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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 5(B)
(Public Hearing 12-19-11)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: December 6, 2011

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance relating to vehicles for hire; amending chapter 31 of the Code to provide that taxicabs, passenger motor carriers, luxury limousine sedans, stretch limousines and super-stretch limousines scheduled for retirement shall be allowed to be operated for an additional open-year period

Ordinance No. 11-102

The accompanying ordinance was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Jean Monestime, Chairman Joe A. Martinez and Senator Javier D. Souto.

R. A. Cuevas, Jr.
County Attorney

RAC/up

Memorandum

MIAMI-DADE COUNTY

Date: December 19, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance amending Chapter 31 of the Code; relating to vehicles for hire

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The proposed ordinance allows taxicabs, passenger motor carriers, luxury limousine sedans, stretch limousines and super-stretch limousines, scheduled for retirement on December 31, 2011, to operate for an additional one-year period. This amendment will not have a fiscal impact to the County.

Office of the Mayor

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MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: December 19, 2011

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 5(B)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(B)
12-19-11

ORDINANCE NO. 11-102

ORDINANCE RELATING TO VEHICLES FOR HIRE; AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT TAXICABS, PASSENGER MOTOR CARRIERS, LUXURY LIMOUSINE SEDANS, STRETCH LIMOUSINES AND SUPER-STRETCH LIMOUSINES SCHEDULED FOR RETIREMENT ON DECEMBER 31, 2011 SHALL BE ALLOWED TO BE OPERATED FOR AN ADDITIONAL ONE-YEAR PERIOD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 31 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:[1]

CHAPTER 31

VEHICLES FOR HIRE

* * *

ARTICLE II. LICENSING AND REGULATION OF FOR-HIRE MOTOR VEHICLES.

* * *

Sec. 31-93. Special provisions.

[1]Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

* * *

(e) Notwithstanding the vehicle age limits required by Sections 31-82(l)(4), 31-89(f) and 31-93(c)(3) of the Code, any properly permitted and inspected taxicab scheduled for retirement on December 31, [[~~2010~~]] >>2011<< shall be allowed to be operated for an additional one-year period.

* * *

ARTICLE III. PASSENGER MOTOR CARRIERS

* * *

Sec. 31-115. Special provisions.

* * *

(j) Notwithstanding the vehicle age limit required by Section 31-107(b) of the Code, any properly permitted and inspected passenger motor carrier scheduled for retirement on December 31, [[~~2010~~]] >>2011<<, shall be allowed to be operated for an additional one-year period.

* * *

ARTICLE VI. LICENSING AND REGULATION OF FOR-HIRE LIMOUSINES.

* * *

Sec. 31-613. Special provisions.

* * *

(d) Notwithstanding the vehicle age limits required by Section 31-609(b) of the Code, any properly permitted and inspected luxury limousine sedan, stretch limousine, or super-stretch limousine scheduled for retirement on December 31, [[~~2010~~]] >>2011<<, shall be allowed to be operated for an additional one-year period.

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* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: December 19, 2011

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

Gerald K. Sanchez

Co-Prime Sponsors: Commissioner Jean Monestime
Chairman Joe A. Martinez
Sen. Javier D. Souto