

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 17, 2011

Consent

Regular

Public Hearing

Department: Public Safety

Submitted By: Public Safety Department

Submitted For: Consumer Affairs Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ENACTING A SIX-MONTH MORATORIUM UPON THE ACCEPTANCE OF APPLICATIONS FOR AND THE ISSUANCE OF VEHICLE FOR HIRE BUSINESS PERMITS, BY AMENDING PALM BEACH COUNTY CODE CHAPTER 19, ARTICLE IX (ORDINANCE NO. 2008-043), PROVIDING FOR A MORATORIUM; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

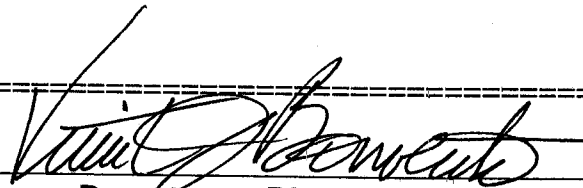
Summary: On March 15, 2011, the Board of County Commissioners voted to impose a six-month moratorium on the acceptance of applications for the issuance of Vehicle for Hire business permits for new companies wishing to operate a Vehicle for Hire business within Palm Beach County. The moratorium will give staff the opportunity to work with the vehicle for hire industry to determine if additional restrictions should be placed on the requirements or quantity of vehicle for hire businesses operating in Palm Beach County. This Ordinance implements the Board's direction to enact the moratorium. At its April 12, 2011 Meeting, the Board approved the preliminary reading of this Ordinance. COUNTYWIDE (GB)

Background and Policy Issues: At its meeting on March 15, 2011, the Board of County Commissioners voted to institute a moratorium on acceptance of applications for and the issuance of Vehicle for Hire business permits to new companies desiring to engage in Vehicle for Hire services in Palm Beach County. This ordinance will impose a six-month moratorium per the Board's direction. The Board may terminate the moratorium by Resolution if it finds the moratorium is no longer required. The moratorium will not preclude companies with existing business permits from obtaining additional or replacement vehicle decals nor will it preclude existing permitted companies from renewing their 2012 vehicle for hire business permit.

Attachment:

Ordinance

Recommended by:



Department Director

4/26/11
Date

Approved By:



Assistant County Administrator

4/26/11
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues*	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>* 0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____ Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

License and other fees enable this program to be self-funded with no ad valorem impact.

C. Departmental Fiscal Review: *Stephanie Leprie*

* There is no additional fiscal impact from these changes.

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 5/2/2011
 OFMB

[Signature] 5/3/11
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 5/5/11
 Assistant County Attorney

[Handwritten notes: 5/2/11, 5/12/11, 4/28/11, 4/12/11, 4/10]

C. Other Department Review:

 Department Director

Revised 9/03
 ADM FORM 01

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

1 **SECTION 1. MORATORIUM**

- 2 a. The Board of County Commissioners of Palm Beach County does hereby impose a
3 moratorium, beginning on the effective date of this ordinance upon the acceptance of
4 applications for and the issuance of Vehicle For Hire Company business permits.
- 5 b. The moratorium shall not preclude companies with existing business permits from
6 obtaining additional or replacement vehicle decals nor shall it preclude existing permitted
7 companies from renewing business permits for the 2012 license year.
- 8 c. The Ordinance shall expire upon the earlier of the following: (1) six months from the
9 effective date of this Ordinance or (2) enactment of a resolution by the Board of County
10 Commissioners of Palm Beach County terminating the moratorium.

11

12 **SECTION 2. Repeal of Laws in Conflict.**

13 All local laws and ordinances in conflict with any provisions of this Ordinance are hereby
14 repealed as it relates to the enforcement of this Ordinance only.

15

16 **SECTION 3. Savings Clause.**

17 Notwithstanding Section 2, Repeal of Laws in Conflict, all administrative and court orders, fines
18 and pending enforcement issued pursuant to the authority and procedures established by
19 Ordinance 2008-043 shall remain in full force and effect.

20

21 **SECTION 4. Inclusion in the Code of Laws & Ordinances.**

22 The provisions of this Ordinance shall become and be made a part of the Code of Laws and
23 Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered
24 or relettered to accomplish such, and the words "ordinance," "article," "section," "subsection," or
25 "paragraph" may be changed to any other appropriate word to accomplish codification.

26

27 **SECTION 5. Severability.**

28 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason
29 held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding
30 shall not affect the remainder of this Ordinance.

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SECTION 6. Effective Date.

The provisions of this Ordinance shall be effective immediately upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the _____ day of _____, 2011.

SHARON BOCK, CLERK
Board of County Commissioners

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By _____
Deputy Clerk

By: _____
Karen T. Marcus, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

Filed with the Department of State on the _____ day of _____, 2011.

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
(CODRS) CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (ALACHUA COUNTY) COUNTY ORDINANCE # ()
(e.g., 00-001)

PRIMARY KEYFIELD
DESCRIPTOR: (PUBLIC SAFETY)

SECONDARY KEYFIELD
DESCRIPTOR: (LICENSES PERMITS)

OTHER KEYFIELD
DESCRIPTOR: ()

ORDINANCE DESCRIPTION: (VEHICLE FOR HIRE MOBILITY)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (2008-043) AMENDMENT # 2: ()

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: () REPEAL # 3: ()

REPEAL # 2: () REPEAL # 4: ()

(Others repealed: List all that apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: ()

KEYFIELD 1 CODE: () KEYFIELD 2 CODE: ()

KEYFIELD 3 CODE: ()

Rev. 4/10/04