

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO PORT EVERGLADES BUSINESS PERMITS;
3 AMENDING SECTIONS 32.38 AND 40.50 OF THE BROWARD COUNTY
4 ADMINISTRATIVE CODE (“ADMINISTRATIVE CODE”); AND PROVIDING FOR
5 SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE
6 DATE.

7

8 WHEREAS, the Board of County Commissioners (“Commission”) is amending
9 Sections 22½-1 and 22½-6D of the Broward County Code of Ordinances to provide that
10 motor carriers engaged in charter bus transportation are no longer required to obtain a
11 Port Everglades business permit and must instead complete a Safety Compliance
12 Registration;

13 WHEREAS, the Commission finds that the fees and penalties authorized by this
14 Resolution are directly related to motor vehicle safety because the fees are limited to
15 recovering the County’s reasonable costs of reviewing insurance and vehicle-safety
16 inspection documentation and maintaining compliance records, and the penalties provide
17 a necessary mechanism to enforce compliance with the insurance and inspection
18 requirements established herein; and

19 WHEREAS, this amendment to the Broward County Administrative Code ensures
20 consistency with the Broward County Code of Ordinances, NOW, THEREFORE,

21 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
22 BROWARD COUNTY, FLORIDA:

23 Section 1. Section 32.38 of the Broward County Administrative Code is hereby
24 amended to read as follows:

25 **32.38. Issuance.**

26 . . .

27 d. As provided in Section 22½-6D of the Broward County Code of Ordinances,
28 a motor carrier engaged in charter bus transportation is not required to obtain a Port
29 Everglades Business Permit, vehicle-for-hire permit, certificate of public convenience and
30 necessity, operating permit, or other County authorization to provide charter bus
31 transportation at Port Everglades. Such motor carrier must instead comply with the Safety
32 Compliance Registration requirements set forth in Section 22½-6D(n).

33 Section 2. Section 40.50 of the Broward County Administrative Code is hereby
34 amended to read as follows:

35 **40.50. Consumer Protection Fee Schedule.**

36 . . .

37 h. *Safety Compliance Registration.* The Broward County Board of County
38 Commissioners determines, establishes, and fixes the following fees:

	<u>Fee</u>
40 <u>1. Safety Compliance Registration (Per Registration)</u>	<u>\$250.00</u>
41 <u>2. Port Everglades Optional Decal Fee (Per Vehicle)</u>	<u>\$20.00</u>

42 Section 3. Severability.

43 If any portion of this Administrative Code Resolution is determined by any court to
44 be invalid, the invalid portion will be stricken, and such striking will not affect the validity
45 of the remainder of this Administrative Code Resolution. If any court determines that this
46 Administrative Code Resolution, in whole or in part, cannot be legally applied to any
47 individual, group, entity, property, or circumstance, such determination will not affect the
48 applicability of this Administrative Code Resolution to any other individual, group, entity,
49 property, or circumstance.

50 Section 4. Inclusion in the Broward County Administrative Code.

51 It is the intention of the Board of County Commissioners that the provisions of this
52 Administrative Code Resolution become part of the Broward County Administrative Code
53 as of the effective date. The sections of this Administrative Code Resolution may be
54 renumbered or relettered and the word “resolution” may be changed to “section,” “article,”
55 or such other appropriate word or phrase to the extent necessary to accomplish such
56 intention.

