City of Mount Dora
Police Department
1300 N Donnelly Street
Mount Dora, Florida 32757

GOLF CART REGISTRATION PACKET

Submittal Guide	Page 1
Golf Cart Road Map	Page 2-3
Guide to Owning Low Speed Vehicles	Page 4
Florida Statutes 316.212	Page 5-6
Florida Statutes Chapter 316.2122	Page 7-8
Application for Golf Cart Registration & Renewal	Page 9
Golf Cart Registration Affidavit	Page 10-12
Article V, Chapter 42, Mount Dora Code of Ordinances	Page 13-30

Submittal Guide

1. Residents seeking to operate a golf cart within the City limits of Mount Dora must be issued a Golf Cart permit. Golf Cart Permits are available to all residents, regardless if their property is located within the City limits.

2. The Applicant must complete the application and applicant affidavit. The Applicant must provide proof of complying with the insurance requirements for the golf cart named on the application and a copy of their driver's license. Incomplete applications will cause delays.

3. Once the application and affidavit are completed and the supplemental documents are compiled, the application package may be emailed to golfcartpermit@cityofmountdora.gov or dropped off at the Mount Dora Police Department at 1300 N Donnelly Street, Mount Dora, Florida. Our Office is open Monday through Friday, 8:00 a.m. to 5:00 p.m.

4. City staff will review the application package for compliance with City regulations. If additional information is needed, Staff will contact the Applicant.

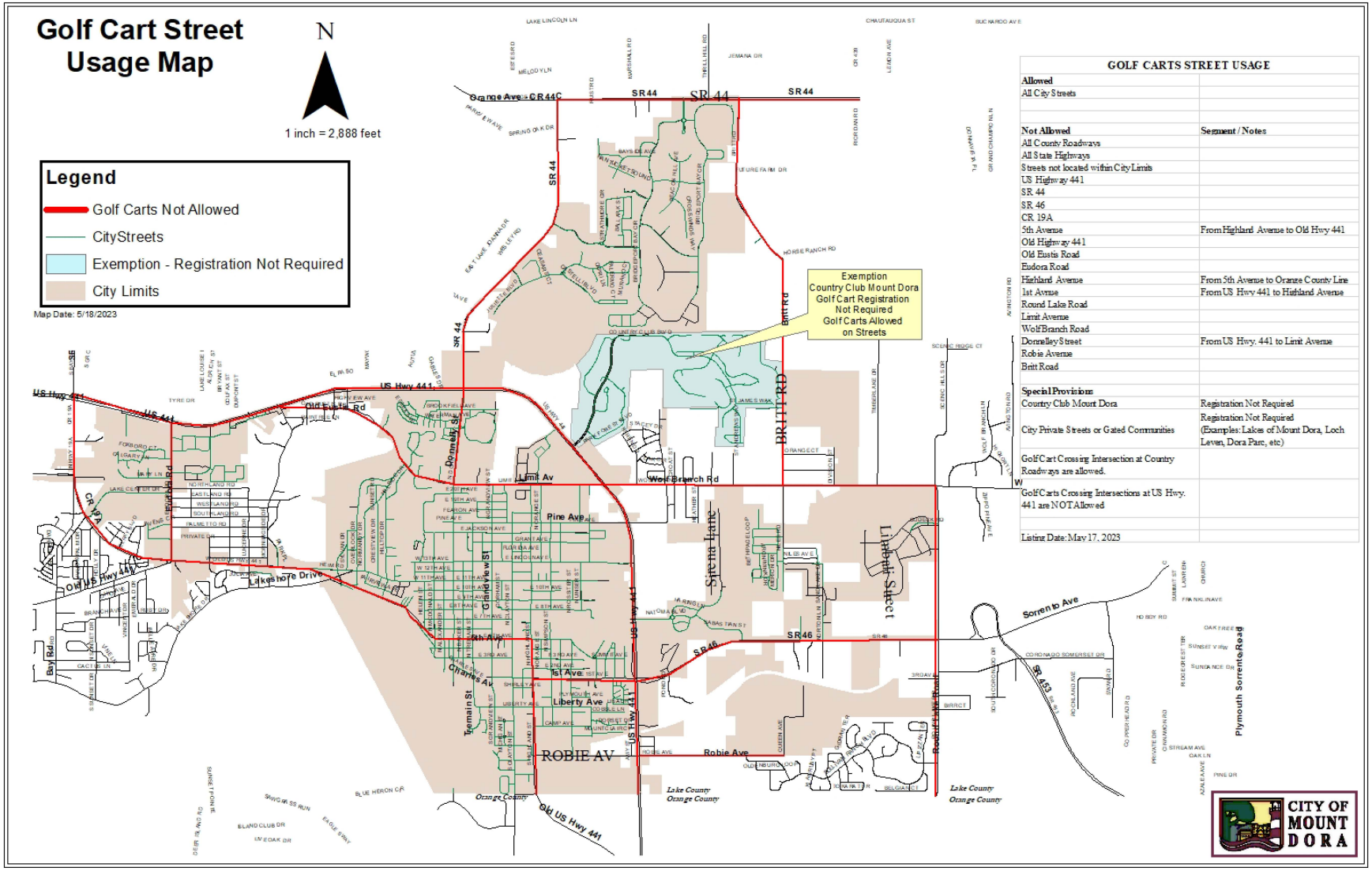
5. Once approved, the applicant will be contacted to pick up the permit at the Mount Dora Police Department and pay the annual registration fee. The City accepts checks, money orders, and debit/credit cards for payment.

6. Upon issuance of the permit sticker, the applicant must place the sticker on the lower driver's side windshield, in the lower right corner and facing outward. Once issued, the permit is not transferable to any other golf cart or golf cart owner.

7. This registration is for only golf carts which are defined under Chapter 316.212, F.S. If your golf cart is modified to exceed 20 mph, it is considered a low speed vehicle (LSV). By law, LSV's must be registered, titled, and insured under the Florida Department of Highway Safety and Motor Vehicles. Please contact your local FDHSMV office for details. LSV's are not allowed on sidewalks or streets with posted speed limits above 35 m.p.h.

8. This permit is to authorize use of golf carts on city streets. Private streets and Homeowner Associations may have separate rules and regulations for golf cart operations.

Golf Cart Street Usage Map



GOLF CARTS STREET USAGE	
Allowed	
All City Streets	
Not Allowed	**Segment / Notes**
All County Roadways	
All State Highways	
Streets not located within City Limits	
US Highway 441	
SR 44	
SR 46	
CR 19A	
5th Avenue	From Highland Avenue to Old Hwy 441
Old Highway 441	
Old Eustis Road	
Eudora Road	
Highland Avenue	From 5th Avenue to Orange County Line
1st Avenue	From US Hwy 441 to Highland Avenue
Round Lake Road	
Limit Avenue	
WolfBranch Road	
Donnelley Street	From US Hwy. 441 to Limit Avenue
Robie Avenue	
Britt Road	
Special Provisions	
Country Club Mount Dora	Registration Not Required
City Private Streets or Gated Communities	Registration Not Required (Examples: Lakes of Mount Dora, Loch Leven, Dora Parc, etc)
GolfCart Crossing Intersection at Country Roadways are allowed.	
GolfCarts Crossing Intersections at US Hwy. 441 are NOT Allowed	
Listing Date: May 17, 2023	

GOLF CARTS STREET USAGE

Allowed
All City Streets

Not Allowed	**Segment / Notes**
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Special Provisions

Country Club Mount Dora	Registration Not Required
City Private Streets or Gated Communities	Registration Not Required (Examples: Lakes of Mount Dora, Loch Leven, Dora Parc, etc)

Golf Cart Crossing Intersection at Country Roadways are allowed.

Golf Carts Crossing Intersections at US Hwy. 441 are NOT Allowed

Listing Date: May 17, 2023

Florida Department of Highway Safety and Motor Vehicles

Guide to Owning

LOW SPEED VEHICLES

A low speed vehicle (LSV) is a vehicle with a top speed greater than 20 MPH, but not greater than 25 MPH. **LSVs must be registered, titled and insured** with personal injury protection (PIP) and property damage liability (PDL) insurance. **Any person operating an LSV must have a valid driver license. LSVs may only be operated on streets where the posted speed limit is 35 MPH or less.**

LSVs must be equipped with the following safety equipment:

To title and register an LSV, bring the following documents to an FLHSMV or tax collector office, *flhsmv.gov/locations*:

- **Manufacturer's Certificate of Origin;**
- **Form HSMV 82040 (Application for Title)** *flhsmv.gov/forms*;
- **Proof of Florida insurance, minimum $10,000 PDL and $10,000 PIP;**
- **Identification - driver license, ID card or passport; and**
- **Payment for applicable fees,** *flhsmv.gov/fees*;
  - **Title fee**
  - **Plate fee**
  - **Initial registration fee, if applicable**
  - **Registration fee (varies by weight of vehicle)**

For more information, visit *flhsmv.gov/lowspeedvehicles.*

FLHSMV

Section 316.212, Florida Statutes

316.212 Operation of golf carts on certain roadways. — The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

(1) A golf cart may be operated only upon a county road that has been designated by a county, a municipal street that has been designated by a municipality, or a two-lane county road located within the jurisdiction of a municipality designated by that municipality, for use by golf carts. Prior to making such a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

(2) A golf cart may be operated on a part of the State Highway System only under the following conditions:

(a) To cross a portion of the State Highway System which intersects a county road or municipal street that has been designated for use by golf carts if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(b) To cross, at midblock, a part of the State Highway System where a golf course is constructed on both sides of the highway if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(c) A golf cart may be operated on a state road that has been designated for transfer to a local government unit pursuant to s. 335.0415 if the Department of Transportation determines that the operation of a golf cart within the right-of-way of the road will not impede the safe and efficient flow of motor vehicular traffic. The department may authorize the operation of golf carts on such a road if:

i. The road is the only available public road along which golf carts may travel or cross or the road provides the safest travel route among alternative routes available; and

ii. The speed, volume, and character of motor vehicular traffic using the road is considered in making such a determination. Upon its determination that golf carts may be operated on a given road, the department shall post appropriate signs on the road to indicate that such operation is allowed.

(3) Notwithstanding any other provision of this section, a golf cart may be operated for the purpose of crossing a street or highway where a single mobile home park is located on both sides of the street or highway and is divided by that street or highway, provided that the governmental entity having original jurisdiction over such street or highway shall review and approve the location of the crossing and require implementation of any traffic controls needed for safety purposes. This subsection shall apply only to residents or guests of the

mobile home park. If notice is posted at the entrance and exit of any mobile home park where residents of the park operate golf carts or electric vehicles within the confines of the park, it is not necessary for the park to have a gate or other device at the entrance and exit in order for such golf carts or electric vehicles to be lawfully operated in the park.

(4) Notwithstanding any other provision of this section, if authorized by the Division of Recreation and Parks of the Department of Environmental Protection, a golf cart may be operated on a road that is part of the State Park Road System if the posted speed limit is 35 miles per hour or less.

(5) A golf cart may be operated only during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.

(6) A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(7) A golf cart may not be operated on public roads or streets by any person under the age of 18.

(8) A local governmental entity may enact an ordinance relating to:

(a) Golf cart operation and equipment which is more restrictive than those enumerated in this section. Upon enactment of such ordinance, the local governmental entity shall post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory. An ordinance referred to in this section must apply only to an unlicensed driver.

(b) Golf cart operation on adjacent to specific segments of municipal streets, county roads, or state highways within the jurisdictional territory of the local governmental entity if:

1. The local governmental entity determines, after considering the condition and current use of the , the character of the surrounding community, and the locations of authorized golf cart crossings, that golf carts, bicycles, and pedestrians may safely share the sidewalk;
2. The local governmental entity consults with the Department of Transportation before adopting the ordinance;
3. The ordinance restricts golf carts to a maximum speed of 15 miles per hour and permits such use on adjacent to state highways only if the are at least 8 feet wide;
4. The ordinance requires the golf carts to meet the equipment requirements in subsection (6). However, the ordinance may require additional equipment, including horns or other warning devices required by s. 316.271; and
5. The local governmental entity posts appropriate signs or otherwise informs residents that the ordinance exists and applies to such.

(9) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as a moving violation for infractions of subsections (1)-(5) or a local ordinance corresponding thereto and enacted pursuant to subsection (8), or punishable pursuant to chapter 318 as a nonmoving violation for infractions of subsection (6), subsection (7), or a local ordinance corresponding thereto and enacted pursuant to subsection (8).

Section 316.2122, Florida Statutes

316.2122 Operation of a low-speed vehicle, mini truck, or low-speed autonomous delivery vehicle on certain roadways.—

(1) The operation of a low-speed vehicle as defined in s. 320.01 or a mini truck as defined in s. 320.01 on any road is authorized with the following restrictions:

(a) A low-speed vehicle or mini truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or mini truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b) A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.

(c) A low-speed vehicle or mini truck must be registered and insured in accordance with s. 320.02 and titled pursuant to chapter 319.

(d) Any person operating a low-speed vehicle or mini truck must have in his or her possession a valid driver license.

(2) The operation of a low-speed autonomous delivery vehicle on any road is authorized with the following restrictions:

(a) A low-speed autonomous delivery vehicle may operate only on streets or roads where the posted speed limit is 35 miles per hour or less. This paragraph does not prohibit a low-speed autonomous delivery vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(b) A low-speed autonomous delivery vehicle may operate on a street or road with a posted speed limit of more than 35 miles per hour, but no more than 45 miles per hour, if:

1. The low-speed autonomous delivery vehicle travels no more than 1 continuous mile on such a street or road, except that the vehicle may travel in excess of 1 continuous mile if authorized by the entity with jurisdiction over the street or road;
2. The low-speed autonomous delivery vehicle operates exclusively in the right lane, other than for the purpose of completing a turn; and
3. On a two-lane street or road where overtaking and passing another vehicle is unsafe because of traffic moving in the opposite direction or because of other unsafe conditions, and five or more vehicles are formed in a line behind the autonomous delivery vehicle, the low-speed autonomous delivery vehicle exits the roadway wherever a sufficient area for a safe turn-out exists, to permit the vehicles following to proceed.

(c) A low-speed autonomous delivery vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, and vehicle identification numbers.

(d) Federal regulations adopted by the National Highway Traffic Safety Administration shall supersede this subsection when found to be in conflict with this subsection.

(e) A low-speed autonomous delivery vehicle must be covered by a policy of automobile insurance which provides the coverage required by s. 627.749(2)(a)1., 2., and 3. The coverage requirements of this paragraph may be satisfied by automobile insurance

maintained by the owner of a low-speed autonomous delivery vehicle, the owner of the teleoperation system, the remote human operator, or a combination thereof.

(3) A county or municipality may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.

(4) The Department of Transportation may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

City of Mount Dora
Police Department
1300 N Donnelly Street
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Golf Cart Registration & Renewal Application

Calendar Year: _____

Applicant: _____

Street Address: _____

City, State, Zip code: _____

Phone Number: _____

Email Address: _____

Driver License Number: _____

Is this a renewal of a previously approved Golf Cart Registration? □ Yes □ No

Is the Applicant exempt from public records under Chapter 119, F.S.? □ Yes □ No

Cart VIN/Serial Number: _____

Make: _____ Cart Year: _____ Color: _____

Engine (Gas/Electric): _____

Insurance Carrier: _____

Policy Number: _____

Customer Service Number of Insurance Carrier: _____

Required Documentation:

- □ Completed Application.
- □ Signed and Notarized Golf Cart Registration Affidavit.
- □ Copy of personal injury and property damage insurance policy covering operation of the gold cart in the minimum amounts of $10,000 per occurrence.
- □ Driver's License of the Applicant.
- □ Application Fee (fees are due once the application packet has been reviewed and approved by Staff.

City of Mount Dora
Police Department
1300 N Donnelly Street
Mount Dora, Florida 32757

Golf Cart Registration Affidavit

Calendar Year _____

BEFORE ME, the undersigned authority, personally appeared _____, who, being first duly sworn, deposes and states as follows:

1. I am the legal owner of the golf cart registered with the City of Mount Dora, which golf cart is described as follows: _____ (Vin/Serial #).

2. I have read Article III of Chapter 42 of the Mount Dora Code of Ordinances, all Florida Statutes pertaining to the operation of golf carts, and any established guidelines and policies as such pertain to the usage or operation of golf carts on designated municipal streets, roads, and trails within the city in their entirety and understand the duties and obligations I have with regard to same as the owner and operator of a golf cart within the City of Mount Dora.

3. I agree have read and agree to adhere to the following guidelines (initial after each item):

   A. Registered Golf Carts are permitted on Municipal Streets with posted speed limits of thirty (30) m.p.h. or less and are permitted to operate from sunrise to sunset every day of the year, unless the street is closed for a special event. _____

   B. The maximum number of passengers a golf cart may carry is equal to the number of seats with which the cart is equipped. Children and pets are counted as passengers and must remain seated at all times when the vehicle is in motion. _____

   C. The City of Mount Dora Golf Cart Ordinance governs only golf carts within the city limits of the City of Mount Dora. At no time, does the Ordinance authorize golf carts to be used outside the city limits of the City of Mount Dora. _____

   D. Registered Golf cart drivers must be 18 years of age to operate a golf cart on the designated roadways unless he or she possesses a valid learner's driver license or valid driver's license. _____

   E. Residential roads are Low Traffic Roads. Golf carts are allowed to travel on these roads. These roads are identified as having no centerline striping. _____

F. All Golf Carts must follow all traffic laws, rules and protocols for traveling on roads and/or, including, but not limited to, requirements to stop at stop signs; use turn signals; yield the right-of-way to turning vehicles when traveling on; abide by pedestrian crossing signals and signage; use designated crosswalks; and conform with other safety protocols. _____

G. Golf Carts are prohibited on municipal sidewalks, grass areas of city properties, parks or other public facilities. _____

H. Golf Carts are only allowed on City Trails that have signage designating that trail as golf cart accessible. _____

I. Golf Carts must be parked on improved parking, which is defined as concrete, asphalt, paver stones, bricks, reinforced turf, or parked in a garage. _____

J. I have read and understand the definition of trailers that are authorized under Section 42.4 of the Mount Dora Code of Ordinance. _____

4. I acknowledge and certify that the aforementioned golf cart is equipped with equipment required by Article III of Chapter 42 of the Mount Dora City Code of Ordinances and that such equipment is functioning and in good and serviceable condition as required by such code. Specifically, I affirm that the golf cart described above is equipped with the following (initial after each item):

A. A windshield _____

B. A Driver Side Rear View Mirror and one of the following, one interior Rearview Mirror or Passenger Side Rear View _____

C. Working headlamps _____

D. Working Tail and Brake Lights _____

E. Working Park Brake _____

F. Working Front & Rear Turn Signals _____

G. Side and Rear Reflectors _____

H. In cases of rear facing seat, safety grab bar(s) requried _____

I. Horn in good working order capable of emitting sound audible under normal conditions from a distance of 200 feet _____

5. I affirm that I carry, and will maintain, a personal injury and property damage insurance policy covering operation of the gold cart named above in the minimum amounts of $10,000 per occurrence, $10,000 in the aggregate. Furthermore, I understand that maintaining this insurance is a condition of the issuance of this golf cart permit.

6. I understand that failure to comply with the regulations established in Article III of Chapter 42 of the Mount Dora Code of Ordinances may result in fines and revocation of the golf cart permit without refund.

AFFIANT FURTHER SAYETH NOT.

_____

Signature

_____

Printed Name

State of Florida
County of _____

Sworn to (or affirmed) and subscribed before me by means of □ physical presence or □ online notarization, this _____day of_____, 20___, by _____ _____.

Personally known OR Produced Identification
Type of Identification Produced:_____

_____

Notary Signature

OFFICE USE ONLY

The City has reviewed all of the documents provided by the applicant and deem them to be sufficient to approve a permit. As of the date signed below, the applicant, is hereby issued Permit #_____. This permit expires on December 31, _____ at 11:59pm.

_____

Staff Name and Title | Staff Signature | Date

Chapter 42 TRAFFIC AND VEHICLES[1]

ARTICLE I. IN GENERAL

Sec. 42-1. Speed limits.

(a) Having conducted an investigation and determined that such a limit is reasonable, unless otherwise posted, the maximum permissible speed upon the streets within residential districts shall be 25 miles per hour.

(b) Unless otherwise posted, the maximum permissible speed upon the streets within all other districts shall be 30 miles per hour.

(c) Unless otherwise posted, the maximum permissible speed upon the alleys shall be five miles per hour.

(d) The chief of police, after investigating and determining that such a change is reasonable and in conformity with criteria promulgated by the state department of transportation, shall have the authority to establish speed zones altering the speed limits set forth in this section both as to maximum speeds, not to exceed 60 miles per hour, and minimum speeds.

(Code 1995, § 82.000; Ord. No. 625, § 1(20-10), 12-7-1993)

State law reference(s)—Authority to establish speed limits, F.S. § 316.008(1)(j); maximum/minimum speed limit alteration after investigation, F.S. § 316.189(1).

Sec. 42-2. Use of bicycles, motorbikes, skateboards or roller skates in commercial district.

(a) For the purposes of this section, the term "commercial district" means that portion of the city within the area encompassed by, and including the following rights-of-way:

From the intersection of Third Avenue and McDonald Street, the point of beginning, travel easterly along Third Avenue to the intersection of Third Avenue and Baker Street; thence northerly along Baker Street to the intersection of Baker Street and Ninth Avenue; thence westerly along Ninth Avenue to the intersection of Ninth Avenue and Alexander Street; thence southerly along Alexander Street to the intersection of Alexander Street and Sixth Avenue; thence westerly along Sixth Avenue to the intersection of Sixth Avenue and McDonald Street; thence southerly along McDonald Street to the point of beginning; plus that portion of Donnelly Street lying south of Third Avenue from the intersection of Third Avenue and Donnelly Street to the intersection of Donnelly Street and Charles Avenue; plus that portion of Fifth Avenue lying west of Baker Street from the intersection of Baker Street and Fifth Avenue to the intersection of Fifth Avenue and Highland Street; plus that portion of Highland Street lying south of Seventh Avenue from the intersection of Seventh Avenue and Highland Street to the intersection of Highland Street and Robie Avenue; plus that portion of First Avenue lying east of Highland Street from the intersection of Highland Street and First Avenue to the intersection of First Avenue and Simpson Street; plus that portion of Lincoln Avenue lying east of Hackett Street from the intersection of Hackett Street and Lincoln Avenue to the intersection of Lincoln Avenue and Gorham Street; plus that portion of Grandview Street lying north of Lincoln Avenue from the

[1]State law reference(s)—Uniform traffic control law, F.S. ch. 316.

intersection of Lincoln Avenue and Grandview Street to the intersection of Grandview Street and Grant Avenue.

(b) It shall be unlawful for any person to operate or propel any bicycle, motorbike, motor scooter, skateboard or roller skates on the sidewalks in any commercial district in said city.

(c) It shall be unlawful for any person to use the sidewalk located on Donnelly Street between Old Eustis Road and the new U.S. Highway 441 for other than pedestrian or wheelchair traffic. For the purposes of this section, the term "wheelchair" includes, but is not limited to, three-wheeled electric scooters or similar wheeled vehicles used for the mobility of disabled persons, when being used by a disabled person.

(d) All bicycles, motorbikes, motor scooters, mopeds, and similar vehicles operated in the city may be registered with the police department of the city, and the police department shall furnish an appropriate registration tag numerically numbered for each vehicle at a cost of $1.00 for each registration.

(Code 1995, § 82.010; Ord. No. 625, § 1(20-20), 12-7-1993; Ord. No. 679, § 1, 8-20-1996)

Sec. 42-3. Permits for parades and processions.

No procession or parade, excepting the forces of the United States armed services, the military forces of the 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 the city manager and such other requirements as are set forth in F.S. ch. 316 which may apply.

(Code 1995, § 82.020; Ord. No. 625, § 1(20-30), 12-7-1993)

State law reference(s)—Authority to regulate or prohibit processions or assemblages, F.S. § 316.008(1)(c).

Sec. 42-4. Golf cart usage on certain streets.

(a) The following streets are hereby designated for use by golf carts:

(1) Andover Court;

(2) Arcadian Court;

(3) Brightmoor Court;

(4) Chase Court;

(5) Citrus Court;

(6) Country Club Boulevard;

(7) Covey Circle;

(8) Edgewater Drive;

(9) Falconbridge Place;

(10) Friars Court;

(11) Greenbriar Trail;

(12) Heathland Court;

(13) Hunters Green Court;

(14) Laurel Ridge Drive;

(15) Oakcrest Circle;

(16) Park Forest Boulevard;

(17) Pine Hollow Drive;

(18) St. Andrew Way;

(19) St. Ives Court;

(20) St. James Way;

(21) Shadowood Circle;

(22) Spring Creek Court;

(23) Stafford Spring Boulevard; and

(24) Wyngate Court.

(b) Any golf cart utilizing the above streets during the hours between sunrise and sunset must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear. Any golf cart utilizing the above streets during the hours between sunset and sunrise must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, red reflectorized warning devices in both the front and rear, head lights, tail lights, brake lights, turn signals, and a windshield.

(Code 1995, § 82.030; Ord. No. 762, § 1, 5-2-2000; Ord. No. 774, § 1, 10-17-2000)

State law reference(s)—Authority to permit, control or regulate the operation of golf cars, F.S. § 316.08(7); operation of golf carts on certain roadways, F.S. § 316.212.

Secs. 42-5—42-26. Reserved.

ARTICLE II. STOPPING, STANDING AND PARKING[2]

Sec. 42-27. Violations and enforcement.

(a) Any person violating this article shall pay the fine designated on the citation, as established by the following schedule, which may be amended from time to time by resolution adopted by the city council:

(1) Handicap parking: $250.00.

(2) Violations of subsection 42-34(d): $75.00.

(3) Fire hydrant and fire zone violations: $35.00.

(4) All other violations: $25.00.

(5) Late payment: $10.00.

(b) An officer who has probable cause to believe that a person has committed an act in violation of this article or F.S. ch. 316 may issue a municipal citation therefor.

[2]State law reference(s)—Stopping, standing, parking prohibited in certain places, F.S. § 316.1945.

(c) Municipal citations issued pursuant to this section shall include the following information:

(1) Date, time, and location of issuance;

(2) Vehicle license number and state;

(3) Vehicle make and color;

(4) Violation charged;

(5) Amount of fine;

(6) Department case number;

(7) Issuing officer's signature;

(8) Name and address of issuing agency;

(9) Number of days allowed to pay the fine;

(10) Instructions for contesting the citation; and

(11) Instructions for paying the fine.

(d) Any person issued a municipal citation pursuant to this section may, within ten days of issuance of the citation:

(1) Pay the civil penalty, either by mail or in person; or

(2) Contest the citation in county court.

Payments postmarked and mailed within the ten-day period shall be considered timely.

(e) Any person electing to contest the citation and choosing to appear in the county court shall be deemed to have waived the limitations on the civil penalty specified in subsection (a) of this section. The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of a violation has been proven, the court may impose a civil penalty not to exceed $500.00.

(f) Any person failing to pay the civil penalty or contest the citation in the county court, either by mail or in person, within ten days of receiving the citation, shall be deemed to have waived any right to contest the citation. The owner of the vehicle in question shall be promptly notified, by certified mail, return receipt requested, by the department, of such failure. The notice shall advise the owner that failure to pay the fine plus the late payment charge of $10.00 within 14 days of the receipt of the notice shall result in the matter being transferred to the county court for further proceedings. The notice shall also advise the owner that any right to contest the citation has been waived and that failure to pay the amount due may result in the imposition of a fine by the court not to exceed $500.00 and in a hold being put on the further issuances of driver's licenses and registrations to the owner.

(g) If the owner does not pay the fine and the late payment charge within the prescribed 14-day time limit, the citation shall be forwarded to the clerk of the circuit court for placement upon the county court docket. Notice of the transfer and the hearing date thereon shall be promptly provided by the department to the owner of the vehicle in question by certified mail, return receipt requested.

(h) The clerk of the circuit court shall submit to the state department of safety and motor vehicles a list of all owners who have three or more outstanding municipal citations issued by the city, for which fines have not been paid directly to the city or through the county court. Upon receipt of this list, the state department of safety and motor vehicles shall make the appropriate annotations to the records of the owner in question so as to prevent the owner from receiving a driver's license or vehicle registration until the fines for the citations are paid.

(i) Any person issued a citation for a violation of subsection (a)(1) of this section may provide proof to the police department that they have a valid parking permit or license plate issued pursuant to F.S. § 316.1958, 320.0842, 320.0845, or 320.0848, and present a signed affidavit from the owner of the disabled parking permit stating that the owner of the disabled parking permit was present at the time the violation occurred, and such parking permit or license plate was valid at the time the violation occurred. Upon provision of proof of such a valid parking permit or license plate and payment of a $5.00 dismissal fee to the police department, the police department shall dismiss the violation.

(Code 1995, § 82.160; Ord. No. 625, § 1(20-110), 12-7-1993; Ord. No. 709, § 1, 1-20-1998)

State law reference(s)—Parking in space reserved for the disabled, fine, F.S. § 316.008(4).

Sec. 42-28. Authority to impound vehicles.

(a) Whenever any police officer finds a vehicle standing upon a street, highway, alley, or right-of-way in violation of this article, such officer is authorized to move such vehicle or require the driver or person in charge of the vehicle to move the vehicle, so as to correct the violation. Police officers shall only be empowered to move vehicles in accordance with subsection (b) of this section.

(b) Police officers are authorized to remove and impound a vehicle from a street, highway, alley, or right-of-way to the nearest garage, tow service storage facility, or other place of safety, or to a garage designated or maintained by the police department, under the following circumstances:

(1) When any vehicle is left unattended and constitutes an obstruction to traffic.

(2) When the owner or person in charge of the vehicle is, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody and removal.

(3) When any vehicle is left unattended and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic, in violation of this article.

(4) When any vehicle is left unattended continuously for more than 48 hours and may be presumed to be abandoned.

(5) When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended.

(6) When removal is necessary in the interest of public safety because of fire, flood, storm or other emergency.

(7) When a vehicle is found to have equipment which is so defective that the vehicle is unsafe or improper to drive.

(8) When a vehicle is subject to seizure under the state Contraband Forfeiture Act.

(9) When an apparently abandoned vehicle has been parked or stored for a period exceeding 48 hours, in other than a designated parking area, or within 30 feet of the pavement edge.

(10) When a vehicle is found upon any railroad track or right-of-way, or within 30 feet of any railroad track, and the safety of the train or the vehicle is suspect.

(11) When the vehicle is one which is illegal to drive.

(c) No vehicle impounded as provided in this section shall be released therefrom until:

(1) The charges for towing such vehicle into the garage and storage charges have been paid;

(2) Proper proof of ownership has been exhibited; and

(3) Any hold which has been placed upon the vehicle by the police department has been removed by the police department.

(d) Whenever an officer moves a vehicle in accordance with this section, and the officer knows or is able to ascertain the name and address of the owner thereof, such officer shall make a reasonable effort to notify, or cause notification to be given to, such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been moved.

(Code 1995, § 82.170; Ord. No. 625, § 1(20-100), 12-7-1993)

Sec. 42-29. Angle parking.

(a) Angle parking shall be permitted on the following sections of rights-of-way within the city:

(1) The east side of Donnelly Street from Fourth Avenue to Fifth Avenue;

(2) The west side of Baker Street from Sixth Avenue to Fifth Avenue;

(3) Sixth Avenue from Donnelly Street to Baker Street;

(4) Fourth Avenue from McDonald Street to the shores of Lake Dora;

(5) The east side of Edgerton Court;

(6) The west side of Highland Street from Seventh Avenue to Eighth Avenue; and

(7) The north side of Seventh Avenue from Donnelly Street to McDonald Street.

(b) Every vehicle stopped or parked in an angle parking space shall be so stopped or parked with one front wheel within 12 inches of the curb.

(c) No person shall stop or park any panel truck, van, truck camper, van conversion, or recreational vehicle in any angle parking space located along Donnelly Street.

(Code 1995, § 82.180; Ord. No. 625, § 1(20-40), 12-7-1993; Ord. No. 650, § 1, 12-6-1994; Ord. No. 699, § 1, 7-15-1997)

State law reference(s)—Authority to permit angle parking, F.S. § 316.195(3).

Sec. 42-30. Obedience to parking signs or markings.

(a) Upon those streets which have been signed or marked for parking, no person shall stop, stand, or park a vehicle in violation of such signs or markings.

(b) Any person who attempts to subvert posted time limits for parking by moving the parked vehicle in question to another parking space within the same block shall be subject to the penalties for overtime parking as if the vehicle was never moved.

(Code 1995, § 82.190; Ord. No. 625, § 1(20-50), 12-7-1993)

Sec. 42-31. Prohibited parking in specified places.

(a) No person shall stop a vehicle, stand a vehicle or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

(1) Upon the unpaved portion of any city right-of-way, if the paved portion of the right-of-way is bordered by a curb;

(2) Upon any railroad track or right-of-way, or within 30 feet of any railroad track;

(3) In a location blocking access to a commercial refuse container or a city refuse container, when the location of the container has been designated or approved by the city;

(4) In a space designated for emergency vehicles only;

(5) Upon a two-way street in such a manner or under such conditions so as to prevent intermittent two-way traffic movement;

(6) Within an alley in a business district, except for the expeditious loading or unloading of materials;

(7) Within an alley outside of a business district in a manner or under such conditions so as to leave available less than ten feet of the width of the alley for the free movement of vehicular traffic;

(8) Within any alley in such position as to block the driveway or ingress or egress of any abutting property;

(9) When appropriate signs are erected prohibiting such upon the left-hand side of any one-way street in violation of such signs;

(10) If a street includes two or more separate roadways and traffic is restricted to one direction upon any such roadway, upon the left-hand side of such one-way roadway, unless signs are erected to permit such standing or parking;

(11) Within any place marked as a freight curb loading zone during the posted hours when the restrictions applicable to such zones are in effect, except for the expeditious loading or unloading of materials, and for a period of not more than 30 minutes. However, the driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers, when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone;

(12) Upon any public street, highway, right-of-way, public parking lot, public property, or private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of:

a. Displaying the vehicle for sale, hire, or rental;

b. Painting, washing, servicing, greasing, or repairing such vehicle, unless the repairs are of an emergency nature;

c. Displaying advertising thereon or therefrom;

d. Selling merchandise therefrom, unless specifically authorized by the city; or

e. Storing, junking, abandoning, or dead storing such vehicle.

(13) Over or upon any sidewalk so as to obstruct any portion of such sidewalk with the vehicle or any portion thereof, including cargo therein.

(b) No person shall move a vehicle not owned by or in charge of such person into any such prohibited area, as enumerated in subsection (a) of this section.

(c) Nothing in this section shall be construed as prohibiting the chief of police and the city manager or the city council from designating loading and unloading zones, bus stops, taxicab stands, or other similar zones.

(d) This section shall not apply to vehicles involved in a traffic accident which causes the vehicles to be in violation of this section, unless the vehicle remains in violation of this section after a reasonable amount of time for correction as established by the officer investigating the accident.

(Code 1995, § 82.200; Ord. No. 625, § 1(20-60), 12-7-1993; Ord. No. 756, § 1, 2-1-2000)

State law reference(s)—Parking, standing or stopping in certain places prohibited, F.S. § 316.1945.

Sec. 42-32. Night parking.

(a) No person shall cause any motor vehicle, house trailer, boat, trailer, recreational vehicle or other similar vehicle to be parked more than 12 hours in any public parking lot or park, unless such approval is granted by the city manager for a special event authorized by the city.

(b) Whenever any motor vehicle, house trailer, boat, trailer, recreational vehicle or other similar vehicle is parked longer than 12 hours in any public parking lot or park, unless such approval is granted by the city manager for a special event authorized by the city, the city shall have the vehicle towed and stored at the owner's expense according to state law.

(c) No motor vehicle, house trailer, boat, trailer, recreational vehicle or other similar vehicle parked in any public parking lot or park shall be used for the purpose of overnight lodging, unless approval for such is granted by the city manager for a special event authorized by the city.

(d) No motor vehicle, house trailer, boat, trailer, recreational vehicle or other similar vehicle shall be parked in any public parking lot or park, except within a space designated for such parking.

(Code 1995, § 82.210; Ord. No. 625, § 1(20-70), 12-7-1993)

Sec. 42-33. Restricted access ingress and egress.

When signs are erected giving notice thereof, no person shall drive a vehicle onto or from any controlled access roadway, except at those entrances and exits which are indicated by such signs, or park in violation thereof.

(Code 1995, § 82.220; Ord. No. 625, § 1(20-80), 12-7-1993)

Sec. 42-34. Truck and trailer parking and operation.

(a) In all residential districts or zones designated R-1AAAA, R-1AAA, R-1AA, R-1A, R-1, R-1B, R-2, and R-3 in the zoning ordinance of the city, no person shall park, cause to be parked, or allow to be parked on his real property or on property which he has under lease, or in the streets, alleys, or parkways abutting such property, any house trailer, recreational vehicle, or commercial vehicle of whatever size or type, including either a tractor or trailer of any type, including, but not limited to, boat trailers, except as provided in the land development regulations of the city. However, pickup trucks and commercial vehicles of van design of 10,000 pounds nominal gross vehicle weight (GVWR) or less may be so parked. Commercial vehicles of any type, however, including those of GVWR at or under 10,000 pounds, may be permitted, only if such vehicles can be parked in a manner that will not interfere with the traffic flow or character of the neighborhood. The term "commercial vehicle" shall also include normally private vehicles which are driven by a person in the performance of driving services for which the person is paid.

(b) No truck in excess of 10,000 pounds GVWR will be permitted on any streets, except on established truck routes or as permitted as follows:

    (1) These prohibitions shall not apply to owners while construction is in progress on their property, nor does it prohibit routine deliveries by tradesmen or the use of trucks in making service calls, nor does it apply to a situation where a truck becomes disabled or, as a result of an emergency, is required to be parked on or abutting property or streets within the city, provided such vehicle is removed within 24 hours after the vehicle became disabled.

(2) These prohibitions shall not apply to ambulances and school buses while on official business, boat trailers parked at boat ramps, and recreational vehicles parked in conformance with the land development requirements of the city or parked for no more than 24 hours for the purpose of loading or unloading the same in any 72-hour period.

(c) In areas designated R-1A, R-1, R-2 or R-3 which are being utilized for agricultural uses as permitted by the land development requirements of the city, such machinery and vehicles necessary for cultivation and harvest may be used in such a manner as not to interfere with the traffic flow or character of the neighborhood. This shall not include caretaker vehicles, house trailers, recreational vehicles, etc.

(d) It shall be unlawful, and a violation of this article, for the owner of property located within the city, regardless of the property's zoning classification or use, or for the owner of any road tractor, semitrailer, straight truck, tandem trailer truck, or truck tractor, to park on, cause to be parked on, or allow to be parked on the real property in question, except for the purpose of actively loading and unloading, unless otherwise provided for herein. Notwithstanding the provisions of this subsection, such prohibited parking is allowed on property zoned M-1 and M-2 so long as the parking is in conjunction with a business located on the property, and such business has not been established to allow such parking and related services (e.g., a truck stop). Further, this subsection shall not operate to prevent such parking by the city on city-owned property, nor by civic groups on property donated to the group in question by the city.

(Code 1995, § 82.230; Ord. No. 625, § 1(20-90), 12-7-1993; Ord. No. 650, § 2, 12-6-1994; Ord. No. 683, § 1, 1-21-1997; Ord. No. 697, § 1, 6-3-1997; Ord. No. 957, § 4, 8-21-2007)

Sec. 42-35. Vehicular parking in residential districts.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Driveway means a designated private road which enables vehicles to travel from a public road to a residential structure.

Garage means a building for parking or storing one or more motor vehicles.

Lawn means an area of cultivated grass.

Sidewalk means that concrete portion of a right-of-way intended for pedestrian use.

Yard means a vegetated open space on the same parcel with a residential structure, and any vegetated open space on a lot adjacent to a parcel with a residential structure.

(b) In all residential districts or zones designated R-1AAAA, R-1AAA, R-1AA, R-1A, R-1, R-1B, R-2, R-3, PUD and Greenbelt in the zoning ordinance of the city, vehicles must be parked in driveways, carports, garages, or on the street unless prohibited by signage. Vehicles shall not be parked or left standing on any sidewalks, lawns, yards, or landscaped areas in R-1AAAA, R-1AAA, R-1AA, R-1A, R-1, R-1B, R-2, R-3, PUD and Greenbelt, except parking on such lawns, yards, or landscaped areas shall be allowed if:

(1) A vehicle is parked in a rear or side yard, but only if fences or walls continuously and completely screen such vehicle from view from the public way. In no event shall any such vehicle be parked in an easement or setback, unless a nonconforming driveway exists within such easement or setback.

(2) A vehicle is temporarily parked on a lawn, yard, or landscaped area while actively loading, unloading or cleaning. In no event shall any such vehicle be parked for more than 12 consecutive hours.

(c) Owners of vehicles parked in violation of this section shall have 30 days from the effective date of the ordinance from which this section is derived to come into compliance with this section.

(d) The provisions of this section shall be supplemental to all other sections and other ordinances of the city.

(Code 1995, § 82.240; Ord. No. 957, § 3, 8-21-2007)

Secs. 42-36—42-58. Reserved.

ARTICLE III. HORSE-DRAWN VEHICLES[3]

Sec. 42-59. Title.

This article shall be known, and may be cited, as the "Horse-Drawn Carriage Act."

(Code 1995, § 82.300; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-60. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Horse-drawn vehicle means any vehicle which is operated or pulled by a horse, mule, or any other beast of burden which is capable of being used for the transportation of passengers, and which is not being used as an implement of husbandry pursuant to F.S. ch. 316, and which is operated within the corporate limits of the city.

Permit means the grant by the city to operate one horse-drawn vehicle upon the streets of the city.

Operate or *operation* means and includes operation by the owner or agent of the owner or by any person with the owner's knowledge, consent or permission, expressed or implied.

Owner means and includes, but is not limited to, an individual, firm, partnership, corporation, company, or any association.

(Code 1995, § 82.310; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-61. Compliance with this article required.

The operation of horse-drawn vehicles within the corporate limits, and upon the streets of the city, shall be subject to the conditions, regulations and restrictions set forth in this article. It shall be unlawful for any person to engage in the business of operating a horse-drawn vehicle in the city unless in compliance with the provisions of this article.

(Code 1995, § 82.320; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-62. Permit required.

It shall be unlawful to operate, or cause to be operated, any horse-drawn vehicle upon the streets of the city unless a permit has been issued therefor and affixed thereto as provided for in this article. The permit shall be provided by the community development department, and shall be affixed to the horse-drawn vehicle in the

[3]State law reference(s)—Horse-drawn carriage considered vulnerable road user, F.S. § 316.027.

manner prescribed by the community development director, and shall be nontransferable from the vehicle for which the same was issued except as may be authorized by the community development director.

(Code 1995, § 82.330; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-63. Application for permit.

(a) Any person desiring to obtain a permit to operate a horse-drawn vehicle in the city shall submit to the community development department a written application which shall contain the following information:

(1) The name, address, telephone number and form of business of the applicant. If the applicant is a corporation, it shall also state the names, addresses, and occupations of its officers, directors and major stockholders, and the names and addresses of any parent or subsidiary companies, the date and place of incorporation, and if incorporated outside of the state, whether it has qualified to do business within the state. If the applicant is a corporation controlled by another corporation, the names, addresses, and occupations of the officers, directors and major stockholders of the controlling corporation shall also be stated. If the applicant is a partnership or other unincorporated association, the names and addresses of each member, whether active or inactive, shall be set forth, and if one or more partners or members are corporations, the names and addresses and occupations of such corporations' officers, directors and major stockholders shall also be stated.

(2) The trade name, if any, under which the applicant proposes to do business.

(3) A thorough description, including photographs, of the proposed horse-drawn hack or vehicle to be operated; the manner in which the applicant proposes to establish, maintain and operate the business; the proposed hours of operation; the proposed location from which the business is to be operated; the proposed routes to be served or utilized, together with maps describing the proposed routes; the number of proposed horse-drawn vehicles to be operated under the proposed business; the type of animal or beast of burden to be used to draw any vehicle; the kind, make and model of the vehicles to be used in the business; and the safety and sanitation devices and methods to be employed.

(4) A thorough description of the proposed manner and location in which the applicant proposes to feed, shelter, quarter and stable and otherwise care for the animals to be used in the business, and the method to be used in transporting the animals within and without the city.

(5) A schedule of proposed rates and charges to all classes of passengers.

(6) A certificate of soundness for each animal that will be pulling a permitted vehicle, issued by a veterinarian licensed in the state, finding such animal to be free from infectious disease, in good health and fit for hack and carriage service under this article. Each animal shall thereafter be re-inspected at intervals of no more than six months, and a certificate of soundness shall be issued by such veterinarian and filed with the city in order for such animal to remain in service. No animal shall be used to draw a horse-drawn vehicle without such certificate of soundness certified and dated within any preceding six-month period.

(7) An insurance certificate showing the applicant has met the insurance requirements of this article.

(8) A sworn statement acknowledging the applicant's familiarity with and eligibility under the provisions of this article and any rules and regulations promulgated hereunder, and the applicant's intention to abide by the same.

(9) Any such supplementary information the city shall, at any time, demand in order to reasonably determine whether the request for a permit should be granted.

(b) Upon receipt and acceptance of a complete application for a permit and the fee of $100.00 therefor, the community development director shall evaluate the application for completeness. If the applicant's application and plan for service are complete and meet the requirements of this article, the permits requested, if available, shall be issued. If the application and plan for service are not complete or do not meet the requirements of this article, the application shall be denied, and no permit to operate horse-drawn vehicles shall be issued to the applicant.

(c) Any applicant whose application for a permit has been denied may, within ten days of the denial, appeal the denial to city council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this article.

(d) The fee for any permit issued hereunder shall be five percent of the gross receipts of the carriage service for which the permit is issued. The holder of any permit shall allow the city to inspect the books of the carriage service at any reasonable time to ensure compliance with this subsection. The fee shall be paid monthly based upon the previous month's receipts, and shall be reviewed annually.

(e) No more than three permits shall be issued and active in the city at any given time. Permits, other than renewals, shall be issued on a first come, first serve basis.

(f) If a permit issued under this section is lost or destroyed, the permit holder may obtain a duplicate upon payment of a $10.00 service charge. A permit may be transferred to a replacement carriage or hack upon the payment of a $10.00 transfer fee.

(g) All persons holding city horse-drawn vehicle permits must maintain, in active operation, the vehicle for which the permit was issued. Any permit for a vehicle which remains dormant for more than 60 days shall be declared void by the community development director. Further, the information provided by the applicant during the application procedures must be kept up to date.

(h) Any persons to whom a permit has been issued, under the provisions of this article, shall be entitled to renew such permit from year to year; provided, however, that such person shall fully comply with the provisions of this article, except that no new application must be filed, and such other ordinances, rules and regulations as shall be enacted or adopted from time to time by the city. Any person wishing to renew a permit hereupon shall notify the community development director of this intent to renew no later than October 1 of the year of expiration.

(Code 1995, § 82.340; Ord. No. 669, § 1, 10-17-1995; Ord. No. 909, § 1, 8-15-2006; Ord. No. 2015-14, § 2, 7-7-2015)

Sec. 42-64. Adherence to plan submitted in application.

Permittees must adhere to the routes, rates and vehicle number and design as specified in their application for permits, unless permitted to do otherwise by the community development director. Any deviation from said application without the approval of the community development director shall be a violation of this article. Further, permittees must adhere to the conditions of any conditional use permit standards imposed by the planning and zoning commission.

(Code 1995, § 82.350; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-65. Liability and indemnification.

(a) A permittee shall pay, and by its acceptance of a permit specifically agrees to pay, any and all damages or penalties which the city may be legally required to pay as a result of the permittee's operation or

maintenance of a horse-drawn vehicle under this article, whether or not the acts or omissions complained of are authorized, allowed or prohibited by the city.

(b) A permittee shall also pay all expenses incurred by the city in defending itself with regard to any and all damages and penalties mentioned in subsection (a) of this section. These expenses shall include all out-of-pocket expenses, including reasonable attorney's fees and the reasonable value of services rendered by any employee of the city.

(c) The permittee shall maintain, throughout the term of the permit, liability insurance insuring the city and the permittee with regard to all damages mentioned in subsection (a) of this section caused by the grantee or its agents, in the minimum amounts of:

(1) Workers' and unemployment compensation insurance as provided by the laws of the state.

(2) One hundred thousand dollars for property damage, bodily injury, or death payable to any one person and $200,000.00 for property damage, bodily injury or death when totaled with all other claims or judgments arising out of the same incident or occurrence.

(d) The insurance policies obtained by a permittee in compliance with this section shall be issued by a company acceptable to the city and a current certificate of insurance, along with written evidence of payment of all required premiums, shall be filed and maintained with the city during the term of the permit. The policies shall name the city as an additional insured and shall contain a provision that written notice of cancellation or reduction in coverage of the policy shall be delivered by registered mail to the city at least 30 days in advance of the effective date thereof.

(Code 1995, § 82.360; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-66. Compliance with traffic regulations.

(a) A permittee, having been issued a permit under this article to engage in the business of operating horse-drawn vehicles, shall be subject to all traffic provisions of this Code and all other laws, ordinances, rules and regulations now in effect in the city or the state, and all traffic ordinances and rules and regulations which may pertain to the operation of horse-drawn vehicles, hereafter enacted or adopted by the city or the state, and such rules and regulations formulated and promulgated under authority of this article.

(b) The planning and zoning commission is hereby empowered to designate the location and extent of space for stands to be known as horse-drawn stands. No automobiles or other means of conveyance other than such vehicles for hire as defined in this article shall be permitted to use such horse-drawn vehicle stands within the time as provided by the rules and regulations promulgated by the community development director.

(c) The community development director is hereby authorized and directed to formulate and promulgate reasonable rules and regulations for the use of such horse-drawn vehicle stands so as to ensure equality of opportunity between operators, and to prevent discrimination between horse-drawn vehicle stands and to prevent unfair practices between the owners, operators and drivers of such horse-drawn vehicles for hire.

(Code 1995, § 82.370; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-67. Rates and charges to be displayed.

Each permittee shall prominently display, in each permittee's horse-drawn vehicle, a card or sign which shall show the schedule of the rates and charges for the transportation services furnished by the permittee, the city permit number of such horse-drawn vehicle, and the name and address of both the permittee and driver of such vehicle. Such card or sign shall be posted in a conspicuous place in such vehicle while it is in use as a horse-drawn

vehicle for hire, so that it is clearly visible to all passengers in such vehicle. It shall be unlawful for any permittee, operator, agent, lessee or driver of any horse-drawn vehicle to charge more than the rate so posted.

(Code 1995, § 82.380; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-68. Sanitation.

All horses, mules and other animals shall be equipped with adequate devices to prevent manure, and other excrement, from falling upon the streets of the city. Any excrement which should fall upon the streets of the city shall be removed at the expense of the permittee. Further, any excrement collected by a permittee shall be removed from the city at the end of the carriage's shift.

(Code 1995, § 82.390; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-69. Condition and inspection of horse-drawn vehicles.

(a) Each horse-drawn vehicle shall be kept in a safe and sanitary condition at all times. The city shall have the right to inspect, or cause to be inspected, any horse-drawn vehicle as often as may be necessary for the purpose of ascertaining and causing to be corrected any unsafe or unsanitary conditions or any violations of this article or any other rule, regulation, ordinance or law relating to the operation of such horse-drawn vehicles.

(b) If any horse-drawn vehicle shall fail to pass such inspection, it shall be removed from service on the day of inspection, and shall remain out of service until it has passed inspection.

(c) No signs other than those required by this article shall be allowed on any horse-drawn vehicle.

(d) Each permittee shall assign qualified persons to be in charge of their operations in the city and shall give the names to the city; information regarding experience shall also be furnished.

(e) The city has the right to require that each permittee's employees and drivers be well groomed and properly attired and wear a tag bearing the employee's or driver's name.

(f) The city may request the dismissal of any employee or driver who violates any provision hereof or who is wanton, negligent, or discourteous in the performance of his duties.

(g) Each permittee shall provide operating and safety training for all personnel.

(Code 1995, § 82.400; Ord. No. 669, § 1, 10-17-1995)

Sec. 42-70. Revocation of permits.

Whenever there is reasonable cause to believe that a person holding a permit to operate a horse-drawn vehicle is violating the provisions of this article, the community development director may, in addition to any other remedies, upon written notice to the permittee, sent certified mail, return receipt requested, suspend the permits issued to such person until such time as the violations are corrected to the satisfaction of the city. If this violation is not corrected within 30 days, the permits shall be automatically revoked. Any permittee whose permits have been revoked under this section may, within ten days after said revocation, appeal to the city council.

(Code 1995, § 82.410; Ord. No. 669, § 1, 10-17-1995)

Secs. 42-71—42-100. Reserved.

ARTICLE IV. ELECTRIC CARRIAGES

Sec. 42-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved electric carriage stand means a location within the corporate limits of the city which is approved by the city for a permittee to pick up and drop off customers.

Approved plan means the route of streets over which an electric carriage may travel within the corporate limits of the city.

Electric carriage means a vehicle which is propelled by one or more electric motors, using only energy stored in batteries, which has a unique princess-style look or shape and is capable of being used for the transportation of passengers.

Permit means the grant by the city to operate an electric carriage upon specified streets within the corporate limits of the city.

Permittee means and includes, but is not limited to, an individual, firm, partnership, corporation, company, or any association who holds a permit for the operation of an electric carriage within the corporate limits of the city.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-102. Compliance with this article required.

The operation of electric carriages within the corporate limits, and upon the streets of the city as specified in the approved plan, shall be subject to the conditions, regulations and restrictions set forth in this article and the permit.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-103. Permit required.

It shall be unlawful to operate, or cause to be operated, an electric carriage upon any streets within the corporate limits of the city unless a permit has been issued therefor by the city. The permit shall be affixed to the electric carriage for which it has been issued and shall be nontransferable to another electric carriage except for a replacement electric carriage.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-104. Application for permit.

(a) Any person desiring to obtain a permit to operate an electric carriage in the city shall submit a written application to the city in the form approved by the city.

(b) The initial permit issued to any permittee shall be for a temporary period of six months. At the end of the temporary permit term, the permit may either be extended or revoked. If extended, the permit may be renewed in accordance herewith prior to October 1. If the temporary permit is revoked, the permittee may, within five days of receipt of the revocation, submit a written appeal to the city clerk to be heard by the city council. The appeal shall be limited to the issues of compliance with the provisions of this article and compliance with the provisions of the permit and shall be placed on the next available city council agenda for consideration. The decision of the city council related to the appeal shall be final.

(c) After the initial permit, every permit shall expire on October 1, each year, and must be renewed, in accordance with the requirements set forth herein, prior to October 1, each year.

(d) Upon receipt of a complete application for a permit and the fee imposed therefor by the city from time to time by resolution.

(e) Any person whose permit for operation of an electric carriage in the city has been denied may, within five days of receipt of the denial, submit a written appeal to the city clerk to be heard by the city council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this article and shall be placed on the next available city council agenda for consideration. The decision of the city council related to the appeal shall be final.

(f) The initial monthly fee for any permit issued hereunder shall be five percent of the gross receipts of the electric carriage for which the permit is issued. The holder of any permit shall allow the city to inspect its books and accounting records related to the operation of such electric carriage at any reasonable time to ensure compliance with this subsection. The fee shall be paid monthly based upon the previous month's receipts to the city as directed by the city. The monthly permit fee set forth herein may be reviewed by the city on an annual basis. The city may revise the permit fee no more frequently than once each year.

(g) No more than three permits shall be issued and active in the city at any given time. Permits shall be evaluated in the order received.

(h) If a permit issued under this section is lost or destroyed, the permit holder may obtain a duplicate permit upon payment of a service charge in an amount imposed by the city from time to time by resolution. A permit may be transferred to a replacement electric carriage upon payment of a transfer fee in an amount imposed by the city from time to time by resolution.

(i) All persons holding an electric carriage permit must maintain, in active operation, the electric carriage for which the permit was issued. Any permit for an electric carriage which remains dormant for more than 60 days may be declared void by the city.

(j) Any permittee to whom an electric carriage permit has been issued may be entitled to renew such permit from year to year, provided that such permittee is in full compliance with the provisions of this article and the permit, and a renewal application, in the form acceptable to the city, and the appropriate renewal fee, as imposed by the city from time to time by resolution, have been submitted to the city by October 1. Upon receipt of the renewal application, the city shall grant or deny the renewal permit. In the event of denial of a renewal permit, the person may, within five days of receipt of the denial, submit a written appeal to the city clerk to be heard by the city council. The appeal shall be limited to the issues of the completeness of the application and compliance with the provisions of this article and the permit, and shall be placed on the next available city council agenda for consideration. The decision of the city council related to the appeal shall be final.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-105. Adherence to approved plan.

Permittees must adhere to the routes and rates specified in the approved plan. Any deviation from the permit and approved plan shall be a violation of this article.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-106. Liability and indemnification.

(a) By accepting an electric carriage permit from the city, the permittee agrees to be liable for any and all damages, losses, and expenses incurred, by the city, in any way related to the electric carriage and/or operation of the same within the corporate limits of the city, the permittee further agrees to indemnify, defend and hold the city harmless for any and all such claims, suits, judgments or damages, losses and expenses, including but not limited to, court costs, expert witnesses, consultation services and attorney's fees, arising from any and all acts and/or omissions of the permittee, or any of its employees, agents, sub-contractors, representatives, volunteers, or the like through and including any appeals in any way related to operation of the electric carriage within the corporate limits of the city. Said indemnification, defense, and hold harmless actions shall not be limited by any required insurance coverage amounts required by this article and shall survive revocation or expiration of a permit issued to a permittee.

(b) The permittee shall maintain, throughout the term of the permit, the following types and amounts of liability insurance: insured:

(1) Workers' and unemployment compensation insurance as provided by the laws of Florida.

(2) $100,000.00 for property damage, bodily injury, or death payable to any one person and $200,000.00 for property damage, bodily injury or death when totaled with all other claims or judgments arising out of the same incident or occurrence.

(c) The insurance policies obtained by a permittee in compliance with this section shall be issued by a company acceptable to the city and a current certificate of insurance, along with written evidence of payment of all required premiums, shall be filed with the city and remain current during the term of the permit. All such policies shall name the city as an additional insured and shall contain a provision that written notice of cancellation or reduction in coverage of the policy shall be delivered by registered mail to the city at least 30 days in advance of the effective date thereof. Failure to provide the city with the required certificates of insurance shall not excuse a permittee from having the required insurance coverage or from indemnifying the city as set forth herein.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-107. Compliance with traffic regulations.

(a) A permittee, having been issued a permit under this article to engage in the business of operating an electric carriage within the corporate limits of the city, shall be subject to all traffic laws, rules and regulations now in effect in the city or the state, or as adopted or enacted from time to time.

(b) A permittee may only use a city approved electric carriage stand to pick up and drop off its customers. The city may from time to time formulate and promulgate reasonable rules and regulations for the use of approved electric carriage stands so as to ensure equality of opportunity between operators, and to prevent discrimination between carriage stands and to prevent unfair practices between the owners, operators and drivers of such electric carriages for hire, the city reserves the right, in its sole discretion, to relocate, add or remove approved electric carriage stands.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-108. Rates and charges to be displayed.

Each permittee shall prominently display, in each permitted electric carriage, a card or sign which shows the schedule of the rates and charges for the transportation services furnished by the permittee, the city permit number of such electric carriage and the name and address of both the permittee and driver of such electric carriage. Such card or sign shall be posted in a conspicuous place in the electric carriage while it is in use in the city, so that it is clearly visible to all passengers. It shall be unlawful for any permittee, operator, agent, lessee or driver of any electric carriage to charge more than the rate so posted.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-109. Condition and inspection of electric carriages.

(a) Each electric carriage shall be kept in a safe condition at all times. The city shall have the right to inspect, or cause to be inspected, any electric carriage as often as may be necessary for the purpose of ascertaining and causing to be corrected any unsafe conditions or any violations of this article or any other rule, regulation, ordinance or law relating to the operation of such electric carriages in the corporate limits of the city.

(b) If any electric carriage shall fail to pass such inspection, it shall be removed from service on the day of inspection, and shall remain out of service until it has passed inspection.

(c) No signs other than those required by this article shall be allowed on any permitted electric carriage.

(d) Each permittee shall assign qualified persons to be in charge of their operations in the city and shall give the contact information for such person to the city.

(e) The operator or driver of a permitted electric carriage shall be well groomed and properly attired at all times as well as wear a tag bearing the operator's or driver's name.

(f) The city may request the dismissal of any employee of a permittee or an operator or driver of a permitted electric carriage, who violates any provision of this article or who is wanton, willful, negligent, or discourteous in the performance of his or her services.

(g) Each permittee shall provide operating and safety training for all employees and/or contractors.

(Ord. No. 2022-12 , § 2, 9-20-2022)

Sec. 42-110. Suspension or revocation of permits.

Whenever there is reasonable cause to believe that a permittee is violating the provisions of this article, the city may, in addition to any other remedies available under the law, upon written notice to the permittee, sent certified mail, return receipt requested, suspend a permit issued to a permittee until such time as the violations are corrected to the satisfaction of the city. If a violation is not corrected within 30 days, a permit may be revoked. Any permittee whose permit is revoked under this section may, within five days of receipt of the revocation, submit a written appeal to the city clerk to be heard by the city council. The appeal shall be limited to the issues of the revocation and compliance with the provisions of this article and the permit, and shall be placed on the next available city council agenda for consideration. The decision of the city council related to the appeal shall be final.

(Ord. No. 2022-12 , § 2, 9-20-2022)