLOSURES. No tent or detached screen structure of any kind shall be erected or maintained within the City limits of The City of Coral Gables. Screened enclosures, however, will be permitted as an auxiliary use in connection with an R, D, A or S Use as provided for herein under Section 3.26.

SECTION 4.14 TRUCKS, TRAILERS, AND COMMERCIAL VEHICLES - PARKING AT NIGHT OR IN RESIDENTIAL AREAS. No person shall park a truck or trailer or commercial vehicle on the public streets of the city during the nighttime, nor shall a person park a truck or trailer or commercial vehicle in any residential area of the City between the hours of six o'clock P.M. and six o'clock A.M. of the following day, except when actually loading or unloading, unless he shall first have received a written permit from the Chief of Police; nor shall any person park a truck or trailer or commercial vehicle between the hours of six o'clock A.M. and six o'clock P.M. of the same day in any residential section of the City for a period of more than one hour, except when actually loading or unloading.

SECTION 4.15 AIR CONDITIONING UNITS AND EQUIPMENT, AND OTHER TYPES OF MECHANICAL EQUIPMENT OR APPARATUS INSTALLED ON OR ATTACHED TO PREMISES.

- (1) In a residence, duplex or apartment district or areas as defined herein, air cooled condensing and/or compressor equipment which is a part of an air conditioning system or a water cooling tower, and any other type of mechanical equipment or apparatus installed on or attached to premises, except window wall units up to 18,000 B.T.U., shall be at a distance of not less than fifteen feet (15') from all lot lines of adjoining lots in such districts or areas, or completely retained within building.
- (2) It shall be unlawful for any person, corporation, association of persons, co-partnership, in the operation of any air conditioning equipment or part thereof, or any other type of mechanical equipment or apparatus installed on or attached to premises, to make, continue or cause to be made, excessive noise so as to cause annoyance, inconvenience or detriment to the public or to any person or persons. In residence, duplex or apartment districts or areas, or other locations which adjoin such districts or areas, noise shall be considered excessive, if the sound pressure level from the air conditioning unit, or any other type of mechanical equipment or apparatus installed on or attached to premises, between the hours of 10:00 o'clock P.M. and 8:00 o'clock A.M., exceeds 60 decibels as measured on the A Scale of a General Radio Company No. 1551-A sound level meter or American Standards Association approved equivalent, when the meter is located at a point on the property line nearest such air conditioning unit, mechanical equipment or apparatus, or a distance of fifteen feet (15') from such air conditioning unit, mechanical equipment or apparatus, whichever is greater.
- (3) If, as a result of the test, the air conditioning equipment, mechanical equipment or apparatus installed on or attached to premises, is found to violate the terms of this ordinance, the operation of said equipment or apparatus shall be ceased immediately and not resumed unless proper corrections have been made and approved by the Building and Zoning Department.

SECTION 4.16 REGULATIONS GOVERNING THE INSTALLATION OF ROCK YARDS. Prior to installation of rock yards, plans shall be submitted and approved by the Board of Architects.

SECTION 4.17 BOATS AND BOAT TRAILERS. It shall be unlawful for any person or persons to place, keep or maintain, or permit to be placed, kept or maintained in the front yard, as herein defined, any boat or boat trailer, either or both.

PARTIAL
ORD 1525

ORDINANCE NO. 1844

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE"; BY AMENDING SUB-SECTION (a) OF SECTION 4.14 THEREOF, ENTITLED: "TRUCKS, TRAILERS, AND COMMERCIAL VEHICLES - PARKING IN RESIDENTIAL AREA"; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That from and after the effective date of this ordinance, Sub-section (a) of Section 4.14 of Ordinance No. 1525, as amended, and known as the "Zoning Code", be and the same hereby is amended and shall read as follows:

Section 4.14 Trucks, Trailers, and Commercial Vehicles-
Parking in Residential Areas.

- (a) It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer or commercial vehicle in or upon any property, public or private, in any area of the City which is zoned residential. This prohibition shall not apply in cases of licensed contractors or service establishments actually doing work on the premises between the hours of 7:30 A.M. to 6:00 P.M. excluding Sundays and holidays or in cases of loading or unloading such truck, trailer or commercial vehicle provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 o'clock P.M. of one day and 7:00 o'clock A.M. of the next day, nor shall it apply if such vehicle is entirely enclosed within the confines of an enclosed garage.

SECTION 2. That all ordinances or parts of ordinances in conflict or inconsistent herewith hereby are repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF APRIL A. D. 1970.

APPROVED:

C. L. Dressel
C. L. Dressel, MAYOR

ATTEST:

Loretta V. Sheehy
Loretta V. Sheehy, CITY CLERK

ORDINANCE NO 1976

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE", BY AMENDING SECTION 4.14 THEREOF ENTITLED: "TRUCKS", TRAILERS AND COMMERCIAL VEHICLES- PARKING IN RESIDENTIAL AREAS"; THIS AMENDMENT TO PERMIT PARKING OF CERTAIN VEHICLES, WHICH ARE USED FOR COMMERCIAL PURPOSES, IN RESIDENTIAL AREAS OF THE CITY OF CORAL GABLES AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That from and after the effective date of this ordinance, Section 4.14, entitled: "Trucks, Trailers and Commercial Vehicles--Parking in Residential Areas" of Ordinance No. 1525, as amended, and known as the "Zoning Code", be and the same is hereby amended to read as follows:

SECTION 4.14 TRUCKS, TRAILERS AND COMMERCIAL VEHICLES - PARKING IN RESIDENTIAL AREAS.

- (a) It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer or commercial vehicle in or upon any property, public or private, in any area of the City which is zoned residential. This prohibition, however, shall not apply in the following cases:
1. Vehicles used by licensed contractors or service establishments actually doing work on the premises between the hours of 7:30 A.M. to 6:00 P.M. excluding Sundays and holidays.
 2. Loading or unloading of trucks, trailers or commercial vehicles provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 o'clock P.M. of one day and 7:00 o'clock A.M. of the next day.
 3. Vehicles which are entirely enclosed within the confines of an enclosed garage.
 4. Automobiles carrying advertising signs on the top of such automobiles dealing with the candidacy of individuals for elected office. This exemption, however, shall cease ten (10) days after the date of the election in which the person was finally voted upon.
 5. Automobiles carrying advertising signs, advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease ten (10) days after the date of the election in which the proposition advertised was finally voted upon.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith hereby are repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWELFTH DAY OF SEPTEMBER, A. D. 1972.

APPROVED:

W. Keith Phillips, Jr.
W. Keith Phillips, Jr. MAYOR

ATTEST:

Loretta V. Sheehy
Loretta V. Sheehy, CITY CLERK

ORDINANCE NO. 1987

AN ORDINANCE RESCINDING SECTION 32-113 and SECTION 32-114 OF THE 'CODE OF THE CITY OF CORAL GABLES, FLORIDA', DEALING WITH (A) TRUCKS, TRAILERS, COMMERCIAL VEHICLES, FARM EQUIPMENT OR OTHER VEHICLES; PARKING AT NIGHT OR IN RESIDENTIAL AREAS; (B) PARKING COMMERCIAL VEHICLES, AND VEHICLES DESIGNED FOR SLEEPING, LIVING QUARTERS; RESPECTIVELY.

WHEREAS, Section 4.09, 4.14 and 4.145 of Ordinance No. 1525, as amended, and known as the "Zoning Code", deals with (a) House Car, Camp Car, Camper or House Trailers, (b) Trucks, Trailers and Commercial Vehicles-- Parking in Residential Areas and (c) Trucks, Trailers and Commercial Vehicles--Parking upon Streets and Public Places, respectively; and

WHEREAS, these same regulations also are included in Sections 32-113 and 32-114 of the Code of the City of Coral Gables, Florida; and

WHEREAS, the City Commission feels that it is right and proper that house cars, camp cars, campers and house trailers and the parking of trucks, trailers and commercial vehicles in residential areas and upon streets and public places should be regulated under the Zoning Code of the City of Coral Gables (Ordinance No. 1525).

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That Section 32-113 of the Code of the City of Coral Gables, entitled: "Trucks, Trailers, Commercial Vehicles, Farm Equipment or other Vehicles; Parking at night or in Residential Areas", and Section 32-114 of the Code of the City of Coral Gables entitled: "Parking Commercial Vehicles, and Vehicles designed for sleeping, living quarters".

Be and the same hereby are repealed, revoked and rescinded.

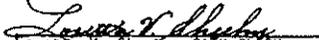
PASSED AND ADOPTED THIS TWENTY - SIXTH DAY OF SEPTEMBER, A. D. 1972.

APPROVED:


W. Keith Phillips, Jr., MAYOR


C. L. Dressel, VICE MAYOR

ATTEST:


Loreta V. Sheehy, CITY CLERK

ORDINANCE NO. 2273

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE" BY AMENDING SUBPARAGRAPHS (4) AND (5) OF PARAGRAPH (a) OF SECTION 4.14 ENTITLED. "TRUCKS, TRAILERS AND COMMERCIAL VEHICLES - PARKING IN RESIDENTIAL AREAS"; THIS AMENDMENT DEALING WITH ADVERTISING SIGNS ON TOP OF AUTOMOBILES, AND REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH.

WHEREAS, the City of Coral Gables Planning Board unanimously recommended to the City Commission on February 22, 1977 that Section 10.14 of Ordinance No. 1525, as amended, and known as the "Zoning Code", entitled, "Signs on Vehicles Prohibited", be amended to provide that automobiles carrying advertising signs, advertising either the candidacy of individuals for elected office or propositions to be submitted and voted upon by the people be removed within seven days after the date of the election and, said amendment was unanimously passed and adopted by the City Commission on July 26, 1977, and

WHEREAS, the time limit provided for in Section 10.14 for removing said advertising signs from automobiles is inconsistent with the provisions of subparagraphs (4) and (5) of paragraph (a) of Section 4.14 of the Zoning Code, and it being the desire of the Commission to alleviate this inconsistency by bringing Section 4.14 into agreement with Section 10.14,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That from and after the effective date of this ordinance, subparagraphs (4) and (5) of paragraph (a) of Section 4.14 of Ordinance No. 1525, as amended, and known as the "Zoning Code" entitled: "Trucks, Trailers and Commercial Vehicles - Parking in Residential Areas", be and the same is hereby amended to read as follows:

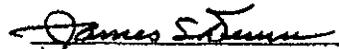
Sec. 4.14 TRUCKS, TRAILERS AND COMMERCIAL VEHICLES - PARKING IN RESIDENTIAL AREAS.

4. Automobiles carrying advertising signs on the top of such automobiles dealing with the candidacy of individuals for elected office. This exemption, however, shall cease seven (7) days after the date of the election in which the person was finally voted upon.
5. Automobiles carrying advertising signs, advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease seven (7) days after the date of the election in which the proposition advertised was finally voted upon.

SECTION 2. That all ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-SECOND DAY OF NOVEMBER A D., 1977.

-APPROVED:


James S. Dunn, MAYOR

ATTEST:


Virginia L. Paul, CITY CLERK

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ORDINANCE NO. 2536

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE"; BY AMENDING SECTION 2.364.003 PERTAINING TO THE DEFINITION OF "TRUCK"; BY AMENDING SECTION 2.364.3 PERTAINING TO THE DEFINITION OF "VEHICLE", COMMERCIAL"; BY ADDING THERETO SECTION 2.364.5 PERTAINING TO THE DEFINITION OF "VEHICLE", RECREATIONAL"; BY AMENDING SECTION 4.09 THEREOF, ENTITLED, "HOUSE CAR, CAMP CAR, CAMPER, OR HOUSE TRAILER", PERTAINING TO RECREATIONAL VEHICLES; BY AMENDING SECTION 4.14 THEREOF, ENTITLED, "TRUCKS, TRAILERS, AND COMMERCIAL VEHICLES-PARKING IN RESIDENTIAL AREAS", IN ORDER TO ADD RECREATIONAL VEHICLES AND PROVIDING AN APPEAL PROCEDURE; BY AMENDING SECTION 4.145 THEREOF, ENTITLED, "TRUCK, TRAILERS, AND COMMERCIAL VEHICLES - PARKING UPON STREETS AND PUBLIC PLACES", IN ORDER TO ADD RECREATIONAL VEHICLES; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, it is the policy of the City of Coral Gables to promote the attractiveness and aesthetic quality of its residential areas; and

WHEREAS, it has been the policy of the City of Coral Gables to prohibit certain types of vehicles from parking in residentially zoned neighborhoods; and

WHEREAS, it is necessary to update the existing provisions in the "Zoning Code" in order to assure that appropriate and fair enforcement of the regulations can be carried out; and

WHEREAS, after notice of public hearing duly published, public hearings on this subject were held by the Planning and Zoning Board of the City of Coral Gables on May 21, 1984 and on September 17, 1984 at which hearings all interested persons were afforded an opportunity to be heard; and

WHEREAS, the Planning and Zoning Board at its regular meeting held on December 12, 1984 recommended that the amendments be approved,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That from and after the effective date of this ordinance, Section 2.364.002, entitled, "Truck", of Ordinance No. 1525, as amended, and known as the "Zoning Code", shall be and it is hereby amended to read as follows:

Sec. 2.364.002. Truck. Any motor vehicle designed, used or maintained for transporting or delivering property or material used in trade or commerce in general. Trucks shall include any motor vehicle having space designed for and capable of carrying property, cargo, or bulk material and which space is not occupied by passenger seating.

SECTION 2. That from and after the effective date of this ordinance, Section 2.364.3, entitled, "Vehicle, Commercial", of Ordinance No. 1525, as amended, and known as the "Zoning Code", shall be and it is hereby amended to read as follows:

Sec. 2.364.3. Vehicle, Commercial. Any vehicle designed, used, or maintained, as a means of transportation on land of people, goods or things used in trade, services, or commerce in general. For the purposes of this ordinance, buses, vans and other vehicles seating more than nine (9) persons used for the transportation of people shall be considered commercial vehicles.

SECTION 3. That from and after the effective date of this ordinance, Ordinance No. 1525, as amended, and known as the "Zoning Code", shall be and it is hereby amended by adding thereto Section 2.364.5, entitled, "Vehicle, Recreational", which shall read as follows:

Sec. 2.364.5. Vehicle, Recreational. Any vehicle self-propelled or capable of being towed and primarily designed, constructed or converted to provide recreational uses, or to provide temporary living quarters for camping, or recreational travel. The following shall be included as recreational vehicles, but not to the exclusion of any other types not mentioned: trailers; trailer coaches; camping trailers; and full-tent trailers; motor homes; pick-up (slide-in) campers; and mini-motor homes. Any van designed for and containing seating for the transportation of not more than nine (9) persons and containing rear and side windows shall not be considered a recreational vehicle.

SECTION 4. That from and after the effective date of this ordinance, Section 4.09 entitled, "Recreational Vehicle", of Ordinance No. 1525, as amended, and known as the "Zoning Code", shall be and it is hereby amended to read as follows:

Sec. 4.09. Recreational Vehicle.

- (a) No recreational vehicle shall be kept or parked on public or private property, within the City except for the purpose of loading or unloading for a continuous period not to exceed twenty-four (24) hours within any calendar week beginning Sunday at 12:01 A.M. and ending at midnight on Saturday, unless such recreational vehicle is parked or stored within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operated parking area, which is not a concomitant and required under the zoning or other ordinance of the City.
- (b) Under no circumstances and in no area, however zoned, shall any vehicle be used as living or sleeping quarters within the limits of the City.

SECTION 5. That from and after the effective date of this ordinance, Section 4.14, entitled "Parking in Residential Areas", of Ordinance No. 1525, as amended, and known as the "Zoning Code", shall be and it is hereby amended to read as follows:

Sec. 4.14. Parking in Residential Area.

- (a) It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer, commercial vehicle, or recreational vehicle, in or upon any property, public or private, in any area of the City which is zoned residential. This prohibition, however, shall not apply in the following cases:
1. Vehicles which are entirely enclosed within the confines of an enclosed garage.
 2. Vehicles used by licensed contractors or service establishments while actually doing work in such residential areas between the hours of 7:30 A.M. to 6:00 P.M., excluding Sundays and holidays, provided, however, that such vehicles shall contain written identification on both sides of the vehicle clearly indicating the name of the contractor or service establishment. Such identification shall be in conformance with the standards set forth in Section 8A-276(b), Commercial Vehicle Identification, of the "Code of Metropolitan Dade County, Florida".
 3. Loading or unloading of trucks, trailers or commercial vehicles provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 P.M. of one day and 7:00 A.M. of the next day.

ABE058

4. Automobiles carrying advertising signs on the top of such automobiles dealing with the candidacy of individuals for elected office. This exemption, however, shall cease seven (7) days after the date of the election in which the person was finally voted upon.
5. Automobiles carrying advertising signs, advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease seven (7) days after the date of the election in which the proposition advertised was finally voted upon.
6. The loading or unloading of recreational vehicles as provided for under Section 4.09 herein.
7. Mobile cranes and other heavy equipment used during building construction.

(b) The Zoning Director shall be charged with the responsibility of determining compliance with the regulations governing the parking of such trucks, trailers, commercial vehicles and recreational vehicles in residential areas as provided herein, however, in case of dispute, direct application may be made to the City Commission.

SECTION 6. That from and after the effective date of this ordinance, Section 4.145 entitled, "Trucks, Trailers, Commercial Vehicles, and Recreational Vehicles - Parking upon Streets and Public Places", of Ordinance No. 1525, as amended, and known as the "Zoning Code", shall be and it is hereby amended to read as follows:

Sec. 4.145. Trucks, Trailers, Commercial Vehicles, and Recreational Vehicles - Parking upon Streets and Public Places. Except as provided for herein no trucks, trailers, commercial vehicles, or recreational vehicles, shall be parked upon the streets or other public places of the City between the hours of 7:00 P.M. of one day and 7:00 A.M. of the next day. This prohibition is in addition to the total prohibition covering residential areas dealt with in Section 4.14 hereof.

SECTION 7. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-SECOND DAY OF JANUARY, A. D., 1985.

APPROVED:


WILLIAM H. CHAPMAN
MAYOR

ATTEST:


VIRGINIA L. PAUL
CITY CLERK

ITEM 6. SECOND READING ORDINANCE: AMENDING REGULATIONS FOR PARKING OF TRUCKS, TRAILERS, RECREATIONAL VEHICLES AND COMMERCIAL VEHICLES IN RESIDENTIAL AREAS

ORDINANCE NO. 2536

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED, AND KNOWN AS THE "ZONING CODE"; BY AMENDING SECTION 2.364.003 PERTAINING TO THE DEFINITION OF "TRUCK"; BY AMENDING SECTION 2.364.3 PERTAINING TO THE DEFINITION OF "VEHICLE", COMMERCIAL"; BY ADDING THERETO SECTION 2.364.5 PERTAINING TO THE DEFINITION OF "VEHICLE", RECREATIONAL"; BY AMENDING SECTION 4.09 THEREOF, ENTITLED, "HOUSE CAR, CAMP CAR, CAMPER, OR HOUSE TRAILER", PERTAINING TO RECREATIONAL VEHICLES; BY AMENDING SECTION 4.14 THEREOF, ENTITLED, "TRUCKS, TRAILERS, AND COMMERCIAL VEHICLES - PARKING IN RESIDENTIAL AREAS", IN ORDER TO ADD RECREATIONAL VEHICLES AND PROVIDING AN APPEAL PROCEDURE; BY AMENDING SECTION 4.145 THEREOF, ENTITLED, "TRUCK, TRAILERS, AND COMMERCIAL VEHICLES - PARKING UPON STREETS AND PUBLIC PLACES"; IN ORDER TO ADD RECREATIONAL VEHICLES; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

The ordinance which was presented in full and considered on second reading at this time was read by title and passed on first reading on January 8, 1985 and is for the purpose of amending the regulations for the parking of trucks, trailers, recreational vehicles and commercial vehicles in residential areas and was recommended by the Planning and Zoning Board.

This ordinance was discussed at length by the Commission when it was considered on first reading, which was made a part of the record therein.

During discussion on first reading, Mayor Chapman had requested that an amendment be written into the ordinance for the purpose of further differentiating between a recreational vehicle and other types of vehicles by using passenger windows as a determining factor. Accordingly, the Planning Department added the following sentence to Section 2.364.5, which is a new addition to the Zoning Code: "Any van designed for and containing seating for the transportation of not more than nine (9) persons and containing rear and side windows shall not be considered a recreational vehicle." It was the consensus of the Commission at this time that this wording was acceptable.

Following discussion, action was taken upon motion duly made by Commissioner Kerdyk, seconded by Commissioner Robison, and unanimously carried by the following roll call approving the ordinance on second reading, as amended: "Yeas", Commissioners Hildreth, Kerdyk, Robison and Thomson; Mayor Chapman; whereupon Mayor Chapman declared Ordinance No. 2536 adopted on second and final reading on this 22nd day of January, 1985 and ordered its publication by number and title as hereinabove set forth; it will become effective thirty days from this date.

ITEM 7. SECOND READING ORDINANCE: ESTABLISHING REGULATIONS FOR LOCATION AND INSTALLATION OF AMATEUR RADIO ANTENNAS

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-204

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO PROCEED WITH A SCHEDULED PUBLIC HEARING PROCESS BEFORE OUR CITY'S PLANNING AND ZONING BOARD, IN CONNECTION WITH TWO LEGISLATIVE VERSIONS (IN ORDINANCE FORM) OF THOSE PROPOSED AMENDMENTS PROFFERED BY THE CITY ATTORNEY, RELATING TO OUR CITY'S "PICK-UP TRUCK ORDINANCE" (ORDINANCE NO. 2536).

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the City Commission does hereby authorize and direct the City Attorney to proceed with the aforementioned subject matter as part of a scheduled public hearing process, before the City's Planning and Zoning Board.

SECTION 2. That this Resolution shall become effective immediately upon the date of passage and adoption herein.

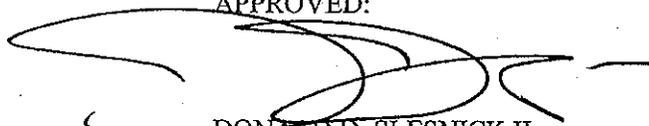
PASSED AND ADOPTED THIS EIGHTEENTH DAY OF NOVEMBER, A.D., 2008.

(Moved: Anderson / Seconded: Kerdyk)

(Unanimous: Voice Vote)

(Non-Agenda Item: NAI-1.1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY

Kearns et al v City of Coral Gables: City Attorney Hernandez informed the City Commission that regarding the proposed class action lawsuit that the City has gone to mediation; further stating that she has forwarded to the City Commission, two versions of the proposed changes to Ordinance No. (pick up truck ordinance); further reminding the City Commission that there were several items associated with said legislation (Pick Up Truck Ordinance of the City), which required further in-depth study (i.e. political signage, the Truck Ordinance, etc.); further informing the City Commission that she has discussed with counsel for the plaintiff in said case, as to whether going through a public hearing process (with the above referenced legislative versions provided) would settle the case; whereupon it was stated by opposing counsel that proceeding through the Planning and Zoning process would be a favorable step toward settlement; further requesting authorization to report back to the City Commission, following a subsequent mediation, provided that the City proceeds through the public hearing process with the Planning and Zoning Board.

Mayor Slesnick stated that he has previously talked to the City Attorney regarding said matter; further requesting of our City Attorney to inform the City Commission of any proposals she may have regarding same].

City Clerk Item No. 52

RESOLUTION NO. 2008-204

NA.I-1.1 08-0813

A Resolution of the City Commission of Coral Gables, authorizing and directing the City Attorney to proceed with a scheduled public hearing process before our City's Planning and Zoning Board, in connection with two legislative versions of those proposed amendments proffered by the City Attorney, relating to our city's "pick-up truck Ordinance" (ordinance no. 2536).

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO PROCEED WITH A SCHEDULED PUBLIC HEARING PROCESS BEFORE OUR CITY'S PLANNING AND ZONING BOARD, IN CONNECTION WITH TWO LEGISLATIVE VERSIONS (IN ORDINANCE FORM) OF THOSE PROPOSED AMENDMENTS PROFFERED BY THE CITY ATTORNEY, RELATING TO OUR CITY'S "PICK-UP TRUCK ORDINANCE" (ORDINANCE NO. 2536).

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-204. The motion passed unanimously.

Yeas: 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 51

Kearns et al v City of Coral Gables: City Attorney Hernandez informed the City Commission that regarding the proposed class action lawsuit that the City has gone to mediation; further stating that she has forwarded to the City Commission, two versions of the proposed changes to Ordinance No. (pick up truck ordinance); further reminding the City Commission that there were several items associated with said legislation (Pick Up Truck Ordinance of the City), which required further in-depth study (i.e. political signage, the Truck Ordinance, etc.); further informing the City Commission that she has discussed with counsel for the plaintiff in said case, as to whether going through a public hearing process (with the above referenced legislative versions provided) would settle the case; whereupon it was stated by opposing counsel that proceeding through the Planning and Zoning process would be a favorable step toward settlement; further requesting authorization to report back to the City Commission, following a subsequent mediation, provided that the City proceeds through the public hearing process with the Planning and Zoning Board.

Mayor Slesnick stated that he has previously talked to the City Attorney regarding said matter; further requesting of our City Attorney to inform the City Commission of any proposals she may have regarding same].

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A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO PROCEED WITH A SCHEDULED PUBLIC HEARING PROCESS BEFORE OUR CITY'S PLANNING AND ZONING BOARD, IN CONNECTION WITH TWO LEGISLATIVE VERSIONS (IN ORDINANCE FORM) OF THOSE PROPOSED AMENDMENTS PROFFERED BY THE CITY ATTORNEY, RELATING TO OUR CITY'S "PICK-UP TRUCK ORDINANCE" (ORDINANCE NO. 2536).

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-204. The motion passed unanimously.

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 51

Trolleys to travel north on Salzedo, and south on Galiano. Commissioner Cabrera listed the troubled areas: Valencia, Andalusia, Miracle Mile and Alhambra. Mr. Delgado responded that the Public Works Department has been studying the stacking problem and will consider the Commission's suggestions.

Granada Golf Course Flag - No Light:

Commissioner Cabrera requested the flag at the Granada Golf Course be lowered everyday. The flag is wrapped around a palm tree. Commissioner Cabrera stated there is electrical capability at that specific location.

Commission Vacation Time (June, July, August):

Commissioner Kerdyk brought up the Commission's vacation schedule. City Manager Brown requested each Commissioner provide the City Manager with their respective summer schedule, which will be revisited at the next City Commission meeting on March 14, 2006.

Zoning Code Rewrite - Truck Ordinance:

Commissioner Withers inquired if the Truck Ordinance has been considered. City Attorney responded that the matter went before the Planning and Zoning Board, and also appeared before the Lower Court, which upheld the City's Truck Ordinance. The Planning and Zoning Board has reviewed various options. City Attorney Hernandez outlined the three options: Option A - carport or garage as long as the vehicle is facing forward; Option B - the factory install hardtops on trucks; Option C - the realities of modern day living. The Planning Board discussed the size, and weight of the vehicle.

Representative Carlos Lopez Quintero - Speaker of the House:

Mayor Slesnick discussed the card send by Representative Quintero regarding the best business in Florida.

Visitation from Foreign Dignitaries:

Mayor Slesnick spoke of the recent visitations to the City of Coral Gables by foreign dignitaries. The Finance Minister of Mexico, the Foreign Minister of Saint Lucia, a high ranking member of the French Government, and the King of Rwanda, who is in exile, all visited the City within a three week span. The King of Rwanda sent a Royal Proclamation thanking the City of Coral Gables for its kindness].

City Clerk Item No. 47

ADJOURNMENT

[Note for the Record: There being no further business on the Regular Commission Meeting agenda, the Commission of the City of Coral Gables adjourned its meeting at 5:25 p.m. on February 28, 2006. The next regular meeting of the City Commission has been scheduled for March 14, 2006, beginning at 9:00 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

ORDINANCE NO. 1374

AN ORDINANCE AMENDING CHAPTER 32 OF THE "CODE OF THE CITY OF CORAL GABLES" ENTITLED "TRAFFIC" BY RE-ENACTING PORTIONS OF SECTION 32-1 ENTITLED "DEFINITIONS"; REPEALING SECTION 32-3 ENTITLED "INTERPRETATION IN RELATION TO STATE LAW"; RE-ENACTING SECTION 32-4 ENTITLED "SEVERABILITY"; RE-ENACTING A PORTION OF SECTION 32-5 ENTITLED "AUTHORITY GENERALLY"; RE-ENACTING A PORTION OF SECTION 32-6 ENTITLED "DUTIES OF THE POLICE DEPARTMENT GENERALLY"; REPEALING SECTION 32-7 ENTITLED "POLICE DEPARTMENT TO KEEP RECORDS OF TRAFFIC VIOLATIONS"; REPEALING SECTION 32-8 ENTITLED "POLICE DEPARTMENT TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT"; REPEALING SECTION 32-9 ENTITLED "POLICE DEPARTMENT TO ASSIST IN ACCIDENT STUDIES"; REPEALING SECTION 32-10 ENTITLED "POLICE DEPARTMENT TO FILE ACCIDENT REPORTS"; REPEALING SECTION 32-11 ENTITLED "POLICE DEPARTMENT TO MAINTAIN ACCIDENT FILE"; REPEALING DIVISION 3 ENTITLED "TRAFFIC ENGINEER" OF ARTICLE I ENTITLED "ADMINISTRATION", WHICH INCLUDES SECTION 32-12 THROUGH 32-43; RE-ENACTING SECTION 32-44 ENTITLED "TRAFFIC VIOLATIONS BUREAU-CREATION AUTHORIZED; SPECIFYING FINES TO BE ACCEPTED, SUSPENDED FINES, ETC."; RE-ENACTING SECTION 32-45 ENTITLED "ELECTION TO PAY FINE"; RE-ENACTING SECTION 32-46 ENTITLED "DUTIES GENERALLY"; RE-ENACTING SECTION 32-47 ENTITLED "TO KEEP RECORDS"; RE-ENACTING SECTION 32-48 ENTITLED "FOLLOWING PRESCRIBED PROCEDURE"; RE-ENACTING SECTION 32-49 ENTITLED "PARTIES"; RE-ENACTING SECTION 32-50 ENTITLED "PERMITTING ANOTHER TO VIOLATE LAW"; REPEALING SECTION 32-51 ENTITLED "GIVING FALSE INFORMATION TO OFFICER"; RE-ENACTING SECTION 32-52 ENTITLED "FORMS FOR CITATION"; REPEALING SECTION 32-53 ENTITLED "PROCEDURE UPON ARREST"; RE-ENACTING A PORTION OF SECTION 32-54 ENTITLED "FAILURE TO OBEY SUMMONS, COMPLIANCE WITH PROCEDURE"; RE-ENACTING SECTION 32-55 ENTITLED "ILLEGALLY PARKED VEHICLE-ATTACHING CITATION"; RE-ENACTING SECTION 32-56 ENTITLED "FAILURE TO COMPLY WITH CITATION"; RE-ENACTING SECTION 32-57 ENTITLED "PRESUMPTIONS IN REFERENCE THERETO"; RE-ENACTING SECTION 32-58 ENTITLED "WARRANT FOR ARREST"; RE-ENACTING SECTION 32-59 ENTITLED "DISPOSITION OF FINES AND FORFEITURES"; RE-ENACTING SECTION 32-60 ENTITLED "OFFICIAL MISCONDUCT"; REPEALING SECTION 32-61 ENTITLED "IMPOUNDING VEHICLES-AUTHORITY"; REPEALING SECTION 32-62 ENTITLED "NOTICE"; REPEALING SECTION 32-63 ENTITLED "SALE AT PUBLIC AUCTION"; REPEALING SECTION 32-64 ENTITLED "DISPOSITION OF PROCEEDS OF SALE"; REPEALING SECTION 32-65 ENTITLED "TRANSFER OF FUNDS TO GENERAL FUND"; RE-ENACTING SECTION 32-66 ENTITLED "PENALTY, GENERAL"; RE-ENACTING SECTION 32-67 ENTITLED "COSTS IN MUNICIPAL COURT"; REPEALING SECTION 32-68 ENTITLED "COMMITTING FORBIDDEN ACTS, FAILING TO PERFORM REQUIRED ACTS"; REPEALING SECTION 32-69 ENTITLED "OBEDIENCE TO OFFICERS"; REPEALING SECTION 32-70 ENTITLED "COMPLIANCE BY PERSONS RIDING BICYCLES OR ANIMALS AND DRIVING ANIMAL DRAWN VEHICLE"; REPEALING SECTION 32-71 ENTITLED "RESTRICTIONS ON USE OF COASTERS, ROLLER SKATES AND SIMILAR DEVICES"; REPEALING SECTION 32-72 ENTITLED "COMPLIANCE BY PUBLIC EMPLOYEES"; REPEALING SECTION 32-73 ENTITLED "AUTHORIZED EMERGENCY VEHICLE"; RE-ENACTING SECTION 32-74 ENTITLED "GLASS ON HIGHWAY REMOVING"; RE-ENACTING SECTION 32-75 ENTITLED "LIGHTING EXCAVATIONS AND OBSTRUCTIONS"; RE-ENACTING SECTION 32-76 ENTITLED "TAR POTS, OPERATING VEHICLE NEAR"; RE-ENACTING SECTION 32-77 ENTITLED "WHITE CANES FOR BLIND PERSONS-AUTHORITY TO CARRY"; RE-ENACTING SECTION 32-78 ENTITLED "WHO MAY NOT CARRY"; RE-ENACTING SECTION 32-79 ENTITLED "YIELDING RIGHT-OF-WAY TO PERSONS CARRYING"; REPEALING ARTICLE III ENTITLED "TRAFFIC CONTROL DEVICES" WHICH INCLUDES SECTION 32-80 THROUGH 32-86; REPEALING SECTIONS 32-87 THROUGH 32-112, SECTION 32-114 AND SECTION 32-114.1 OF ARTICLE IV ENTITLED "STOPPING, STANDING, PARKING"; RE-ENACTING SECTION 32-91.1 ENTITLED "PARKING ON PRIVATE OR PUBLIC PROPERTY"; RE-ENACTING SECTION 32-113 ENTITLED "TRUCKS, TRAILERS, COMMERCIAL VEHICLES, FARM EQUIPMENT-PARKING AT NIGHT OR IN RESIDENTIAL AREAS"; REPEALING SECTIONS 32-115 THROUGH 32-128, SECTIONS 32-130 THROUGH 32-141, SECTIONS 32-143 THROUGH 32-150 AND SECTIONS 32-152 THROUGH 32-187 OF ARTICLE V ENTITLED "OPERATION OF VEHICLES"; RE-ENACTING SECTION 32-129 ENTITLED "OVERTAKING AND PASSING MOVING VEHICLES IN A SCHOOL ZONE"; RE-ENACTING SECTION 32-142 ENTITLED "PROCESSIONS - WHEN PERMITS REQUIRED FOR PARADES, PROCESSIONS AND SOUND TRUCKS"; RE-ENACTING SECTION 32-151 ENTITLED "LICENSING OF VEHICLES"; RE-ENACTING SECTIONS 32-188 THROUGH 32-200 OF ARTICLE VI ENTITLED "PARKING METERS AND PARKING AREAS-OFF STREET"; REPEALING SECTIONS 32-201 THROUGH 32-218 OF ARTICLE VII ENTITLED "BICYCLES"; REPEALING SECTION 32-219, AND SECTIONS 32-221 THROUGH 32-237 OF ARTICLE VIII ENTITLED "VEHICLE INSPECTION"; RE-ENACTING SECTION 32-220 ENTITLED "OPERATION WITHOUT INSPECTION ILLEGAL"; RE-ENACTING SECTION 32-225 ENTITLED "REJECTION AT INSPECTION; RE-INSPECTION"; RE-ENACTING SECTIONS 32-238 THROUGH 32-253, SECTIONS 32-256 THROUGH 32-277 AND SECTIONS 32-280 THROUGH 32-291 OF ARTICLE IX ENTITLED "VEHICLES FOR HIRE"; REPEALING SECTION 32-254 ENTITLED "STANDS FOR VEHICLES WHICH MAY BE RENTED"; REPEALING SECTION 32-255 ENTITLED "STANDS - VEHICLES THAT MAY USE STANDS; MANNER OF USE"; REPEALING SECTION 32-278 ENTITLED "BUSES - STOPPING"; REPEALING SECTION 32-279 ENTITLED "BUSES - ACCOMMODATIONS FOR WHITE AND COLORED PASSENGERS"; REPEALING SECTION 32-293 ENTITLED "ENUMERATION OF VIOLATIONS REQUIRING COURT APPEARANCE"; REPEALING SECTION 32-294 ENTITLED "SPEED LIMITS - GENERALLY"; (continued next page)

RE-ENACTING SECTION 32-294.1 ENTITLED "SPEED LIMIT-ON, OVER OR UPON RAILROAD TRACKS; PENALTY FOR VIOLATION"; REPEALING SECTION 32-295 ENTITLED "SPEED LIMIT-DECREASE OF STATE LIMIT AT CERTAIN INTERSECTIONS"; REPEALING SECTION 32-296 ENTITLED "SPEED LIMIT-DECREASE OF STATE LIMIT ON CERTAIN STREETS"; REPEALING SECTION 32-297 ENTITLED "SPEED LIMIT-INCREASING STATE LIMIT ON CERTAIN STREETS"; REPEALING SECTION 32-298 ENTITLED "ONE-WAY STREETS AND ALLEYS"; REPEALING SECTION 32-299 ENTITLED "THROUGH STREETS"; REPEALING SECTION 32-300 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"; REPEALING SECTION 32-301 ENTITLED "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS"; REPEALING SECTION 32-301.1 ENTITLED "PARKING TIME LIMITED ON CERTAIN STREETS"; REPEALING SECTION 32-302 ENTITLED "FARM TRACTORS, TRAILERS, SEMI-TRAILERS AND TRUCKS AND COMMERCIAL VEHICLES - LIMITED ON CERTAIN STREETS"; REPEALING SECTION 32-303 ENTITLED "FARM TRACTORS, TRAILERS, SEMI-TRAILERS, AND TRUCKS AND COMMERCIAL VEHICLES-PROHIBITED ON CERTAIN STREETS AT SPECIFIED TIMES"; REPEALING SECTION 32-304 ENTITLED "TRUCKS, WAGONS OR DRAYS PROHIBITED ON CERTAIN STREETS"; REPEALING SECTION 32-305 ENTITLED "PARKING TIME LIMITED IN METERED PARKING ZONES"; REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND DECLARING THIS TO BE AN EMERGENCYORDINANCE.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That Chapter 32 of "The Code of the City of Coral Gables, Florida" entitled "Traffic" is hereby amended to read as follows:

ARTICLE I. ADMINISTRATION

DIVISION I. IN GENERAL

SEC. 32-1. DEFINITIONS.

The following words and phrases when used in this chapter shall for the purpose of this chapter have the following meanings, except where the context clearly indicates a different meaning.

- (1) Commercial vehicle. A vehicle designed, used or maintained primarily for the transportation of property.
- (2) Commission, city commission. The governing body of the city.
- (3) Double parking, double standing, or double stopping. The parking, standing, or stopping of a vehicle upon the driveway side of another vehicle parking, standing, or stopping, but not legally within, or adjacent to an open parking space.
- (4) Driver. A person who drives or is in actual physical control of a vehicle.
- (5) Employee Parking Lot. Any area owned by the City of Coral Gables and assigned as an area for persons to park providing they have secured the proper permit and paid a fee as established by the City Commission.
- (6) Holidays. Where used in this chapter or on official signs erected by authorized official agencies shall in addition to Sundays mean those entire days declared by law of the state to be legal holidays, to-wit: New Year's Day, Robert E. Lee Day, Washington's Birthday, Confederate Memorial Day, Memorial Day, Jefferson Day, Independence Day, Labor Day, Columbus Day, Good Friday, General Election Day, Armistice Day, Thanksgiving Day, and Christmas Day.
- (7) Motorcycle. A motor vehicle designed to travel on not more than three wheels in contact with the ground except any vehicle as may be included within the term "tractor" as herein defined.
- (8) Motor-driven cycle. A motorcycle, including every motor scooter, with a motor which produces not to exceed five horsepower, and every bicycle with motor attached.
- (9) Motor Vehicle. A vehicle propelled by power (other than muscular power), trailers, semi-trailers, trailer coaches and trolley coaches, excepting, however, road rollers, and vehicles which operate only upon rails or tracks in place on the ground, or that travel through the air or that derive their motive power from overhead electric lines, farm tractors, farm trrollers, and other machines and tools used in the production, harvesting and care of farm products.
- (10) Municipality. The City of Coral Gables, Florida.
- (11) Official time standard. Whenever certain hours are named herein they shall mean standard time or daylight saving time as may be in current use in this municipality.
- (12) Other governing body. Any governing body other than the City Commission.
- (13) Owner. A person in whose name the title to a motor vehicle is registered.
- (14) Park or parking. When prohibited means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.
- (15) Parking Garage. Any building owned by the City of Coral Gables and used for the parking of vehicles upon payment of a fee as established by the City Commission.

- (16) Parking Lot. Any property owned by the City of Coral Gables and assigned as an area for the parking of vehicles.
- (17) Parking meter. A mechanical timing device authorized by ordinance of the city to be used for the purpose of regulating parking, and which is actuated by the insertion of a coin and the operation of a lever or cranking device.
- (18) Police officer. An officer of the municipal police department or any such officer authorized to direct or regulate traffic or to make arrests.
- (19) Residence district. The territory contiguous to a street not comprising a business district when the frontage on such for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for residence.
- (20) Restricted access street. A street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such streets or roadway.
- (21) Safety zone. The area or space officially set aside within a street for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone.
- (22) Stop. When required means complete cessation of movement.
- (23) Stop, stopping, or standing. When prohibited means any stopping or standing of a vehicle whether occupied or not, other than the temporary stopping of a passenger vehicle for the purpose of and while actually engaged in picking up and discharging passengers, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.
- (24) Taxi, taxicab. A licensed public motor vehicle for hire designated and constructed to seat not more than seven persons and operating as a common carrier on call or demand.

SEC. 32-2. Reserved*
SEC. 32-3. Reserved*

SEC. 32-4. SEVERABILITY.

If any part or parts of this chapter are for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter. The city commission hereby declares that it would have passed this chapter and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid or unconstitutional. (Ord. No. 1071, § 189, 3-25-58)

DIVISION 2. POLICE AND FIRE OFFICIALS

SEC. 32-5. AUTHORITY GENERALLY.

- (1) It is the duty of the officers of the police department or such officers as are assigned by the chief of police, to enforce all traffic ordinances of this municipality.

SEC. 32-6. DUTIES OF POLICE DEPARTMENT GENERALLY.

It shall be the duty of the chief of police with such aid as may be rendered by other members of the police department to enforce the provisions of this chapter.

SEC. 32-7. Reserved*
SEC. 32-8. Reserved*
SEC. 32-9. Reserved*
SEC. 32-10. Reserved*
SEC. 32-11. Reserved*

DIVISION 3. TRAFFIC ENGINEER

SEC. 32-12. Reserved*
SEC. 32-13. Reserved*
SEC. 32-14. Reserved*
SEC. 32-15. Reserved*
SEC. 32-16. Reserved*
SEC. 32-17. Reserved*
SEC. 32-18. Reserved*
SEC. 32-19. Reserved*
SEC. 32-20. Reserved*
SEC. 32-21. Reserved*
SEC. 32-22. Reserved*
SEC. 32-23. Reserved*
SEC. 32-24. Reserved*
SEC. 32-25. Reserved*
SEC. 32-26. Reserved*
SEC. 32-27. Reserved*
SEC. 32-28. Reserved*
SEC. 32-29. Reserved*

SEC. 32-30. Reserved*
 SBC. 32-31. Reserved*
 SEC. 32-32. Reserved*
 SEC. 32-33. Reserved*
 SEC. 32-34. Reserved*
 SEC. 32-35. Reserved*
 SEC. 32-36. Reserved*
 SEC. 32-37. Reserved*
 SEC. 32-38. Reserved*
 SEC. 32-39. Reserved*
 SEC. 32-40. Reserved*
 SEC. 32-41. Reserved*
 SEC. 32-42. Reserved*
 SEC. 32-43. Reserved*

DIVISION 4. VIOLATIONS

SEC. 32-44. TRAFFIC VIOLATIONS BUREAU - CREATION AUTHORIZED; SPECIFYING FINES TO BE ACCEPTED, SUSPENDING FINES, ETC.

(1) The municipal judge may establish a traffic violations bureau to assist the court with the clerical work of traffic cases. The bureau shall be in charge of such person or persons and shall be open on such days excluding Sundays and full legal holidays and at such hours as the municipal judge may designate.

(2) The municipal judge who hears traffic cases shall designate the traffic ordinances of this municipality for violation of which payments of fines may be accepted by the traffic violations bureau, and shall specify by suitable schedules the amount of such fines for first, second, or subsequent offenses, provided such fines are within the limits provided by law, and shall further specify what number of such offenses shall require an appearance before the municipal judge.

(3) The municipal judge is hereby authorized to suspend the payment of any costs, or fine, or penalty, and to remit any costs or fine or penalty assessed for any violation of any provision of this chapter, and to suspend any jail sentence imposed for a violation of any provision of this chapter (Ord. No. 1071, I 41, 3-25-58)

SEC. 32-45. SAME - ELECTION TO PAY FINE TO.

(1) Any person charged with an offense for which payment of a fine may be made to the traffic violations bureau shall have the option of (a) paying such fine within the time specified in the traffic citation or notice of arrest at the traffic violations bureau, upon entering a plea of guilty and upon waiving appearance in court; or (b) depositing any required lawful bail, and upon a plea of not guilty shall be entitled to a trial as authorized by law.

(2) The payment of a fine to said bureau shall be deemed an acknowledgment of violation of the designated ordinance and the bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof. (Ord. No. 1071, I 42, 3-25-58)

SEC. 32-46. SAME - DUTIES GENERALLY.

The following duties are hereby imposed upon the traffic violations bureau in reference to traffic offenses:

(1) It shall accept designated fines, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney.

(2) It shall receive and issue receipts for bail from the persons who must, or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.

(3) It shall keep an easily accessible record of all violations of which each person has been guilty during the preceding twelve months, whether such guilt was established in court or in the traffic violations bureau. (Ord. No. 1071, § 43, 3-25-58)

SEC. 32-47. SAME - TO KEEP RECORDS.

The traffic violations bureau shall keep records and submit summarized monthly reports to the finance department of all notices and citations issued and arrests made for violations of this chapter and ordinances in this municipality, and of all fines collected by the traffic violations bureau, and of the final disposition or present status of every case of violation of the provisions of said ordinances. Such records shall be so maintained as to show all types of violations and the totals of each. Said records shall be public records. (Ord. No. 1071, § 44, 3-25-58)

SEC. 32-48. SAME - FOLLOWING PRESCRIBED PROCEDURES.

The traffic violations bureau shall follow such procedures as may be prescribed by this chapter or other ordinances of this municipality.

SEC. 32-49. PARTIES.

Every person who commits, attempts to commit, conspires to commit, or aids or abets in the committing of, any act declared herein to be in violation of this chapter or any ordinance of this municipality, whether individually, or in connection with one or more other persons, or as a principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly, or wilfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this chapter or any other ordinance is likewise guilty of such offense. (Ord. No. 1071, § 46, 3-25-58)

SEC. 32-50. PERMITTING ANOTHER TO VIOLATE LAW.

Neither the owner, or any person, employing or otherwise directing the driver of any vehicle, shall require or knowingly permit the operation of such vehicle upon a street of this municipality in any manner contrary to law. (Ord. No. 1071, § 47, 3-25-58)

SEC. 32-51. Reserved*

SEC. 32-52. FORMS FOR CITATIONS.

The municipality shall provide in triplicate, suitable serially numbered forms for notifying alleged violators to appear and answer to charges of violating this chapter or any ordinance of this municipality. Such forms shall be issued to and receipted for by the chief of police or other person acting for him. The municipal clerk shall each month report to the finance department the disposition made by the police of all triplicate forms issued to them. For this purpose the municipal clerk or his representative, shall have access to the necessary records of the police department and the traffic violations bureau. These reports shall be public records. (Ord. No. 1071, § 49, 3-25-58)

SEC. 32-53. Reserved*

SEC. 32-54. FAILURE TO OBEY SUMMONS, COMPLIANCE WITH PROCEDURE.

(1) The failure to appear upon issuance of a traffic citation for any traffic violation, regardless of the disposition of the original charge, shall constitute an additional violation of the terms of this chapter punishable as provided for herein.

(2) A written promise to appear in court may be complied with by an appearance by counsel.

SEC. 32-55. ILLEGALLY PARKED VEHICLE — ATTACHING CITATION.

Whenever any motor vehicle without driver is found parked, stopped, or standing, in violation of any of the restrictions imposed by ordinance of this municipality, the officer finding such vehicle shall take its registration number, and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such a vehicle a traffic citation or notice in writing, on a form provided by the municipal clerk, for the driver to answer the charge against him within forty-eight hours, during the hours and at a place specified in the notice. (Ord. No. 1071, § 52, 3-25-58)

SEC. 32-56. SAME - FAILURE TO COMPLY WITH CITATION.

If a violator of the restrictions on stopping, standing, or parking under the traffic ordinances does not appear in response to a notice or citation affixed to such motor vehicle within a period of forty-eight hours the municipal clerk or the traffic violations bureau shall send the owner of the motor vehicle to which the notice or citation was affixed, a letter informing him of the violation, and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued. (Ord. No. 1071, § 53, 3-25-58)

SEC. 32-57. SAME - PRESUMPTIONS IN REFERENCE THERETO.

(1) In any prosecution charging a violation of any ordinance governing the stopping, standing, parking, or operating of a vehicle, proof that the particular vehicle described in the complaint was parked or operated in violation of any such ordinance or regulation, together with proof that the defendant named in the complaint was at the time of such parking or operating the registered owner of such vehicle, shall constitute in evidence a *prima facie* presumption that the registered owner of such vehicle was the person who stopped, stood, parked, or operated such vehicle at the point where, and for the time during which, such violation occurred.

(2) The foregoing stated presumption shall apply only when the procedure as prescribed in sections 32-55 and 32-56 has been followed. (Ord. No. 1071, § 54, 3-25-58)

SEC. 32-58. WARRANT FOR ARREST.

In the event any person fails to comply with a notice given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the municipal court or the traffic violations bureau, or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the municipal clerk or a clerk of the traffic violations bureau shall forthwith secure and issue and have served a warrant for his arrest. (Ord. No. 1071, § 55, 3-25-58)

SEC. 32-59. DISPOSITION OF FINES AND FORFEITURES.

(1) All fines or forfeitures collected upon a finding of violation of this chapter, or upon the forfeitures of bail of any person charged with violation of any of the provisions of this chapter, shall be paid into the municipal treasury and deposited in the general fund.

(2) The judge is authorized to suspend the payment of any costs, or fine, or penalty, and to remit any costs or fine or penalty assessed for any violation of any provision of this chapter, and to suspend any jail sentence imposed for a violation of any provision of this chapter. (Ord. No. 1071, § 56, 3-25-58)

SEC. 32-60. OFFICIAL MISCONDUCT.

Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture, either before or after a deposit in said fund, to comply with the provisions of Section 32-59 shall constitute misconduct in office and shall be grounds for removal therefrom. (Ord. No. 1071, § 57, 3-25-58)

SEC. 32-61. Reserved*
 SEC. 32-62. Reserved*
 SEC. 32-63. Reserved*
 SEC. 32-64. Reserved*
 SEC. 32-65. Reserved*

SEC. 32-66. PENALTY, GENERAL.

Unless another penalty is expressly provided herein, every person found guilty of a violation of any provision of this chapter, may be punished by imprisonment and/or fined not in excess of the punishment provided for in the city charter. (Ord. No. 1071, § 48, 3-25-58)

SEC. 32-67. COSTS IN MUNICIPAL COURT.

The amount of costs to be fixed in the municipal court shall be the sum of five dollars in each case; said costs to be assessed in the discretion of the municipal judge. (Ord. No. 1071, § 219, 3-25-58)

SEC. 32-68. Reserved*
 SEC. 32-69. Reserved*
 SEC. 32-70. Reserved*
 SEC. 32-71. Reserved*
 SEC. 32-72. Reserved*
 SEC. 32-73. Reserved*

ARTICLE II. APPLICABILITY OF CHAPTER

SEC. 32-74. GLASS ON HIGHWAY REMOVING.

(a) Placing glass, etc., on street. It shall be unlawful for any person to place, drop or cause to be placed or dropped on any street in the city, any glass or other substance which would tend to contribute to the injury of any person or animal or to damage any vehicle traveling thereon.

(b) Duty to move glass, etc., from street. Any person who places or drops, or who caused to be placed or dropped on any street in the city, any substance referred to in subsection (a) shall immediately remove such substance or cause the same to be removed.

(c) Movers of wrecked vehicles to clear streets of glass, etc. Any person, before moving a wrecked or damaged vehicle from the scene of any accident on any street in the city, shall gather and remove from such street all glass or other injurious substance from such wrecked or damaged vehicle. (Ord. No. 1071, § 203, 3-25-58)

SEC. 32-75. LIGHTING EXCAVATIONS AND OBSTRUCTIONS.

Building materials, machinery, disabled motor vehicles, excavations and objects on the streets shall be illuminated between the hours of sunset and sunrise by red lanterns, red lights or torches which shall be spaced not more than five feet apart across any street, or fifteen feet lengthwise on any street. (Ord. No. 1071, § 204, 3-25-58)

SEC. 32-76. TAR POTS, OPERATING VEHICLE NEAR.

It shall be unlawful for any person to operate any motor vehicle over the streets of this city, upon which or to which any tar pot or tar pot trailer shall have been attached, when such tar pots shall have any fire in the firebox thereof, or when tar pot shall contain more than half of its capacity in hot tar, pitch, asphalt or other similar substance. This rule shall not apply to equipment when in use in paving or patching streets within this city; provided, such equipment containing such hot liquid or substance shall not exceed a speed of five miles per hour. This section shall not dispense with any rule requiring permits from the fire division. (Ord. No. 1071, § 205, 3-25-58)

SEC. 32-77. WHITE CANES FOR BLIND PERSONS - AUTHORITY TO CARRY.

Persons in the city who are partially or wholly blind may carry canes or walking sticks, white in color or white with red ends, as a means of protecting them and for the purpose of identifying them to the public as persons wholly or partially blind. (Ord. No. 1071, § 206, 3-25-58)

SEC. 32-78. SAME - WHO MAY NOT CARRY.

It shall be unlawful for any person, except persons wholly or partially blind, to carry or use on the public street of the city, or at public places, any cane or walking stick which is white in color or white with a red end. (Ord. No. 1071, § 207, 3-25-58)

SEC. 32-79. SAME - YIELDING RIGHT-OF-WAY TO PERSONS CARRYING.

The driver of any motor vehicle, or any pedestrian who is not wholly or partially blind, shall give the right-of-way on any public thoroughfare of the city to any person wholly or partially blind, carrying a walking stick which is white in color or white with a red end, and shall come to a full stop and take all such other precautions necessary to avoid accident or injury to said persons so carrying a white cane or walking stick. (Ord. No. 1071, § 208, 3-25-58)

ARTICLE III. TRAFFIC - CONTROL DEVICES

SEC. 32-80. Reserved*
 SEC. 32-81. Reserved*
 SEC. 32-82. Reserved*
 SEC. 32-83. Reserved*
 SEC. 32-84. Reserved*
 SEC. 32-85. Reserved*
 SEC. 32-86. Reserved*

ARTICLE IV. STOPPING, STANDING, PARKING*

- SEC. 32-87. Reserved*
 SEC. 32-88. Reserved*
 SEC. 32-89. Reserved*
 SEC. 32-90. Reserved*
 SEC. 32-91. Reserved*

SEC. 32-91.1. PARKING ON PRIVATE OR PUBLIC PROPERTY.

(a) Parking without permission. From and after the effective date of this section it shall be unlawful for any person, firm or corporation, partnership or association of persons, to park any motor vehicle, including trucks, passenger automobile, motorcycle, motorbike, ~~motor~~scooter, or any other motor propelled vehicle upon any privately owned property, parking lot or driveway, or any publicly owned property, parking lot or driveway, without the consent of the owner, lessee, tenant or other person entitled to the possession and use of such premises and, in case of publicly owned property without the consent and permission of the city manager or the chief of police of the city.

(b) Penalty. Any person convicted in the municipal court of the city of the violation of this section shall be fined not less than five dollars, nor more than twenty-five dollars, and sentenced to serve not less than one day, nor more than ten days, or by both such fine and imprisonment, in the discretion of the municipal judge.

(c) Impounding. It shall be the duty of any police officer of the city, upon complaint made by the owner, lessee, tenant or other person having the right to use said premises or, in the case of publicly owned property, upon the complaint of any police officer to impound any such vehicle parked in violation of the terms of this ordinance and store same and upon conviction of the person violating this section such person shall, in addition to the fine or sentence imposed, as hereinabove provided for, be required to pay the costs of impounding, transporting and storing such vehicle so parked in violation of this section.

(d) Presumption of operation. Proof of ownership of a vehicle shall be presumptive evidence in any action for enforcement of this section that the owner parked or caused the vehicle to be parked on such premises. (Ord. No. 1220, § 1-3, 2-28-61)

- SEC. 32-92. Reserved*
 SEC. 32-93. Reserved*
 SEC. 32-94. Reserved*
 SEC. 32-95. Reserved*
 SEC. 32-96. Reserved*
 SEC. 32-97. Reserved*
 SEC. 32-98. Reserved*
 SEC. 32-99. Reserved*
 SEC. 32-100. Reserved*
 SEC. 32-101. Reserved*
 SEC. 32-102. Reserved*
 SEC. 32-103. Reserved*
 SEC. 32-104. Reserved*
 SEC. 32-105. Reserved*
 SEC. 32-106. Reserved*
 SEC. 32-107. Reserved*
 SEC. 32-108. Reserved*
 SEC. 32-109. Reserved*
 SEC. 32-110. Reserved*
 SEC. 32-111. Reserved*
 SEC. 32-112. Reserved*

SEC. 32-113. TRUCKS, TRAILERS, COMMERCIAL VEHICLE, FARM EQUIPMENT OR OTHER VEHICLES — PARKING AT NIGHT OR IN RESIDENTIAL AREAS.

No person shall park a truck, trailer or other vehicle displaying commercial advertising signs other than the descriptive lettering permanently painted on the body of such vehicles on the public streets of the city during the night-time; nor shall a person park a truck, trailer or other vehicle displaying commercial advertising signs other than the descriptive lettering permanently painted on the body of such vehicles in any residential area of the city between the hours of six o'clock p.m. and six o'clock a.m. of the following day, except when actually loading or unloading, unless he shall first have received a written permit from the chief of police; nor shall any person park a truck, trailer or other vehicle displaying commercial advertising signs other than the descriptive lettering permanently painted on the body of such vehicles between the hours of six o'clock a.m. and six o'clock p.m. of the same day in any residential section of the city for a period of more than one hour, except when actually loading or unloading. (Ord. No. 1071, s 202, 3-25-58)

- SEC. 32-114. Reserved*
 SEC. 32-114.1. Reserved*
 SEC. 32-115. Reserved*
 SEC. 32-116. Reserved*
 SEC. 32-117. Reserved*
 SEC. 32-118. Reserved*
 SEC. 32-119. Reserved*
 SEC. 32-120. Reserved*
 SEC. 32-121. Reserved*
 SEC. 32-122. Reserved*
 SEC. 32-123. Reserved*
 SEC. 32-124. Reserved*
 SEC. 32-125. Reserved*
 SEC. 32-126. Reserved*
 SEC. 32-127. Reserved*

SEC. 32-128. Reserved*

SEC. 32-129. OVERTAKING AND PASSING MOVING VEHICLES IN A SCHOOL ZONE.

No operator of any vehicle shall overtake or pass any moving vehicle in any area which has been marked or designated as a school zone, whether such markings or designations be by signs placed in the road or street or by signs on the side of the road or street. (Ord. No. 1071, § 216, 3-25-58)

SEC. 32-130. Reserved*
 SEC. 32-131. Reserved*
 SEC. 32-132. Reserved*
 SEC. 32-133. Reserved*
 SEC. 32-134. Reserved*
 SEC. 32-135. Reserved*
 SEC. 32-136. Reserved*
 SEC. 32-137. Reserved*
 SEC. 32-138. Reserved*
 SEC. 32-139. Reserved*
 SEC. 32-140. Reserved*
 SEC. 32-141. Reserved*

SEC. 32-142. SAME - WHEN PERMITS REQUIRED FOR PARADES, PROCESSIONS, AND SOUND TRUCKS.

(1) No procession, or parade, excepting the forces of the United States armed services, the military forces of this state, and the forces of the police and fire departments, shall occupy, march, or proceed along any street or roadway except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply. No sound truck or other vehicle equipped with amplifier or loudspeaker shall be driven upon any street for the purpose of selling, offering for sale, or advertising in any fashion except in accordance with a permit issued by the chief of police.

(2) No oversized or overweight vehicle or equipment may be driven, occupy or proceed upon any street or roadway except in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may apply. (Ord. No. 1071, § 135, 3-25-58)

SEC. 32-143. Reserved*
 SEC. 32-144. Reserved*
 SEC. 32-145. Reserved*
 SEC. 32-146. Reserved*
 SEC. 32-147. Reserved*
 SEC. 32-148. Reserved*
 SEC. 32-149. Reserved*
 SEC. 32-150. Reserved*

SEC. 32-151. LICENSING OF VEHICLE.

Every vehicle, at all times while driven, stopped or parked in or upon any municipally-owned parking lot or parking garage of this municipality shall be licensed in the name of the owner thereof in accordance with the laws of the State of Florida, unless such vehicle is not required by the laws of the State of Florida to be licensed in this state, and shall unless otherwise provided by statute display the license plate or both of the license plates assigned to it by the State of Florida, one on the rear and if two, the other on the front of said vehicle, each to be securely fastened to the vehicle outside the main body of the vehicle, in such manner as to prevent said plates from swinging, with all letters, numerals, printing, writing, and other identification marks upon said plates clear and distinct and free from defacement, mutilation, grease and other obscuring matter, so that they shall be plainly visible and legible at all times one hundred feet from the rear or front. No license plates other than those furnished by the State of Florida shall be used; provided, however, if such vehicle is not required to be licensed in this state, the license plates on such vehicle issued by another state, or by a territory, possession or district of the United States, or a foreign country, substantially complying with the provisions hereof, shall be considered as complying with this section. (Ord. No. 1071, § 146, 3-25-58)

SEC. 32-152. Reserved*
 SEC. 32-153. Reserved*
 SEC. 32-154. Reserved*
 SEC. 32-155. Reserved*
 SEC. 32-156. Reserved*
 SEC. 32-157. Reserved*
 SEC. 32-158. Reserved*
 SEC. 32-159. Reserved*
 SEC. 32-160. Reserved*
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 SEC. 32-162. Reserved*
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 SEC. 32-168. Reserved*
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 SEC. 32-172. Reserved*

SEC. 32-173. Reserved*
 SEC. 32-174. Reserved*
 SEC. 32-175. Reserved*
 SEC. 32-176. Reserved*
 SEC. 32-177. Reserved*
 SEC. 32-178. Reserved*
 SEC. 32-179. Reserved*
 SEC. 32-180. Reserved*
 SEC. 32-181. Reserved*
 SEC. 32-182. Reserved*
 SEC. 32-183. Reserved*
 SEC. 32-184. Reserved*
 SEC. 32-185. Reserved*
 SEC. 32-186. Reserved*
 SEC. 32-187. Reserved*

ARTICLE VI. PARKING METERS AND PARKING AREAS -
 OFF-STREET

SEC. 32-188. DEFINITIONS.

For the purpose of this article:

- (a) The word vehicle shall mean any device in, upon or by which any person or property is or may be transported into a parking area.
- (b) The words parking area shall mean any municipally-owned parking lot or parking garage, located in the city and established for the use of vehicles.
- (c) The word person shall mean and include an individual, firm or co-partnership.
- (d) The word operator shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permittee of the owner. (Code prior to Ord. No. 1071, § 32-241)

SEC. 32-189. AUTHORITY OF CITY MANAGER TO ESTABLISH ZONES.

The city manager is authorized and directed to establish immediately and from time to time hereafter as traffic conditions require, zones to be known as parking meter zones upon such streets or parking areas of the city as are selected for the location of such zones and, in the parking meter zones, the city manager shall cause parking meters to be installed and shall cause parking meter spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones. (Code prior to Ord. No. 1071, § 32-242)

SEC. 32-190. DISPOSITION OF PROCEEDS.

The one cent, five cent, ten cent and twenty-five cent coins required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets and parking areas, and to cover the cost of the supervision, regulation, inspection, protection, installation, operation, maintenance, control and use of the parking spaces and parking meters described herein and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby. (Code prior to Ord. No. 1071, § 32-254)

SEC. 32-191. INSTALLATION, CONTROL, OPERATION; CONTRACT TO PURCHASE ETC.; AUTHORITY OF CITY MANAGER.

The city manager is hereby directed to provide for the installation, regulation, control, operation and use of the parking meters provided for in this chapter and to maintain the meters in good workable condition and is hereby invested with power and authority to enter into a contract, after approval of the terms and conditions thereof by the commission, for the purchase or installation of parking meters, the payment for such meters or installation to be provided for from the receipts, funds and revenues obtained by the city from the operation of the parking meters, provided that such purchase or installation cost may be amortized using other city funds, if approved by the commission, over a period of not more than three years from the date of such purchase or installation. The city manager is further authorized and empowered to enter into a contract or contracts, after approval of the terms and conditions thereof by this commission, for such parts and maintenance of the parking meters as may be necessary to maintain the same in good operating condition and to pay for such parts and maintenance exclusively from the receipts, funds and revenues received from the operation of the parking meters. (Code prior to Ord. No. 1071, § 32-243)

SEC. 32-192. LOCATION, OPERATION, ETC.

Parking meters installed in the parking meter zones established as provided in section 32-189 hereof shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter shall be installed and set to display upon the deposit of one or more five cent coins, one or more one cent coins, one or more ten cent coins or one or more twenty-five cents coins of the United States therein, a signal indicating legal parking for that period of time conforming to the limit of parking time which has been or may be established for that parking area or zone of the street upon which the parking meter is installed and shall continue to operate from the time of the deposit of such coin or coins therein until the expiration of the time fixed as the parking limit for the part of the street or parking area upon which the meter is placed. Each meter shall also be so arranged that upon the expiration of the legal parking time, it will indicate by a mechanical operation and the display of proper signal that the lawful parking period has expired. (Code prior to Ord. No. 1071, § 32-244)

SBC. 32-193. PARKING SPACE MARKINGS.

The city manager is hereby instructed to have lines or markings painted or placed upon the curb or upon the street or in the parking areas adjacent to each parking meter or parking space for the purpose of designating the parking space for which the meter or space is to be used and each vehicle parked alongside of or next to any parking meter or parking space shall park within the lines or markings so established. It shall be unlawful and a violation of this chapter to park any vehicle across any such line or marking or to park any vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings. (Code prior to Ord. No. 1071, § 32-245)

SEC. 32-194. PARKING OF VEHICLES IN SPACES.

When a parking space in any parking meter or parking area zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be alongside of and nearest to the parking meter or parking line marked on the street; when a parking space in any parking meter or parking area zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle directed at and nearest to such meter or curb or sidewalk. (Code prior to Ord. No. 1071, § 32-246)

SEC. 32-195. PARKING ILLEGALLY, USE OF SPACE, DEPOSITING SLUGS, TAMPERING WITH METER.

(1) When parking meters are erected giving notice thereof, no person shall stop, stand, or park a vehicle in any metered parking zone for a period of time longer than designated by said parking meters upon the deposit of a coin of United States currency of the designated denomination on any day except Sundays and full legal holidays, unless otherwise posted, upon any of the streets or parking areas.

(2) Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted, and with the front end of such vehicle immediately opposite the parking meter for such space. Where there is no meter in a parking area the vehicle shall be parked facing into the parking space.

(3) It is a violation of this chapter for any person to deposit or attempt to deposit in any parking meter any thing other than a lawful coin of the United States or any coin that is bent, cut, torn, battered, or otherwise misshapen. It is a violation of this chapter for any unauthorized person to remove, deface, tamper with, open, wilfully break, destroy, or damage any parking meter, and no person shall wilfully manipulate any parking meter in such a manner that the indicator will fail to show the correct amount of unexpired time before a violation. (Ord. No. 1071, § 126, 3-25-58)

SEC. 32-196. DEPOSIT OF COINS, VIOLATIONS OF TIME LIMITS.

When any vehicle shall be parked in any space alongside of or next to which a parking meter is located in accordance with the provisions of this chapter, the operator of such vehicle shall upon entering the parking space, immediately deposit or cause to be deposited one or more one, five, ten or twenty-five cent coins of the United States in such parking meter and the parking space may then be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street or parking area in which the parking space is located. If the vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space; the parking meter shall display a sign or signal showing illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such meter is located shall be a violation of this chapter and punished as hereinafter set out. (Code prior to Ord. No. 1071, § 32-247)

SEC. 32-197. ALLOWING VEHICLE TO VIOLATE TIME LIMITS.

It shall be unlawful for any person to cause, allow or permit or suffer any vehicle registered in the name of such person to be parked overtime or beyond the period of legal parking time established for any parking meter or parking area zone as herein described. (Code prior to Ord. No. 1071, § 32-248)

SEC. 32-198. EXTENDING TIME, PROHIBITED.

It shall be unlawful and a violation of the provisions of this chapter for any person to deposit or cause to be deposited in a parking meter one or more one, five, ten or twenty-five cent coins of the United States for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space adjacent to which the parking meter is placed. (Code prior to Ord. No. 1071, § 32-249)

SEC. 32-199. ENTERING OR REMAINING IN PARKING AREA SPACE.

It shall be unlawful and a violation of the provisions of this chapter for any person to permit a vehicle to remain or be placed in any parking space in a parking area unless such vehicle is displaying a sticker indicating that the owner has paid for and secured a permit authorizing the parking of said vehicle in the parking area. (Code prior to Ord. No. 1071, § 32-250)

SEC. 32-200. DUTY OF PARKING METER CHECKERS, NOTICE OF VIOLATION, PAYMENT OF PENALTY.

It shall be the duty of parking meter checkers of the city, acting in accordance with instructions issued by the Finance Director, to report:

- (a) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this article.
- (b) The state license number of such vehicle.
- (c) The length of time during which such vehicle is parked in violation of any of the provisions of this article.

- (d) Any other facts, acknowledgment of which is necessary to a thorough understanding of the circumstances attending such violation.

Each such parking meter checker shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of a provision of this article and instructing such owner to report at the police department of the city in regard to such violation. Each such owner may, within forty-eight hours of the time when such notice was attached to such vehicle, pay to such police department as a penalty for and in full satisfaction of such violation, a sum as prescribed in the penalty sections of this chapter. The failure of such owner to make such payment to the police department within the forty-eight hours shall render such owner subject to the penalties hereinbefore provided for violation of the provisions of this article. (Code prior to Ord. No. 1071, § 32-253)

ARTICLE VII. BICYCLES

SEC. 32-201. Reserved*
 SEC. 32-202. Reserved*
 SEC. 32-203. Reserved*
 SEC. 32-204. Reserved*
 SEC. 32-205. Reserved*
 SEC. 32-206. Reserved*
 SEC. 32-207. Reserved*
 SEC. 32-208. Reserved*
 SEC. 32-209. Reserved*
 SEC. 32-210. Reserved*
 SEC. 32-211. Reserved*
 SEC. 32-212. Reserved*
 SEC. 32-213. Reserved*
 SEC. 32-214. Reserved*
 SEC. 32-215. Reserved*
 SEC. 32-216. Reserved*
 SEC. 32-217. Reserved*
 SEC. 32-218. Reserved*

ARTICLE VIII. VEHICLE INSPECTION

SEC. 32-219. Reserved*

SEC. 32-220. OPERATION WITHOUT INSPECTION ILLEGAL.

It is unlawful for any person to drive, stop or park, or for the owner to cause or knowingly permit to be driven, stopped, or parked in any parking area, as defined elsewhere in this chapter, within this municipality any vehicle which is required under the laws of the state or Dade County to be inspected, unless such vehicle has been inspected and has attached thereto, in proper position, a valid and unexpired certificate of inspection as required by the laws of the state or by Dade County. (Ord. No. 1071, S 143, 3-25-58)

SEC. 32-221. Reserved*
 SEC. 32-222. Reserved*
 SEC. 32-223. Reserved*
 SEC. 32-224. Reserved*
 SEC. 32-225. Reserved*
 SEC. 32-226. Reserved*
 SEC. 32-227. Reserved*
 SEC. 32-228. Reserved*
 SEC. 32-229. Reserved*
 SEC. 32-230. Reserved*
 SEC. 32-231. Reserved*
 SEC. 32-232. Reserved*
 SEC. 32-233. Reserved*
 SEC. 32-234. Reserved*
 SEC. 32-235. Reserved*
 SEC. 32-236. Reserved*
 SEC. 32-237. Reserved*

ARTICLE IX. VEHICLES FOR HIRE*

SEC. 32-238. DEFINITIONS.

For the purpose of this article:

- (1) Motor vehicle means any motor-propelled vehicle which, when operated upon the streets of the city for the transportation of passengers for compensation, either traverses a route controlled by the passenger or is driven to a destination selected by the passenger or is used for sightseeing purposes. A motor vehicle, as the term is used, may be either a taxicab or a for-hire car or a sightseeing car, as each is hereinafter defined.
- (2) Taxicab or taxi means any motor vehicle designed and constructed to accommodate four or five passengers in the passenger compartment thereof, which is equipped with a meter or device, hereinafter called a "taximeter", by means of which the amount of the fare to be paid by the passenger is mechanically computed and displayed, and the route or destination of which vehicle is controlled by the passenger therein.

- (3) For-hire car means any motor vehicle rented with driver which is provided with seating accommodations for not less than four nor more than six passengers in addition to the driver, which is not equipped with a taximeter, and the charge for the use of which is determined by the length of time for which the motor vehicle is engaged, or by the rates prescribed by ordinance for specific zones, or by the rates established for specific sightseeing trips, as approved by the city manager.
- (4) Sightseeing car means any motor vehicle with seating accommodations for seven or more persons, which is used on regularly conducted sightseeing trips to destinations and over routes not controlled by the passenger transported therein. The term "sightseeing car" excludes any motor vehicle which is used in the rendition of regular local transit service over a definite and fixed route in accordance with a prescribed schedule.
- (5) Applicant means every person who may make application for a certificate of public convenience and necessity as hereinafter described.
- (6) Certificate means any certificate of public convenience and necessity as hereinafter described, and the term "certificate holder" means a person as herein defined to whom a certificate of public convenience and necessity has been issued as herein provided.
- (7) Driver means every individual who shall operate a motor vehicle for which a permit as hereinafter described has been issued.

Nothing in this article is intended to apply to any motor vehicle which operates over a definite and fixed route upon a regular and prescribed schedule and which is used to transport passengers for compensation, either from place to place within the limits of the city or between the city and adjoining cities and towns. Nor shall any of the provisions of this article apply to any motor vehicle while it is being operated under the supervision and regulation of the railroad commission of the State of Florida. (Ord. No. 1071, § 210.01, 3-25-58)

SEC. 32-239. DRIVER SUBJECT TO PROVISIONS OF ARTICLE.

Every person who shall drive any motor vehicle while such vehicle is being used for the transportation of persons for compensation upon or over the streets of the city shall be subject to the provisions of this article. The driver of such vehicle shall be subject to the provisions of this article when any occupant therein is a paying passenger, irrespective of the starting point or the route or destination of such vehicle. (Ord. No. 1071, § 210.39, 3-25-58)

SEC. 32-240. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AND PERMIT -- REQUIRED.

No person shall use, drive or operate, or cause or permit any other person to use, drive or operate any motor vehicle as a sightseeing car, or as a taxicab, or as a for-hire car within the corporate limits of the city unless there shall have previously been obtained a certificate of public convenience and necessity and a permit, as hereinafter prescribed, authorizing and providing for such use or operation. (Ord. No. 1071, § 210.02, 3-25-58)

SEC. 32-241. SAME - HOLDER TO COMPLY WITH LAWS.

Every certificate holder is hereby required to comply fully with each and all of the ordinances, rules and regulations of the city. (Ord. No. 1071, § 210.21, 3-25-58)

SEC. 32-242. SAME - FORM OF ACCOUNTS AND FINANCIAL STATEMENTS.

Every certificate holder shall install and maintain the form of accounts as prescribed by the city and submit to the city such reports and financial statements as may be requested by the city manager. The accounting books and records of every certificate holder shall be available for inspection by such employees of the city as may be instructed by the city manager to make such inspection. (Ord. No. 1071, § 210.20, 3-25-58)

SEC. 32-243. SAME - HOLDER TO REPORT OF ACCIDENT OR INJURY TO PASSENGER OR DAMAGE TO PROPERTY.

Every certificate holder shall report immediately and fully in writing to the police department the time, place, cause and circumstances of any accident or injury to a passenger or other person, or damage to any property in which any vehicle of said certificate holder shall be involved. (Ord. No. 1071, § 210.18, 3-25-58)

SEC. 32-244. SAME - APPLICATION FOR CERTIFICATE; FEE; ISSUANCE OF CERTIFICATE.

(a) Every application for a certificate of public convenience and necessity shall be in writing, verified by the applicant, and shall be filed with the city clerk. Said application shall set forth the following:

- (1) If the applicant is an individual, the name, age and address of said applicant and the length of time applicant has resided in the city or county, if a partnership, the business name of said partnership and the name, age and address of each partner and the length of time each partner has resided in the city or county; if a corporation, the name of the corporation, date of its incorporation and the names and addresses of its officers; if the applicant is other than an individual, partnership or corporation, the name of the applicant and the names and addresses of all persons constituting said applicant.
- (2) The class of transportation service, whether the operation of one or more sightseeing cars, taxicabs, for-hire cars in which the applicant wishes to engage and a brief description of the kind or type of vehicle which the applicant desires to use, including the seating capacity and seating arrangement and the size and gross weight thereof.

- (3) The names and addresses of at least three residents of the city as references.
- (4) An agreement by the applicant to file, in the event that the application should be granted and prior to the issuance of the permit hereinafter described, the bond or insurance policies hereinafter provided for.
- (b) A fee of twenty-five dollars shall be paid at the time of filing any such application, said fee to be applied to the cost of the notices and hearing required and to the cost of administering the provisions hereof.
- (c) Upon the filing of said application and the payment of said fee, the city clerk shall report the receipt of the application to the city commission and the city commission shall thereupon fix a time for hearing said application. Such hearing shall not be less than five days nor more than sixty days subsequent to the date upon which said application was filed. No application shall be granted or certificate of public convenience and necessity issued without a hearing being held by the city commission. Notice of such hearing shall be given to the applicant and to all certificate holders by registered mail at least five days prior to the date set for such hearing. Said notice shall contain a brief summary of the subject matter of the application and the time and place of the hearing.
- (d) At the time specified in said notice a public hearing upon said application shall be held by the city commission and at or after such hearing the commission may issue a certificate with modifications, or upon such terms and conditions as in its judgment the public convenience and necessity may require; provided, the commission, in acting upon any application for a certificate, shall take into consideration all matters brought to its attention which pertain to the qualifications or lack of qualifications of the applicant as a common carrier; and provided further, that a certificate shall be granted only when, in the opinion of the city commission, the service already provided by existing certificate holders is so inadequate as to require the issuance of a new certificate.
- (e) It is further provided that no certificate shall be issued which will enable the same person to operate more than one motor vehicle which is rented from a stand in the public streets but this provision shall not apply to the operation of taxicabs or of sightseeing cars with a seating capacity per car of more than seven persons.
- (f) Every certificate of public convenience and necessity issued under the provisions of this chapter shall be signed by the mayor, attested by the city clerk, and shall contain, in addition to the name and address of the person entitled thereto, a statement of the class of transportation service authorized thereby and also a statement of the minimum requirements of the motor vehicle or vehicles to be used in the rendition of said transportation service. A certificate shall also have stated thereon such additional terms, conditions, provisions and limitations as the city commission may deem necessary or proper in the public interest.
- (g) Every certificate authorizing the operation of one or more for-hire cars shall entitle the holder thereof to use such car or cars upon such sightseeing trips as have been approved by the city manager.
- (h) Every certificate shall be obtained at the office of the city clerk by the person entitled thereto and a copy thereof shall be sent by the city clerk to the office of the chief of police of the city, where it shall be kept on file.
- (i) Every certificate shall remain in full force and effect from the time of its issuance until revoked in full or in part by the city commission; provided, however, every certificate issued under the provisions hereof shall be subject to alteration, suspension or revocation by the city commission at any time for good cause shown and after due notice has been given to the holder of said certificate and said holder has been given an opportunity to be heard.
- (j) Every certificate of public convenience and necessity shall be subject to revocation at any time by the city commission upon hearing, when it shall appear that the holder thereof has failed or neglected for a continuous period of one year to render the service provided for thereby.
- (k) The failure of a certificate holder to obtain and pay for a city occupational license for each taxicab or for-hire car authorized to be operated under his or its certificate, by not later than the fifteenth day of October of each license year, shall be and constitute automatic revocation of the certificate of public convenience and necessity for the operation of each such taxicab or for-hire car for which an occupational license fee is not so paid; and the city clerk shall thereupon issue, without further notice, an amended certificate of public convenience and necessity to such certificate holder, which shall authorize the operation of only so many taxicabs or for-hire cars as shown as paid for upon the occupational license issued to the certificate holder in question.
- (l) No certificate issued may be assigned or transferred without the consent of the city commission. Application for transfers of any certificate shall be filed jointly by the assignor and the assignee, and shall be subject to the same provisions as to application fee, public hearing and notice as original applications for certificates. The transfer, sale or assignment of any of the corporate stock of any corporation to which a certificate of public convenience and necessity has been issued, to one not already a stockholder therein, shall require the prior consent of the city commission. Application for consent to any such transfer or assignment of corporate stock shall be made to the city clerk, and no fee shall be charged therefor. Transfer or assignment of any such corporate stock without having received the prior approval of the city commission as herein required shall be sufficient grounds for cancellation of the certificate of public convenience and necessity held by such corporation. (Ord. No. 1071, § 210.03, 3-25-58)

SEC. 32-245. SAME - MODIFICATION, SUSPENSION OR REVOCATION OF CERTIFICATE.

Upon the modification, suspension or revocation of any certificate of public convenience and necessity by the city commission, the city clerk shall send written notice of such modification, suspension or revocation to the traffic bureau, which shall thereupon modify, suspend or revoke any permit to provide for the changed conditions resulting from the modification, suspension or revocation of said certificate. (Ord. No. 1071, § 210.07, 3-25-58)

SEC. 32-246. SAME - PERMITS, ISSUANCE.

After the applicable provisions of this article have been complied with and before any vehicle shall be operated under the authority of a certificate, the holder of such certificate shall make application to the traffic bureau for a permit for each motor vehicle which it is desired to operate under said certificate. Every application for a permit shall be in writing, verified by the certificate holder, and shall contain the name and address of said certificate holder, the number of the certificate and the make, type, year of manufacture, motor number, serial number, state license number, seating capacity and S.A.E. horsepower of each motor vehicle for which a permit is desired.

The traffic bureau shall issue to the certificate holder a permit for each motor vehicle listed in the application; provided, said vehicle fulfills the minimum requirements for vehicles as set forth in the certificate and that the provisions of the applicable sections have been complied with; and provided, further, in the opinion of the chief of police, the color scheme to be used upon said vehicle fulfills the requirements hereinafter set forth, and that the said vehicle is in satisfactory mechanical condition and equipped with such safety devices as will render it safe to be operated for the purpose set forth in the certificate.

No permit shall, however, ever be issued for the operation of any vehicle under a certificate when permits for the total number of vehicles authorized by said certificate have already been issued and are still outstanding.

No permit shall be issued for any vehicle, the condition of which would interfere with or detract from the comfort, convenience or safety of the passengers transported therein.

Each permit shall contain the name and address of the certificate holder, the number of the certificate of public convenience and necessity under which the motor vehicle is to be operated, and the make, type and motor number of the vehicle for the operation of which said permit is issued. The permit shall be displayed in a conspicuous place in and at all times during the operation of the motor vehicle described in the permit. No permit shall be displayed in or upon any vehicle other than the vehicle for which issued.

In the event that a certificate holder shall desire to replace any motor vehicle for which a permit has been secured, said certificate holder shall make application for a new permit as hereinbefore provided and shall surrender to the traffic bureau the permit under which the motor vehicle to be replaced has been operated.

Every permit issued shall expire on the thirtieth day of September following the date of issuance. (Ord. No. 1071, § 210.06, 3-25-58)

SEC. 32-247. SAME - SURRENDER OF PERMIT.

Upon the expiration of the term for which any permit has been granted, or upon the revocation of any permit, the permit shall be surrendered by the holder thereof to the traffic bureau. (Ord. No. 1071, § 210.09, 3-25-58)

SEC. 32-248. BOND OR INSURANCE POLICIES - REQUIRED.

No motor vehicle shall be operated under the authority of a certificate of public convenience and necessity unless and until the holder thereof shall have filed the bond or insurance policies hereinafter provided for and shall have thereafter secured from the traffic bureau of the city the permit as herein prescribed. (Ord. No. 1071, § 210.04, 3-25-58)

SEC. 32-249. SAME - FORM AND CONTENTS OF INDEMNITY BONDS; INSURANCE POLICY IN LIEU THEREOF.

For the protection and safety of the public it is hereby declared to be unlawful for a certificate holder to drive or operate or cause or allow another to drive or operate any motor vehicle under the provisions of a certificate unless there is in full force and effect, at all times while said motor vehicle is being operated, an indemnity bond furnished by said certificate holder and placed on file in the office of the city clerk. Said indemnity bond shall be given and filed for each motor vehicle operated under a certificate and shall be in the penal sum of not less than Ten Thousand Dollars (\$10,000.00) for injury to any one person, in the penal sum of not less than Twenty Thousand Dollars (\$20,000.00) for injuries to more than one person which are received in the same accident, and in the penal sum of not less than One Thousand Dollars (\$1,000.00) for property damage resulting from any one accident. The said indemnity bond shall have as surety thereon a surety company authorized to do business in the state, shall be payable to the city and shall inure:

- (a) To the benefit of any person who shall receive bodily injuries by reason of the negligence or misconduct of the certificate holder or the driver of a motor vehicle while said vehicle is being used under said certificate;
- (b) To the benefit of the heirs or legal representatives of any person who shall die by reason of the negligence or misconduct of the certificate holder or the driver of a motor vehicle while said vehicle is being used under said certificate;
- (c) To the benefit of any person who shall sustain damages to his property through the negligence or misconduct of the certificate holder or the driver of a motor vehicle while said vehicle is being used under said certificate.

Provided, however, any holder of a certificate of public convenience and necessity may file, in lieu of said indemnity bond, a liability insurance policy with an insurance company authorized to do business in the state, and provided further that said liability insurance policy shall guarantee the payment of the same amounts and to the same persons and under the same conditions as hereinbefore recited with respect to an indemnity bond.

Every indemnity bond or liability insurance policy filed with the city clerk in accordance with the requirements of this section shall contain a provision whereby the company issuing such indemnity bond or liability insurance policy shall obligate itself to notify the city clerk in writing at least thirty days before any such bond or policy is altered, modified or cancelled.

All indemnity bonds and liability insurance policies filed by any certificate holder as herein provided shall be submitted to the city attorney, who shall report in writing to the city clerk the vehicle for which valid and acceptable indemnity bonds or liability insurance policies have been filed.

The finance director shall report to the traffic bureau in writing the amount of cash or government bonds deposited by and standing to the credit of any certificate holder and shall advise the traffic bureau of all changes in said amount.

The city clerk shall advise the traffic bureau at once when any changes or modifications are made in the amount or the provisions of any indemnity bonds or liability insurance policies filed with said city clerk. (Ord. No. 1071, § 210.05, 3-25-58)

SEC. 32-250. SAME - RENTED VEHICLES - INSURANCE POLICY REQUIRED.

For the purpose of providing protection to the public against the negligent operation of rented or leased passenger automobile, rented without driver, it is hereby declared to be unlawful for any person to rent or lease to another any passenger automobile which is or may be operated within the corporate limits of the city, unless such person has caused to be executed, and shall maintain in full force and effect and applicable to such operation at all times during the entire period thereof, a liability insurance policy as hereinafter prescribed, the terms and conditions whereof shall be such as to provide protection for all persons suffering injury, loss or damage to person or to property by reason of the negligent operation of such rented or leased passenger automobile by any person within the corporate limits of the city. (Ord. No. 1071, § 210.31, 3-25-58)

SEC. 32-251. SAME - SAME - AMOUNT OF INDEMNITY IN POLICY.

Every such insurance policy shall be of form and substance approved by the city attorney, shall be executed by an insurance company authorized to do business in the state and acceptable to the city and shall be in the sum of not less than Ten Thousand Dollars (\$10,000.00) for injury or death to any one person; in the sum of not less than Twenty Thousand Dollars (\$20,000.00) for injury or death to all persons caused by any one accident, and in the sum of not less than Five Thousand Dollars (\$5,000.000) for damage to property resulting from any one accident. A duly authenticated copy of every such insurance policy, or a certificate of the insurance company evidencing such insurance, shall be filed with the city clerk by the person responsible hereunder for the execution and maintenance of such policy, and the policy shall contain a provision whereby every company executing the same shall obligate itself to notify the city clerk in writing at least thirty days before any alteration, modification or cancellation of such policy is to become effective. (Ord. No. 1071, § 210.32, 3-25-58)

SEC. 32-252. COLOR SCHEMES FOR TAXICABS; MAINTENANCE OF CABS IN GARAGES.

Every certificate holder authorized to operate one or more taxicabs shall adopt and use, after the approval of the chief of police has been secured, a distinctive uniform and decorative color scheme for all taxicabs operated under the same certificate, and the traffic bureau shall refuse to issue a permit if in his opinion the color scheme proposed will infringe upon a color scheme already in use by another taxicab operator. Every taxicab for the operation of which a permit is issued shall be maintained in a garage or other building located in the city and shall have painted upon each side and the rear thereof, in accordance with instructions issued by the traffic bureau the name and telephone number of the certificate holder, the number of the taxicab and such other information as may be prescribed by ordinances of the city. (Ord. No. 1071, § 210.08, 3-25-58)

SEC. 32-253. WITHDRAWAL OF VEHICLES WHEN NOT IN GOOD CONDITION.

Whenever the traffic bureau shall determine that any motor vehicle for the condition of which a permit has been issued is not in satisfactory mechanical operation, or its general appearance makes it unfit or unsafe for use on the public streets or for the transportation of passengers, or if it lacks such appliances attached thereto in good condition as are required by the laws of the state or by any ordinance of the city, such motor vehicle may be ordered withdrawn from service and the permit therefor revoked unless the certificate holder operating said vehicle shall request a hearing before the municipal court. In such event the traffic bureau may order such vehicle withdrawn from service, pending such hearing, and if it is adjudged at said hearing by said municipal court that the vehicle is not in satisfactory mechanical condition as set forth and required by existing law, the said permit may be revoked as to such vehicle. (Ord. No. 1071, § 210.10, 3-25-58)

SEC. 32-254. Reserved*

SEC. 32-255. Reserved*

SEC. 32-256. CHAUFFEUR'S LICENSE - REQUIRED.

It shall be unlawful to drive any motor vehicle, or for the owner thereof to permit same to be driven, over the streets of this city when such vehicle is then and there used in the transportation of persons for compensation without first having obtained a public vehicle chauffeur's license and paid the license fee herein required. (Ord. No. 1071, § 210.40, 3-25-58)

SEC. 32-257. SAME - QUALIFICATIONS.

Any person who makes application for a public vehicle chauffeur's license, as herein provided for, must be a resident of this city or Dade County and shall be at least twenty-one years of age, shall establish that he is a person of sound health, good moral character, alert mind, good eyesight and good hearing, that he is in possession of all other faculties essential to the safe operation of a motor vehicle, and that he is otherwise fully capable of operating a motor vehicle, together with possessing a thorough knowledge of all traffic regulations and laws enacted by the State of Florida and the city and possesses a comprehensive knowledge of all ordinances enacted by the city pertaining to the operation of vehicles upon the streets. (Ord. No. 1071, § 210.41, 3-25-58)

SEC. 32-258. SAME - APPLICATION.

(1) **Contents.** Each application for a public vehicle chauffeur's license authorizing the operation of a motor vehicle for the transportation of persons in the city for compensation shall be in writing, verified by the applicant and shall be made upon the form prescribed by the chief of police and shall contain the following information:

- (a) The name and address of the applicant;
- (b) The age of the applicant and the length of time he has resided in the city or the county;
- (c) Statement of applicant's educational training;
- (d) The names and addresses of all persons by whom such applicant has been employed during a three year period immediately preceding the date of application; and
- (e) Such additional information as the chief of police shall require to enable him to determine the moral character and fitness of the applicant to drive a motor vehicle in the transportation of persons for compensation.

(2) **Photographs, character references.** Three photographs of the applicant, of a size and type prescribed by the chief of police shall be attached to such application and filed therewith, and the affidavits of at least three persons who have been residents of the city for at least one year prior to the filing of such application shall make oath as to the moral character of the applicant, and such affidavits shall be filed with the application. (Ord. No. 1071, § 210.42, 3-25-58)

SEC. 32-259. SAME - EXAMINATION OF APPLICANT.

When any application for a public vehicle chauffeur's license has been made, and contents thereof approved by the chief of police, the person filing such application shall be given an examination and driving test to determine whether such application should be granted or denied. Such examination shall be under the supervision of the chief of police, and shall be either oral or written or partially oral or partially written, in the discretion of the chief of police and shall comprise a complete and accurate test of the physical, mental and moral fitness of the applicant to drive a motor vehicle in the transportation of persons for compensation. (Ord. No. 1071, § 210.43, 3-25-58)

SEC. 32-260. SAME - LICENSED DRIVERS REQUIRED.

No certificate holder shall permit any vehicle to be operated by a driver who is not licensed to operate a vehicle on the streets of the city. (Ord. No. 1071, § 210.16, 3-25-58)

SEC. 32-261. SAME - CHIEF OF POLICE TO ISSUE.

A license to drive a motor vehicle in the transportation of persons for compensation shall be issued by the chief of police to every applicant therefor who, in his opinion, shall have passed the driving test and the examination prescribed in the preceding section. Prior to the issuance of such license, however, the fingerprints of the person entitled thereto shall be taken in the office of the chief of police and the license tax hereafter provided for shall be paid. The chief of police shall use the fingerprint record of the applicant to request a criminal record search from the Federal Bureau of Investigation or other competent agency, and any such license issued before the results of such search are received may be revoked without notice by the chief of police if the applicant's record when received contains information showing a lack of moral character or fitness on the part of the applicant to act as a chauffeur of a public vehicle. (Ord. No. 1071, § 210.44, 3-25-58)

SEC. 32-262. SAME - RE-EXAMINATION OF APPLICANT.

Any applicant for a public vehicle chauffeur's license, who, in the opinion of the chief of police, shall fail to pass the examination prescribed, shall not be re-examined prior to the expiration of three months from the date of the first examination. (Ord. No. 1071, § 210.45, 3-25-58)

SEC. 32-263. SAME - FEE, TERM.

Each person to whom a license has been issued, authorizing such person to drive a motor vehicle in the transportation of persons for compensation, shall pay an annual license fee of five dollars; said amount to be due and payable on the first day of October of each year for which the license may be desired. Each person obtaining such license on or subsequent to the first day of April in any year, shall pay one-half of the prescribed annual license fee. (Ord. No. 1071, § 210.46, 3-25-58)

SEC. 32-264. SAME - RENEWAL.

Any person to whom there has been issued a license referred to in this section shall be entitled to renew such license from year to year, or for any year subsequent to the year during which such license was originally issued, unless such license shall have been revoked as herein provided. (Ord. No. 1071, § 210.47, 3-25-58)

SEC. 32-265. SAME - BUTTON OR INSIGNIA TO BE WORN.

Upon payment of the annual license tax, as described in this section, by the applicant, a license shall be furnished, together with a button or insignia of a design or form selected by the chief of police. Such button or insignia shall contain the number of the license and the year for which such license has been issued, and shall be worn upon the clothing of a licensee in such manner as to be readily visible at all times while the licensee is engaged in driving a motor vehicle in the transportation of persons for compensation in the city. (Ord. No. 1071, § 210.48, 3-25-58)

SEC. 32-266. SAME - SUSPENSION OF LICENSES.

Any license issued under the provisions of this article may be suspended by the city manager or the chief of police when, in his opinion, the holder of such license is no longer qualified. Immediately upon the suspension of such license, the city manager or chief of police shall submit a written complaint to the municipal judge, containing the reasons for such suspension. The municipal judge thereupon shall conduct a hearing upon the merits of such suspension and shall have the power to either reinstate or revoke such license at the conclusion of the hearing. (Ord. No. 1071, § 210.49, 3-25-58)

SEC. 32-267. RESTRICTIONS ON PARKING AND SOLICITING PASSENGERS.

The driver of a motor vehicle waiting employment shall not park his vehicle on any public street in the city except in an area designated as a public vehicle stand. The driver of a motor vehicle shall not solicit passengers vocally or by gestures, or by driving such vehicle to and fro before any theater, hall, building or place of public assemblage, unless such vehicle shall have been driven a distance of at least four blocks since it last passed such theater, hall, building or place of public assemblage. Any driver of a motor vehicle may solicit employment by driving his vehicle over or upon any public street or place; provided, such vehicle shall be halted only when traffic signals or conditions require such halting, and it shall be driven at a rate of speed which shall neither interfere with nor impede traffic. (Ord. No. 1071, § 210.13, 3-25-58)

SEC. 32-268. DRIVERS TO REMAIN IN ATTENDANCE ON VEHICLES.

It shall be unlawful for the driver of any passenger transportation for compensation vehicle to leave his vehicle unattended when such vehicle shall be occupying any stand designated and established on any public street or public place. (Ord. No. 1071, § 210.14, 3-25-58)

SEC. 32-269. SOLICITING FOR HOTELS, INNS OR APARTMENT HOUSES.

It shall be unlawful for the driver of any taxicab or other passenger vehicle for hire while engaged in such occupation within the city, to solicit the patronage of any passenger or prospective passenger in the vehicle driven by him, in behalf of any hotel, inn or apartment house. (Ord. No. 1071, § 210.33, 3-25-58)

SEC. 32-270. DIVERTING PROSPECTIVE GUESTS FROM HOTELS, ETC.

It shall be unlawful for the driver of any taxicab or other passenger vehicle for hire while engaged in such occupation within the city to divert or attempt to divert a prospective guest from any hotel, inn or apartment house to any other hotel, inn or apartment house. (Ord. No. 1071, § 210.34, 3-25-58)

SEC. 32-271. MANAGERS AND OPERATORS OF HOTELS, ETC., NOT TO OFFER PAY FOR SOLICITING.

It shall be unlawful for the owner, manager, lessee or operator of any hotel, inn or apartment house, or any of the agents, servants or employees thereof, to pay or to offer to pay, within the city, to the driver of any taxicab or other passenger vehicle for hire any reward or compensation, directly or indirectly, for soliciting, while engaged in such occupation as taxi driver or vehicle driver, any passengers or prospective passengers in the vehicle driven by said driver, as guest for the said owner, manager, lessee or operator. (Ord. No. 1071, § 210.35, 3-25-58)

SEC. 32-272. MANAGER AND OPERATORS OF HOTELS, ETC., NOT TO OFFER PAY FOR DIVERTING PROSPECTIVE GUESTS.

It shall be unlawful for the owner, manager, lessee or operator of any hotel, inn or apartment house, or any of the agents, servants or employees thereof, to pay or offer to pay within the city, to the driver of any taxicab or other passenger vehicle for hire, any reward or compensation, directly or indirectly, for diverting any prospective guest from any other hotel, inn or apartment house, to the hotel owned, managed, leased or operated by the party paying or offering to pay such reward or compensation. (Ord. No. 1071, § 210.36, 3-25-58)

SEC. 32-273. UNLAWFUL TO RECEIVE OR AGREE TO RECEIVE PAY FOR SOLICITING OR DIVERTING.

It shall be unlawful for the driver of any taxicab or other passenger vehicle for hire to receive or agree to receive within the city, from the owner, manager, lessee or operator of any hotel, inn or apartment house, or any of the agents, servants or employees thereof, any reward or compensation, directly or indirectly, for either of the following purposes:

- (1) Soliciting guests for said hotel, inn, or apartment house while engaged in such occupation as taxi driver or vehicle driver.
- (2) Diverting guests to said hotel, inn or apartment house from another hotel, inn or apartment house. (Ord. No. 1071, § 210.37, 3-25-58)

SEC. 32-274. REVOCATION OF LICENSE FOR SOLICITING OR DIVERTING FOR OR FROM HOTELS, APARTMENT HOUSE, ETC.

Whenever the driver of any taxicab or other passenger vehicle for hire, or the owner, operator, manager or lessee of any hotel, inn or apartment house shall be convicted of a violation of any of sections 32-269 through 32-273 the clerk of the municipal court shall transmit a certified copy of such conviction to the board or official thereof possessing authority to revoke the license of such convicted person. (Ord. No. 1071, § 210.38, 3-25-58)

SEC. 32-275. PERSONAL PROPERTY LEFT IN VEHICLE.

Personal property left in any motor vehicle by a passenger shall, within twelve hours of its discovery by or delivery to the driver, be deposited at police headquarters. (Ord. No. 1071, § 210.19, 3-25-58)

SEC. 32-276. BOARDING OR ALIGHTING FROM MOVING BUSES PROHIBITED.

It shall be unlawful for any person to board or alight from any bus or other public conveyance in the city while such vehicle is in motion. Loading or unloading shall be from the right side of such bus or other public conveyance. (Ord. No. 1071, § 211, 3-25-58)

SEC. 32-277. RIDING IN PROHIBITED PLACE; REFUSING TO PAY BUS FARE.

It shall be unlawful to ride in the city on any bus or other public conveyance or upon any portion thereof not designed or intended for the use of passengers, or to fail or refuse to pay the lawful fare for riding thereon. (Ord. No. 1071, § 212, 3-25-58)

SEC. 32-278. Reserved*

SEC. 32-279. Reserved*

SEC. 32-280. SMOKING, SPITTING, ETC., ON BUSES.

It shall be unlawful for any person to spit, expectorate or deposit any sputum, saliva or mucus upon the front or upon any portion of the interior or steps of platform of any bus, or any public conveyance operating in the city, and smoking in any bus or other conveyance shall be unlawful while such bus shall be engaged in the transportation of passengers for compensation in the city. (Ord. No. 1071, § 215, 3-25-58)

SEC. 32-281. ADDITIONAL RULES REGULATING DRIVERS.

No driver of any vehicle shall:

- (1) Solicit passengers or attract attention by calling or by the use of a horn, bell, whistle or other signal;
- (2) Have his vehicle in motion while anyone is standing or sitting upon the running board, fender, hood or door;
- (3) Drive or operate a motor vehicle without having the same equipped with a suitable horn or similar warning device and with a standard speedometer in serviceable condition, and with such other equipment as is or may be required for motor vehicles under this chapter or by the laws of the state;
- (4) Collect fares, make change or take on or discharge passengers while said vehicle is in motion;
- (5) Smoke while driving said vehicle;
- (6) If the vehicle is a taxicab or for-hire car, to operate said taxicab or for-hire car, unless his photograph is displayed in a conspicuous place in the passenger compartment of said vehicle and said photograph has inscribed thereon the name and address of said driver;
- (7) If operating a taxicab or for-hire car, refuse or neglect to transport to any place in the city when his vehicle is available for hire, any orderly person willing to pay the prescribed fare;
- (8) If operating a for-hire car upon an hourly basis or if operating a taxicab, accept any additional passenger without the consent of the passenger by whom his vehicle has already been engaged;
- (9) Sit, sleep or loaf or permit others to sit, sleep or loaf within the passenger compartment of said vehicle while on a public vehicle stand;
- (10) Fail to have the permit for said vehicle displayed therein as required by this chapter. (Ord. No. 1071, § 210.17, 3-25-58)

SEC. 32-282. TAXIMETER REQUIREMENTS.

(1) To be accurate, tested by division of weights and measures. Each taxicab shall be equipped with a taximeter of a size and design approved by the traffic bureau, and such taxicab shall not be operated in the city until such taximeter first shall have been inspected by the traffic bureau or by some person delegated by it for that purpose, and shall be found to be accurate and in a satisfactory operating condition. The traffic bureau shall suspend the permit under which a taxicab has been operating if at any time it is found that the taximeter with which the taxicab is then equipped has been found defective or inaccurate, and such suspension of permit shall remain in effect until such time as the said taximeter has been repaired to his satisfaction.

(2) Fare registering on meter to be visible to passengers. The face of every taximeter shall be visible at all times from the passenger compartment of the taxicab in which it is installed and shall be illuminated at such time and under such circumstances as to enable passengers to ascertain the amount of fare registered by said taximeter.

(3) Taximeter to be sealed. No taxicab shall be operated in the city unless the case of the taximeter therein installed has been sealed.

(4) Signal of taximeter. The signal affixed to any taximeter with which each taxicab shall be equipped under no circumstances shall indicate that the taxicab is vacant when in fact such taxicab is then engaged by a passenger, nor shall any such signal indicate that the taxicab to which it is attached is employed at a rate of fare different from that rate of fare prescribed by ordinances of the city.

(5) Fare to be collected. The amount of fare collected from the passenger by the driver of any taxicab shall be limited to the amount displayed on the face of the taximeter, and the driver thereof upon demand shall furnish the passenger with a receipt stating the amount of fare collected. (Ord. No. 1071, § 210.29, 3-25-58)

SEC. 32-283. RATES AND FARES - ESTABLISHED BY CITY COMMISSION.

Every holder of a certificate of public convenience and necessity shall charge or shall permit to be charged in any vehicle operated under said certificate only such rates of fare or compensation as shall be established and prescribed from time to time by ordinance or resolution duly passed and adopted by the city commission. (Ord. No. 1071, § 210.15, 3-25-58)

SEC. 32-284. SAME - MAXIMUM AND MINIMUM FOR TAXICABS; NO ADDITIONAL CHARGES FOR EXTRA PASSENGERS OR BAGGAGE.

No person while operating one or more taxicabs on or over the public streets, roads and highways of the city under a certificate of public convenience and necessity issued by said city, shall charge or collect for the transportation of a passenger or passengers in any such taxicabs any rate which does not fulfill and comply with the following requirements:

- (1) The maximum rate shall be forty cents (40¢) for the first one-third (1/3) of a mile or less, and ten cents (10¢) for each additional one-third (1/3) of a mile or part thereof thereafter. The rate of any fractional part of one-third (1/3) of a mile traversed by any taxicab shall be the same as if the entire one-third (1/3) of a mile had been traversed by such taxicab. The maximum charge for waiting time shall be at the rate of four dollars (\$4.00) per hour, to be apportioned at a rate not to exceed ten cents (10¢) for each one and one-half (1-1/2) minutes thereof.
- (2) The minimum rate shall be fifteen cents (15¢) for the first one-fourth (1/4) of a mile or less and five cents (5¢) for each additional one-fourth (1/4) of a mile thereafter. The rate for any fractional part of one-fourth (1/4) of a mile traversed by any taxicab shall be the same as if the entire one-fourth (1/4) of a mile had been traversed by such taxicab. The minimum rate which shall be charged for waiting time shall be ten cents (10¢) for each three (3) minutes thereof.
- (3) No additional charge shall be made for the transportation of extra passengers or hand baggage in any taxicab. (Ord. No. 1071, § 210.22, 3-25-58; Ord. No. 1135, § 1, 5-26-59)

SEC. 32-285. SAME - MAXIMUM FOR FOR-HIRE CARS.

No person, while operating one or more for-hire cars on or over the public streets, roads and highways of the city under a certificate of public convenience and necessity issued by said city, shall charge or collect for the transportation of a passenger in any such for-hire car any rate which does not fulfill and comply with the following requirements:

- (1) The maximum amount which shall be charged for any for-hire car when rented with driver upon an hourly basis shall be at the rate of four dollars per hour for each hour or fraction thereof for which for-hire car is engaged, if such for-hire car is constructed or designed with seating accommodations for seven or more persons, and shall be at the rate of three dollars per hour for each hour or fraction thereof for which such for-hire car is engaged, if such for-hire car is constructed or designed with seating accommodations for less than seven persons. The maximum rates herein provided shall apply irrespective of the number of passengers occupying any for-hire car during the period for which rented.
- (2) Only such rates as have been approved by the city manager shall be charged when any for-hire car is used for a specific sightseeing trip. Every person authorized to operate one or more for-hire cars shall, prior to making any sightseeing trip in any such for-hire car, file with the city manager a proposed schedule showing for each sightseeing trip which it is desired to make:
 - (a) The complete route to be observed and the total mileage thereof.
 - (b) All places of interest along such route at which stops will be made and minimum length of time of each such stop.
 - (c) The minimum amount of time which shall be consumed in making the entire sightseeing trip; and
 - (d) The amount of fare to be charged each person taking such sightseeing trip.

The city manager shall give consideration to each such proposed schedule and shall approve such schedule as submitted to him or shall revise, amend, modify or alter the same as he may deem advisable. Each schedule as revised, or approved by the city manager shall be observed and adhered to in every respect. (Ord. No. 1071, § 210.23, 3-25-58)

SEC. 32-286. SAME - FOR SIGHTSEEING CARS.

Every person authorized by a certificate of public convenience and necessity issued by the city to operate one or more sightseeing cars on or over the public streets, roads and highways of said city shall, prior to making any sightseeing trip in any sightseeing car, file with the city manager a proposed schedule showing the time when and the place at which such sightseeing trip shall begin and the earliest time at which such sightseeing trip shall end, the frequency and the route thereof and the amount of fare to be charged each passenger taking such sightseeing trip. The city manager shall give consideration to each such proposed schedule and shall approve such schedule as submitted to him or shall revise, amend, modify or alter the same as he may deem advisable. Each schedule as revised or approved by the city manager shall be observed and adhered to in every respect by the person conducting the sightseeing trip to which such schedule pertains and no rate or charge or other than as stated in such schedule shall be charged to or collected from any person taking such sightseeing trip. (Ord. No. 1071, § 210.24, 3-25-58)

SEC. 32-287. SAME - OPERATORS OF TAXICABS AND FOR-HIRE CARS TO FILE SCHEDULE.

Every person authorized by the city to operate one or more taxicabs or for-hire cars on or over the public streets, roads and highways of said city shall file with the city manager of the city a schedule of the rates which, under and in compliance with the provisions of this chapter, will be charged for the transportation of passengers in such taxicabs or for-hire cars. Only those rates shown in such schedules shall be charged and collected for the transportation of passengers in such taxicabs or for-hire cars unless at least ten days prior to the date upon which other rates are to be charged, the person operating such taxicabs or for-hire cars shall have filed with the city manager of the city new schedules showing the new rates which it is desired to charge. All such rate schedules shall be approved by the city commission before becoming effective. (Ord. No. 1071, § 210.25, 3-25-58)

SEC. 32-288. SAME - TAXICABS AND FOR-HIRE CARS TO POST.

Every taxicab and for-hire car shall have posted in a conspicuous place therein and readily visible to the occupant thereof a statement showing the rates to be charged for transportation therein. Such rates as posted shall be the same as those rates set forth in the schedules described in section 32-287. (Ord. No. 1071, § 210.26, 3-25-58)

SEC. 32-289. SAME - PAINTING UPON SIDES OF TAXICABS.

In addition to the posting of rates as required above, every taxicab shall have painted upon each side thereof in accordance with instructions issued by the traffic bureau of the city the rates charged for transportation in such taxicab. (Ord. No. 1071, § 210.27, 3-25-58)

SEC. 32-290. DISPUTES BETWEEN DRIVERS AND PASSENGERS.

Any dispute between the driver of a taxicab or for-hire car and passenger therein over the amount of fare demanded shall be referred by such driver to the officer in charge of the police station. Failure to abide by the decision of such officer, relative to the amount of fare which should be paid, shall constitute a violation of this chapter and shall subject the person guilty thereof to the penalties herein provided. (Ord. No. 1071, § 210.28, 3-25-58)

SEC. 32-291. PRIVILEGE TAX.

There is hereby levied by the city upon the privilege of using the public streets and other highways of said city for the purpose of engaging in the business of operating thereon taxicabs, for-hire cars, sightseeing cars and all motor vehicles other than motor buses in the transportation of passengers for compensation an annual tax in the amount prescribed by the occupational license ordinances of the city. Provided, however, that none of the provisions of this chapter shall apply to any business insofar as said business shall involve the operation of any motor vehicle under the jurisdiction and control of the railroad commission of the state under Florida Statutes, 323.01-323.30 (Ord. No. 1071, § 210.30, 3-25-58)

ARTICLE X. SCHEDULES

SEC. 32-292. ENUMERATION OF SPECIFIC PENALTIES ON PLEA OF GUILTY.

SEE ORDINANCE NO. 1331,
PASSED AND ADOPTED ON
APRIL 16, 1963 - SUPPLEMENT
13.

SEC. 32-293. Reserved*

SEC. 32-294. Reserved*

SEC. 32-294.1 SAME - ON, OVER OR UPON RAILROAD TRACKS; PENALTY FOR VIOLATION.

(a) It shall be unlawful to operate any vehicle, however propelled, at any time, under any circumstances at a speed greater than twenty-five (25) miles per hour, on or over any railroad track within the city.

(b) It shall be unlawful for any vehicle to be operated upon any railroad track within the city, no matter how that vehicle may be propelled, across any intersection with a street, alley, highway, boulevard or any other crossing open to and commonly used by the traveling public, at a speed greater than twenty (20) miles per hour, unless such public crossing is protected to and for the traveling public in one of the following ways:

- (1) By the use of flash red lights and the ringing of a bell both of which shall commence operating, automatically, upon the entry of any vehicle within a distance of five hundred feet (500') of any such crossing and which shall continue so operating until such vehicle has gone at least five hundred feet (500') past such crossing.

- (2) By the placing of a qualified and proper person or persons at such crossing, whose duty it shall be to warn travelers of the approaching vehicle over such railroad tracks, or
- (3) By the use of gates which shall automatically lower and effectively bar passage when the vehicle being operated over the railroad tracks comes within a distance of five hundred feet (500') of such railroad crossing. Such gates shall be distinctly marked in black and white stripes and shall be equipped with flashing red lights, both of which shall commence operating and continue so to do until the vehicle operated over the tracks has gone beyond five hundred feet (500') of the crossing.

Any person or persons, firm, association or corporation violating any of the terms or provisions of this section shall, upon conviction thereof, in the municipal court of the city be punished as provided in section 1-8 of this Code. (Ord. No. 1136, S 1-3, 5-26-59)

SEC. 32-295. Reserved*
 SEC. 32-296. Reserved*
 SEC. 32-297. Reserved*
 SEC. 32-298. Reserved*
 SEC. 32-299. Reserved*
 SEC. 32-300. Reserved*
 SEC. 32-301. Reserved*
 SEC. 32-301.1 Reserved*
 SEC. 32-302. Reserved*
 SEC. 32-303. Reserved*
 SEC. 32-304. Reserved*
 SEC. 32-305. Reserved*

SECTION 2. That all ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed insofar as there is inconsistency or conflict.

SECTION 3. That this ordinance is hereby declared to be an emergency measure on the grounds of urgent public need for the preservation of peace, health, safety and property of the City of Coral Gables, Florida.

PASSED AND ADOPTED THIS TENTH DAY OF DECEMBER, A. D. 1963.

APPROVED:

Joseph H. Murphy
 Joseph H. Murphy, MAYOR

W. Keith Phillips, Jr.
 W. Keith Phillips, Jr., VICE-MAYOR

ATTEST:

Loretta V. Sheehy
 Loretta V. Sheehy, CITY CLERK

Phyllis A. Davey
 Phyllis A. Davey, DEPUTY CITY CLERK