



### VEHICLE FOR HIRE APPLICATION

<p>Date Received <b>VH-</b></p> <hr/> <p><input type="checkbox"/> \$250.00 New Application    \$125.00 Annual Renewal</p> <p><input type="checkbox"/> Pedi-Cab    <input type="checkbox"/> Horse Drawn Carriage</p> <p><input type="checkbox"/> Other Non-Motorized Vehicle _____</p>	<p><input type="checkbox"/> Staff Approved    <input type="checkbox"/> Staff Denied</p> <p>Comments/Conditions _____</p> <p>_____</p> <p>_____</p> <p>Approved by: _____</p>
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**All applicants must adhere to the rules and regulations as adopted in the Punta Gorda Code, Chapter 26, Article 8, Section 8.28. Once issued, this permit is non-transferable. A Local Business Tax receipt application must be filed at the City Clerk's office prior to approval of this application. If parking/staging is proposed on private property, a letter of authorization from property owner must be included with application. All renewal requests must be received no later than thirty (30) days prior to the expiration of the permit for which renewal is sought.**

**Application and all pertinent required data (listed below) MUST be submitted with this application. Please attach any approvals as required for use of private property or facilities.**

Location MAP detailing where vehicles will be parked when not actively in service (Note: If parked on private property, such as another business or facility, or a facility such as but not limited to Fishermen's Village, permission from the manager/owner of that business or facility must be attached to the application.)

Provide a graphic image of the non-motorized vehicle to be used in the operation of the business, include location on vehicle where the Local Business Tax Receipt will be posted.

Identify Proposed route(s) on non-motorized overlay district map

**Applicant Information**

Name						
Address		City		State		Zip
Phone			Email address			
Relationship	<input type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Operator <input type="checkbox"/> Other _____					

**Business Information**

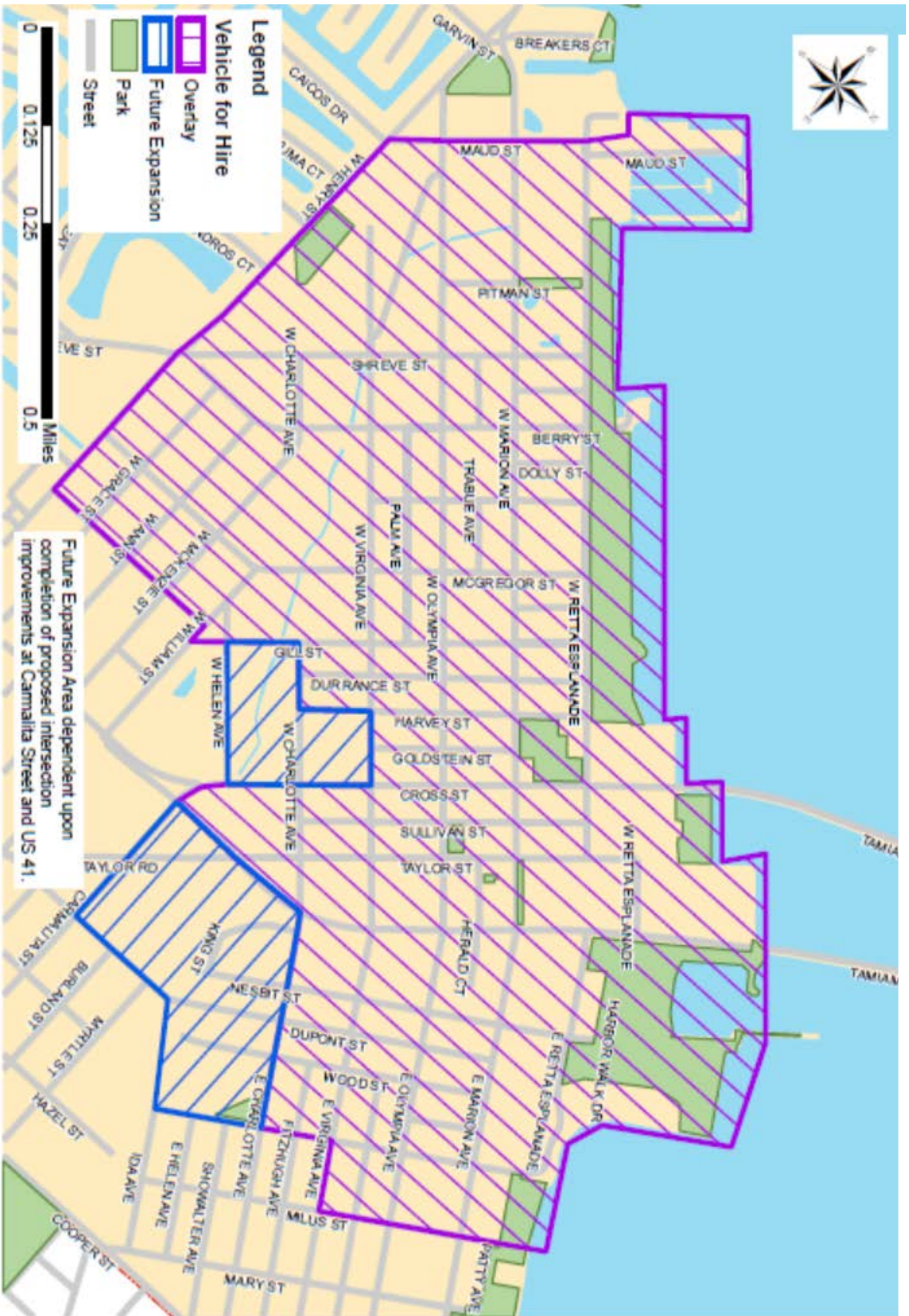
Business Name						
Business Address		City		State		Zip
Business Phone			Business Email			
<b>Business Owner</b>						
Owner Address		City		State:		Zip:
Owner Phone			Owner Email			

Number of Non-Motorized Vehicles in Service											
Total Number of Employees											
<b>Operator Information (use additional sheet if necessary)</b>											
Name Of Operator				Operator Home Address				Operator Phone #			
<b>Hours of Operation</b>											
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday					
Will the operation be operating all year: <input type="checkbox"/> Yes <input type="checkbox"/> No											
If seasonal, which months will the non-motorized vehicles be in service?											
January	February	March	April	May	June	July	August	September	October	November	December
<b>Demonstrate how the non-motorized vehicle meets all equipment/safety requirements as required per Ordinance 1765-13</b>											
I, the undersigned, being first duly sworn, testify and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of all of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary material attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners.											

AFFIDAVIT		
_____ Signature of Owner or Authorized Agent	_____ Print Name & Title	_____ Date
STATE OF _____ ) COUNTY OF _____ )		
The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.		
_____ Notary Public, State of Florida		_____ My commission Expires
(Seal)		

AGENT AFFIDAVIT (Property Owner to complete ONLY if applicable)		
I/We _____, property owner(s), hereby authorize _____ to act as <b>Agent</b> on our behalf regarding a <b>VEHICLE FOR HIRE APPLICATION</b> on the property commonly known as _____ in Punta Gorda, Florida.		
_____ Signature of Property Owner	_____ Print Name of Property Owner	_____ Date
STATE OF _____ ) COUNTY OF _____ )		
The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did not take an oath.		
_____ Notary Public, State of Florida		_____ My commission Expires
(Seal)		

On the map below identify your proposed route(s)



Florida's Harborside Hometown



## Chapter 26 Section 8.28 Pedi-cabs and horse drawn carriages

(1) Definitions. For the purposes of this article, words and terms used in this Section shall be given the meanings as set forth below:

**Applicant** means every person who makes application to the City of Punta Gorda for a non-motorized public vehicle permit.

**Driver or operator** means every individual operating a non-motorized vehicle, either as owner, agent, employee or otherwise.

**Horse-drawn Hack or Carriage** means any hack or carriage which is drawn by a horse or mule for the transportation of passengers for hire or compensation.

**Non-motorized vehicle for hire** means any pedi-cab or horse drawn carriage with a driver which is provided with seating accommodations passengers for a fee

**Pedi-cab** means any vehicle which is propelled solely by human/bicycle power and which is used for transporting passengers.

**Permit** means a permit authorizing the holder thereof to engage in the business of operating non-motorized public vehicles within the City limits.

**Permitted Route Area** means a route or routes within the approved route overlay area that have been specifically reviewed and approved by City staff.

**Person** means all persons, partnerships, firms, companies, corporations and any others whatsoever owning, controlling or having charge of a non-motorized public vehicle.

**Street** means all right-of-ways, public streets, avenues, boulevards, alleys, lanes, highways, sidewalks, public parks, parking roads and other places laid out for the use of motorized and non-motorized vehicles.

(2) Permit required

- (a) It is unlawful to operate any non-motorized vehicle for hire upon the public streets of the City of Punta Gorda without first having obtained a permit for each such vehicle.
- (b) Every vehicle of any non-motorized vehicle business or operation shall have the permit which has been issued to the business or operation attached to said vehicle. Such permit shall be conspicuously displayed at the rear of the vehicle or carriage at all times.

(3) Application for permit; approval, denial of application; appeal; permit fee.

- (a) Any person desiring to obtain a permit to operate a non-motorized vehicle in the City shall submit to the City Zoning Official, or his/her designee a written application on forms provided by the City, the fee for which shall be set by resolution of the City Council.
- (b) Upon receipt and acceptance of a complete application for a permit, the City Zoning Official, or his/her designee shall forward copies of the application to the Development Review Committee (DRC). Each member of the DRC shall evaluate the application for public health, safety and welfare concerns as may pertain to his or her department and shall provide same to the Zoning Official or his/her designee.
- (c) If the plan or application does not meet with the requirements for approval, the reasons for the disapproval shall be listed in writing.
- (d) Should the application be disapproved by the City no permit to operate non-motorized vehicles shall be issued to the applicant and reason for the denial so stated.
- (e) The City Police Chief or his/her designee can modify the approved route for operation of non-motorized vehicles when he/she finds it necessary due to public health, safety and welfare concerns.

- (f) Once the application is approved by the City DRC, the Zoning Official or his/her designee shall issue a permit to the applicant upon payment of the applicable fee as set by Resolution of the City Council. The permit shall be valid for one (1) year from the date of issuance.
- (4) Appeal. Any person or persons jointly or severally aggrieved by any decision of the Development Review Committee may, within thirty (30) days after the denial, appeal in writing to the Zoning Official or his/her designee who shall schedule a hearing thereon at the next regularly scheduled City Council meeting.
- (5) Adherence to plan submitted in application required; amendments to plan; modifications to plan by Chief of Police or Zoning Official.
  - (a) Non-motorized vehicle owners must adhere to the routes and number of vehicles and design as specified in their approved application for a permit. Any deviation from the application without the approval of the City shall be a violation of this article.
  - (b) The owner may submit amendments to his application or plan; however, all such amendments shall undergo the same review and approval process as required for the initial application.
  - (c) The City reserves the right to modify the permitted routes in the application whenever necessity dictates to ensure public health, safety and welfare are protected.
- (6) Renewal of permits; lost, destroyed permits; permits non-transferable; replacements and substitutions; dormant permits.
  - (a) Any person to whom a non-motorized vehicle permit has been issued under the provisions of this article shall be entitled to renew such permit from year to year; provided that such person shall fully comply with the provisions of this article and such other ordinances, rules and regulations as shall be enacted or adopted from time to time by the City and shall apply for the renewal no later than thirty (30) days prior to the expiration of the permit for which renewal is sought. Applications for renewal must be approved by the DRC prior to the renewal of the permit. Renewal of the permit shall be issued by the Zoning Official or his/her designee upon payment of the applicable permit fee.
  - (b) If a permit issued under this section is lost or destroyed, the permit holder may obtain a duplicate upon payment of a ten-dollar (\$10.00) service charge.
  - (c) Permits to operate a non-motorized vehicle business shall not be transferable; however, the owner of a non-motorized vehicle business or operation may make replacements and substitutions of such non-motorized vehicles or carriages, if the total number of non-motorized vehicles or carriages does not exceed the total number provided for in the permit already issued to such owner, and provided that the substituted non-motorized vehicles or carriages are of the same make and model of the carriages or vehicles approved in the initial application.
  - (d) All persons holding City non-motorized vehicle permits must maintain in active operation the vehicles for which the permits were issued. Any permit for any vehicle which remains dormant for more than sixty (60) consecutive days may be declared void by the Zoning Official or his/her designee.
- (7) Business tax receipt. All persons to whom non-motorized vehicle permits are issued under the provisions of this article shall concurrently apply for and obtain a local business tax receipt pursuant to Chapter 12 of the Punta Gorda Code.

- (8) Prohibitions.
- No non-motorized vehicle driver or owner shall:
- (a) Operate, or allow to be operated, a non-motorized vehicle in an unsafe condition or without the equipment required by this chapter;
  - (b) Leave any non-motorized vehicle unattended;
  - (c) Operate a bicycle for the pedi-cab without wearing required bicycle helmet.
  - (d) Store, park or leave any non-motorized vehicle overnight on any street or sidewalk, or park in a regularly marked parking space;
  - (e) Operate a non-motorized vehicle in an area or at a time than the ones approved by the City;
  - (f) Operate a non-motorized vehicle in such a way as to intentionally impede automobile traffic or create a hazardous situation;
  - (g) Park the non-motorized vehicle in a manner so as to disrupt the flow of automobile traffic on public streets, roads, and thoroughfares, or so as to impede the flow of pedestrian traffic;
  - (h) Operate the non-motorized vehicle in disregard of any traffic control device or applicable state traffic laws;
  - (i) Operate a non-motorized vehicle upon the sidewalk portion of a public right-of-way;
  - (j) Solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any persons, or follow any person for the purpose of soliciting patronage;
  - (k) Sit, sleep, loiter or permit others to sit, sleep or loiter within the passenger compartment of any non-motorized vehicle while on a public street;
  - (l) Sell, distribute, or solicit sales of any products, including food or drink;
  - (m) Operate, or allow a non-motorized vehicle to be operated, without a valid driver's license;
  - (n) No driver of a non-motorized vehicle regulated under this article shall allow the amplification of sound produced by a radio, tape player, CD player, DVD player or any other mechanical sound making device or instrument from within the non-motorized vehicle so that the sound is plainly audible at a distance of twenty-five (25) feet or more from the vehicle.
  - (o) Any non-motorized vehicle shall be identified with the name of the business, telephone number, address, and hours of operation.
- (9) Passenger seating requirements.
- (a) It is unlawful for any person to operate a non-motorized vehicle while carrying a number of passengers that exceeds the number of authorized seats as stated on the business tax receipt.
  - (b) If the non-motorized vehicle is used to transport a child under four (4) years of age or under 40 pounds, the non-motorized vehicle shall be equipped to provide a seat or carrier that must be used by any child under four (4) years of age or under 40 pounds and that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the non-motorized vehicle.
- (10) Operating zones. Owners and drivers of non-motorized vehicles may provide service only on the streets approved for use as set forth in the City Code or as designated by City administrative policy.

- (a) The Chief of Police or Zoning Official may, during special events or major events, further limit areas where the non-motorized vehicles may operate.
  - (b) Upon written and/or verbal notification by the Emergency Management Director, (Fire Chief), of a hurricane or other major weather event, or the issuance of a hurricane warning for Charlotte County by the National Weather Service, whichever occurs first, the business tax receipt holder shall, within four (4) hours of same, cease operations, remove all non-motorized vehicles and animals from all public streets and areas, and secure all equipment and animals indoors.
- (11) Non-motorized vehicle equipment requirements. All non-motorized vehicles must meet the following equipment requirements. Each owner shall maintain all non-motorized vehicles in a uniform appearance, including consistency with company name, color, logo on all equipment and shall also maintain all equipment in a clean condition for public use.
- (a) The non-motorized vehicle shall be equipped with side mounted rearview mirrors affixed to the right and left side of the non-motorized vehicle so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear.
  - (b) Slow moving vehicle triangle on the rear of the vehicle or retro-reflective tape which outlines the rear of the non-motorized vehicle from edge to edge.
  - (c) The non-motorized vehicle shall be equipped with a headlight projecting a beam of white light for a distance of 300 feet and a taillight mounted on the right and left, respectively, at the same level on the rear exterior of the passenger compartment. Taillights shall be red in color and plainly visible from all distances within 500 feet of the rear of the non-motorized vehicle. Said lights shall be used during all hours of operation of said vehicles.
  - (d) Every such vehicle shall be equipped with front and rear bumpers.
  - (e) All equipment installed in the non-motorized vehicle shall be secured to prevent movement during transit or in the event of a collision or overturn.
  - (f) Each horse-drawn carriage must be equipped with a manure catcher or other type of fecal collection device. All manure/fecal matter must be disposed of properly.
  - (g) All public vehicles required to be regulated under this article shall be kept clean and sanitary throughout and shall be kept and maintained in sound operating condition. The body of the carriage, grab handles, traces, harness, seats, wheels, shaft, steps and brakes, tires, steering mechanism, windshield wipers, lights, directional signals and all other equipment shall be kept in such condition as to ensure safe operation.
- (l) Passenger loading/unloading areas; parking.
1. A non-motorized vehicle may be parked in a regularly marked commercial loading zone while waiting for passengers. All applicable and/or posted commercial/passenger loading zone regulations shall apply.
  2. Parking, stopping, or standing in any area that is posted and/or marked as safety zones for crosswalks, fire hydrants, taxicab stands, and sidewalks is not permitted.
- (m) Transfer. No certificate or permit shall be assigned or transferred to another person or business after written application for same has been filed with the City.
- (n) Emergency suspension and Revocation.  
In the event of a violation of this article which results in an emergency situation in which the continued operation of a permit holder's business endangers the health, welfare or safety of the public which cannot reasonably be corrected, the City may with just cause suspend or revoke

such holder's certificate. Any such suspension may be made effective immediately and shall remain in force until a hearing is held as provided in this section.

(o) Appeal of Suspension or Revocation.

Any person aggrieved by an action of the City in granting, denying, suspending or revoking a non-motorized vehicle permit may request a hearing before the Code Enforcement Board to appeal the decision. Said appeal request must be provided in writing to the Code Compliance Division within ten (10) days of said action.

The Code Enforcement Board, after a hearing, shall make a determination as to whether to reverse or uphold the decision of the City in any action granting, denying suspending or revoking a non-motorized vehicle permit. The Code Enforcement Board may in their sound discretion, impose costs of up to \$100.00 for costs of processing said appeal.

(p) Duties of certificate holders.

The certificate holder shall notify the City of the names and addresses of all drivers in its employ. All changes of residence of the certificate holder or any driver shall be reported to the City within ten (10) days. Changes of location of the business shall be immediately reported to the City.

(q) Enforcement. Any person who violates the provisions of this Section shall be guilty of a noncriminal infraction. Enforcement of the provisions of this chapter shall be through means of citations issued for non-criminal infractions. Such citations may be issued by any City police officer and any Code Enforcement Officer of the City and shall be in such form as may be adopted for such use by the Chief of the Punta Gorda Police Department. The citation given to any violator shall specify the violation and the civil penalty therefor and shall notify the violator:

- (1) That the civil penalty must be paid at the Office of the City Clerk no later than ten (10) days after the date the citation is issued unless the violation is appealed to the Code Enforcement Board, giving the address of the City Clerk's office;
- (2) That any appeal must be filed with the Code Enforcement Board Coordinator, within ten (10) days after the date the citation is issued
- (3) That, if found guilty of the violation by the Code Enforcement Board on an appeal, the violator shall pay the assessed civil penalty as well as the cost of the appeal in the amount of Fifty Dollars \$50.00; and
- (4) That if any civil penalty (and appeal cost, if applicable) is not paid within ten (10) days after the date the citation is issued, or within ten (10) after an order of the Code Enforcement Board finding the violator to be guilty if an appeal is timely filed, the permit to operate a non-motorized vehicle business shall be revoked until such civil penalty (and any appeal cost, if applicable) is paid.

(r) Penalties.

(1) Any person who violates any provision of this Section shall be assessed a civil penalty as follows:

For the first offense .....	\$ 25.00
For the second offense .....	\$ 50.00
For each subsequent offense .....	\$100.00