

33 of the General Ordinances and Special Acts, Chapter 1-10 Licenses and Business
34 Regulations, Article XIV "Fortunetellers, Clairvoyants, Palmists, Etc. and Article XV
35 "Taxicabs" of the Charlotte County Code are no longer operative or necessary and any
36 occupational licensing imposed by Charlotte County for these occupations expires on July
37 1, 2024.

38 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
39 of Charlotte County, Florida:

40 Section 1. Code of Laws and Ordinances of Charlotte County, Florida ("Code")
41 Chapter 1-10, Article XIV and Article XV are hereby repealed and the Code is amended
42 as follows (words that are stricken out are deletions; words that are underlined are
43 additions):
44

45 ~~ARTICLE XIV. FORTUNETELLERS, CLAIRVOYANTS, PALMISTS, ETC.[11]~~

46 ~~Sec. 1-10-361. Licensing of fortunetellers, clairvoyants, palmists, etc.~~

47 ~~(a)License required. Every fortuneteller, clairvoyant, palmist, astrologer, phrenologist,~~
48 ~~character reader, spirit medium, absent-treatment healer or mental healer and every~~
49 ~~person engaged in any occupation of a similar nature shall acquire a license pursuant to~~
50 ~~this section and pay a license fee in the amount set by resolution of the board of county~~
51 ~~commissioners, as may be amended from time to time, prior to engaging in any such~~
52 ~~occupation. A portion of the license fee shall be paid to the Charlotte County sheriff's~~
53 ~~office for its costs incurred in fingerprinting and investigating the criminal history of an~~
54 ~~applicant.~~

55 ~~(b)Application required. No license to engage in the occupation of fortunetelling or any~~
56 ~~other pursuit for which a license is required by subsection (a) hereof shall be issued to or~~
57 ~~held by any person unless such person completes an application therefor pursuant to this~~
58 ~~section, submits the same to the county administrator or his/her designee and gains the~~
59 ~~approval for such license from the county administrator or his/her designee.~~

60 ~~(c)Residency. Each person holding a license issued pursuant to this section shall be a~~
61 ~~permanent resident of the State of Florida and shall maintain a permanent place of~~
62 ~~business in Charlotte County, Florida.~~

63 ~~(d)Application submitted. Each application to obtain a license to engage in the occupation~~
64 ~~of fortunetelling or other pursuit for which a license is required by subsection (a) hereof~~
65 ~~within Charlotte County, Florida, shall be submitted, in writing, on a form prepared and~~

66 provided by the county administrator or his/her designee, together with the license
67 application fee established in subsection (a) hereof. The application shall be made by the
68 applicant, under oath, subject to the penalties prescribed for perjury.

69 (e)Contents of application. Each application shall contain the following information:

70 (1)The name of the applicant and any other name the applicant is now or has ever been
71 known by or used.

72 (2)The residence address of the applicant and the telephone number at that location.

73 (3)Applicant's date of birth.

74 (4)Physical description of applicant to include: race, gender, height, weight, hair color,
75 eye color.

76 (5)Applicant's Social Security number.

77 (6)Applicant's Florida driver's license number.

78 (7)Applicant's prior work experience for the previous three (3) years.

79 (8)Applicant's prior business address for the previous three (3) years.

80 (9)The name, address, date of birth, Florida driver's license number, and Social Security
81 number of any person required to obtain a license pursuant to subsection (a) hereof by
82 whom the applicant will be employed or with whom the applicant will be associated.

83 (10)Whether the applicant has ever been convicted of a crime and, if so, the date and
84 location of the conviction and the type of crime.

85 (11)Whether the applicant has held any similar license or permit which was suspended
86 or revoked and, if so, the date and location of the revocation or suspension.

87 In addition to the above application, the applicant shall also submit to having his or her
88 fingerprints and photograph taken by the Charlotte County sheriff's office. The fingerprints
89 and photograph shall be attached to and form a part of the application and shall be used
90 in an investigation by the Charlotte County sheriff's office of the background of the
91 applicant.

92 (f)Copy of application to be forwarded to sheriff's office. Prior to issuance of any license,
93 a copy of the application described in subsection (d) and (e) hereof shall be forwarded to
94 the Charlotte County sheriff's office in order to give that agency an opportunity to review
95 that application together with a written request for information regarding existence of any
96 criminal history for all persons listed on the application. The applicant and each other
97 person making an information request of the Charlotte County sheriff's office shall give
98 written directions to the Charlotte County Sheriff's Office to deliver any applicable

99 information to the county administrator or his/her designee along with the fingerprints and
100 photograph to be attached to and form a part of the application. If any governmental
101 agency states there is good cause for denying the application for the license, it shall
102 specify the grounds for the conclusion in its written communication.

103 Any change in any of the information contained on the application shall be reported by
104 the applicant, in writing, to the county administrator or his/her designee within three (3)
105 business days.

106 (g) Issuance of license. If no good cause for denying a license has been found, the county
107 administrator or his/her designee shall issue the requested license within one hundred
108 twenty (120) days from the date of the application. Good cause shall include, but not be
109 limited to, any finding that the applicant has been convicted of a misdemeanor involving
110 fraud or moral turpitude, or a felony in the State of Florida, or of any offense committed
111 elsewhere which, if committed in Florida, would be a misdemeanor involving fraud or
112 moral turpitude, or a felony under the laws of Florida. For the purposes of this section, a
113 plea of guilty or nolo contendere or a finding of guilty shall be considered a conviction
114 even if adjudication was withheld or sentence was suspended.

115 (h) Display of license. The license issued pursuant to this section shall be prominently
116 displayed at all times on the premises of the business of each person licensed pursuant
117 hereto. The license shall not be sold, transferred, assigned, leased, encumbered, or
118 otherwise disposed of with or without consideration by the licensee, and the license shall
119 immediately become null and void if any such event takes place.

120 (i) Expiration renewal.

121 (a) Licenses issued pursuant to this section shall expire annually on September 30, unless
122 earlier canceled as herein provided, and every person seeking to renew a license shall
123 be required to submit a request for renewal to the county administrator or his/her designee
124 within thirty (30) days prior to the expiration of the license.

125 (b) Licenses that are not renewed when due and payable are delinquent and subject to a
126 delinquency penalty of twenty-five (25) percent for the month of October, fifty (50) percent
127 for the months of November and December and one hundred (100) percent for January
128 or any month thereafter. If a licensee does not seek renewal and the license is not
129 renewed within six (6) months of expiration, and the licensee subsequently seeks to
130 renew an expired license, the person seeking the license shall be required to complete
131 another application requesting the issuance of such license.

132 (j) Revocation. Any person who is required by this section to possess a license for
133 engaging in fortunetelling or any other pursuit for which a license is required by subsection
134 (a) hereof who is convicted of a misdemeanor involving fraud or moral turpitude, or a
135 felony in the State of Florida, or of any offense committed elsewhere which, if committed
136 in Florida, would be a misdemeanor involving fraud or moral turpitude, or a felony under

137 the laws of Florida, upon due and proper record of such conviction presented to the county
138 administrator or his/her designee, such license shall be revoked by the county
139 administrator or his/her designee. Any license obtained by fraud or deceit shall be
140 revoked by the county administrator or his/her designee. Written notice of the intent to
141 revoke a license shall be forwarded to the licensee with a copy of such notice filed with
142 the Charlotte County sheriff's office and with the charlotte county Licensing Division. Prior
143 to a revocation of a license hereunder, the person whose license may be revoked shall
144 have the right to request a hearing before the code enforcement board and to present
145 evidence and testimony why such license should not be revoked. A notification of the
146 determination of the code enforcement board regarding revocation of a license shall be
147 furnished to the licensee, the Charlotte County sheriff's office and the charlotte county
148 Licensing Division.

149 (k)Exceptions. This section does not apply to the conducting of religious practices or
150 services in a church. If such churches are performing other activities outside the scope of
151 the conduct of religious practices or services which would require a license under
152 subsection (a) hereof, this section does not exempt such parties from obtaining the
153 license required by subsection (a).

154 (l)Penalty. Anyone found guilty of engaging in any occupation for which a license is
155 required by this section without that license or who shall obtain any such license by fraud
156 or deceit shall, for the first offense, be punished by a fine of not more than five hundred
157 dollars (\$500.00) or may be taken before the code enforcement board for enforcement
158 and may receive fines in accordance with Chapter 162, Florida Statutes.

159 (~~Ord. No. 95-030, § 1, 7-11-95; Ord. No. 2011-041, § 1, 11-22-11~~)

160 ~~ARTICLE XV. TAXICABS[12]~~

161 ~~DIVISION 1. GENERALLY~~

162 ~~Sec. 1-10-371. Definitions.~~

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

166 ~~Limousine service or limousine means a service where the vehicle is rented by a~~
167 ~~passenger for a specific period of time of a minimum of sixty (60) minutes (one (1) hour)~~
168 ~~and which operates only on a pre-arranged trip basis with a pre-signed written agreement.~~
169 ~~This definition shall apply only to vehicles which pick up or deliver passengers within the~~
170 ~~unincorporated areas of the county. The use of the words "limo" or "limousine" in the~~
171 ~~name of the company is not indicative of the vehicle being classified as a limousine~~
172 ~~service or limousine.~~

173 Non-medical wheelchair and stretcher transportation vehicle means any vehicle specially
174 equipped to transport people confined to wheelchairs or stretchers and whose condition
175 is such that these people do not need, nor are likely to need, medical attention during
176 transport. The term includes stretcher vans and wheelchair vans. This definition shall
177 apply only to vehicles which pick up or deliver passengers within the unincorporated areas
178 of the county. The term does not include:

179 (a)Any vehicle licensed by the State of Florida under Chapter 401 of the Florida Statutes
180 as an advanced or basic life support ambulance;(b)Any vehicle which is owned and
181 operated by a licensed facility that is under the oversight of the Agency for Healthcare
182 Administration (ACHA), such as a hospital, skilled nursing facility or adult congregate
183 living facility;(c)Any vehicle owned by Charlotte County or any vehicle owned by a
184 governmental agency;(d)Any public transportation vehicle; and(e)Any vehicle under the
185 direct supervision of a licensed physician used during an emergency or disaster.

186 Operator means any individual, firm, partnership, corporation, company, or other entity
187 which owns, leases, operates, or controls any taxicab, limousine or non-medical
188 wheelchair or stretcher transportation vehicle.

189 Taxicab means a chauffeur driven, metered or non-metered, passenger vehicle by
190 whatever name called, which is held out to the general public for and is used, operated
191 or engaged for the purpose of transporting passengers for any fee, hire, or compensation
192 in the county, which is not operated on a fixed route, and where the vehicle's route or
193 destination is determined and directed by the passengers therein. This definition shall
194 apply only to vehicles which pick up or deliver passengers within the unincorporated areas
195 of the county. This definition shall not include limousine service or non-medical wheelchair
196 or stretcher transportation vehicles.

197 (Ord. No. 97-038, Art. I, § 1, 6-3-97; Ord. No. 2011-041, § 2, 11-22-11; Ord. No. 2014-
198 009, § 1, 3-25-14)

199 Sec. 1-10-372. ~~Violations and penalties.~~

200 (a)It shall be unlawful for any person, or any operator or driver of any taxicab, limousine,
201 or non-medical wheelchair and stretcher transportation vehicle to violate any of the terms,
202 provisions or directions of this article.(b)Any penalties for violation contained within this
203 article shall be in addition to any other penalties allowed by law. Nothing contained herein
204 shall prohibit the county from enforcing the provisions of this article by any other
205 means.(c)Violators may be taken before the code enforcement board for enforcement
206 and may receive fines in accordance with Chapter 162, Florida Statutes.(d)Violations of
207 the provisions of this article or failure to comply with any of the requirements shall
208 constitute a misdemeanor of the second degree. Any person who is convicted for
209 violations of this article shall pay all costs and expenses in the case.

210 ~~(Ord. No. 97-038, Art. I, § 2, Art. IV, § 1, 6-3-97; Ord. No. 2011-041, § 3, 11-22-11; Ord.~~
211 ~~No. 2014-009, § 2, 3-25-14)~~

212 ~~Sec. 1-10-373.— Compliance prerequisite to operation.~~

213 ~~It shall be unlawful for any operator to allow, suffer or permit to be operated in the county~~
214 ~~any taxicab, limousine or non-medical wheelchair or stretcher transportation vehicle until~~
215 ~~the operator shall first have performed all of the requirements of this article. It shall be~~
216 ~~unlawful for any driver of a taxicab, limousine or non-medical wheelchair or stretcher~~
217 ~~transportation vehicle to drive such vehicle until such driver shall have performed all of~~
218 ~~the requirements of that driver contained in this article.~~

219 ~~(Ord. No. 97-038, Art. I, § 3, 6-3-97; Ord. No. 2014-009, § 3, 3-25-14)~~

220 ~~Sec. 1-10-374.— Promulgation of rules and regulations.~~

221 ~~The county administrator shall have the power and authority to make such rules and~~
222 ~~regulations and adopt such procedures as may be necessary to carry into effect the~~
223 ~~provisions of this article as reasonably may be deemed proper by the county administrator~~
224 ~~for the regulation of taxicabs, limousines and non-medical wheelchair or stretcher~~
225 ~~transportation vehicles that shall not be inconsistent with the terms and provisions of this~~
226 ~~article.~~

227 ~~(Ord. No. 97-038, Art. I, § 4, 6-3-97; Ord. No. 2014-009, § 4, 3-25-14)~~

228 ~~Secs. 1-10-375—1-10-385.— Reserved.~~

229 ~~DIVISION 2.— VEHICLE PERMITS~~

230 ~~Sec. 1-10-386.— Vehicle permit required; exemptions.~~

231 ~~(a)It shall be unlawful for any person to own, operate, lease, control or drive a taxicab,~~
232 ~~limousine or non-medical wheelchair or stretcher transportation vehicle on the public~~
233 ~~streets and roads in the county or dispatch for hire on the public streets in the county~~
234 ~~without first obtaining a vehicle permit therefor as prescribed in this division; and, in the~~
235 ~~case of a driver who is not the operator, without such vehicle permit having first been~~
236 ~~obtained by the operator.(b)Exemptions.(1)Vehicles owned or operated by the county;~~
237 ~~or(2)Vehicles operated by another governmental agency; or(3)Vehicles owned by an~~
238 ~~organization or company for the sole purpose of transporting organization members or~~
239 ~~company employees; or(4)Vehicles with capacity to seat more than fourteen (14)~~
240 ~~passengers.~~

241 ~~(Ord. No. 97-038, Art. II, § 1, 6-3-97; Ord. No. 2011-041, § 4, 11-22-11; Ord. No. 2014-~~
242 ~~009, § 5, 3-25-14)~~

243 ~~Sec. 1-10-387.— Application for permits.~~

244 Any person desiring a vehicle permit required by this division shall make application
245 therefor to the county administrator, or his/her designee, upon application forms to be
246 provided by the county administrator, or his/her designee, which application form shall
247 contain all information and documentation required under any rules, regulations or
248 procedures made or adopted in accordance with section 1-10-374 hereof.

249 (~~Ord. No. 97-038, Art. II, § 2, 6-3-97; Ord. No. 2014-009, § 6, 3-25-14~~)

250 ~~Sec. 1-10-388. Prerequisites to issuance of permit for public conveyances.~~

251 ~~(a)Taxicab. Before a vehicle permit required by this division shall be issued by the county~~
252 ~~administrator, or his/her designee, the operator of a taxicab shall submit to the county an~~
253 ~~application for a permit as a service provider and otherwise conform to the following~~
254 ~~requirements:(1)Pay to the county the local business tax receipt required by chapter 1-~~
255 ~~10, division 11, of the County Code;(2)For each taxicab for which a permit is sought, file~~
256 ~~with the county administrator, or his/her designee, a current certificate of liability and~~
257 ~~property insurance from an insurance company with a Best rating of B or better and~~
258 ~~authorized to do business in the State of Florida. The policy of insurance evidenced by~~
259 ~~such certificate shall secure against loss sustained by reason of death or injury to persons~~
260 ~~and loss or damage to property, in the following amounts:a.In the amount of one hundred~~
261 ~~twenty five thousand dollars (\$125,000.00) because of bodily injury to, or death of, one~~
262 ~~(1) person in any one (1) accident;b.Subject to such limits for one (1) person, in the~~
263 ~~amount of three hundred thousand dollars (\$300,000.00) because of bodily injury to, or~~
264 ~~death of, two (2) or more persons in any one (1) accident; andc.In the amount of one~~
265 ~~hundred thousand dollars (\$100,000.00) because of injury to, or destruction of, property~~
266 ~~of others in any one (1) accident.~~

267 ~~The policy of insurance evidenced by such certificate also shall provide that, in the event~~
268 ~~of cancellation thereof, written notice shall be provided to the county administrator, or~~
269 ~~his/her designee, at least ten (10) days prior to the effective date of any such cancellation.~~
270 ~~In the instances where one (1) applicant submits applications for vehicle permits for more~~
271 ~~than one (1) taxicab, the certificate of insurance may be in the form of a fleet policy~~
272 ~~covering all taxicabs owned or operated by the applicant, which shall provide the same~~
273 ~~coverages as specified in this section for each such taxicab;~~

274 ~~(3)For each taxicab for which a permit is sought, provide an inspection certificate in a~~
275 ~~form to be provided by the county administrator, or his/her designee, completed and~~
276 ~~signed by a mechanic approved by the county administrator, or his/her designee, which~~
277 ~~shows that such taxicab has passed inspection;(4)Present each taxicab to the designated~~
278 ~~county office for photographing; and(5)Pay to the county administrator a permit fee in the~~
279 ~~amount established by the board by resolution, which amount reflects the administrative~~
280 ~~costs involved.(b)Limousine. Before a vehicle permit required by this division shall be~~
281 ~~issued by the county administrator, or his/her designee, the operator of a limousine shall~~
282 ~~submit to the county an application for a permit as a service provider and otherwise~~
283 ~~conform to the following requirements:(1)Pay to the county the local business tax receipt~~

284 required by chapter 1-10, division 11, of the County Code;(2)For each limousine for which
285 a permit is sought, file with the county administrator, or his/her designee, a current
286 certificate of liability and property insurance from an insurance company with a Best rating
287 of B or better and authorized to do business in the State of Florida. The policy of insurance
288 evidenced by such certificate shall secure against loss sustained by reason of death or
289 injury to persons and loss or damage to property, in the following amounts:a.In the amount
290 of one hundred twenty five thousand dollars (\$125,000.00) because of bodily injury to, or
291 death of, one (1) person in any one (1) accident;b.Subject to such limits for one (1) person,
292 in the amount of three hundred thousand dollars (\$300,000.00) because of bodily injury
293 to, or death of, two (2) or more persons in any one (1) accident; andc.In the amount of
294 one hundred thousand dollars (\$100,000.00) because of injury to, or destruction of,
295 property of others in any one accident.

296 The policy of insurance evidenced by such certificate also shall provide that, in the event
297 of cancellation thereof, written notice shall be provided to the county administrator, or
298 his/her designee, at least ten (10) days prior to the effective date of any such cancellation.
299 In the instances where one (1) applicant submits applications for vehicle permits for more
300 than one (1) taxicab, the certificate of insurance may be in the form of a fleet policy
301 covering all taxicabs owned or operated by the applicant, which shall provide the same
302 coverages as specified in this section for each such taxicab;

303 (3)For each limousine for which a permit is sought, provide an inspection certificate in a
304 form to be provided by the county administrator, or his/her designee, completed and
305 signed by a mechanic approved by the county administrator, or his/her designee, which
306 shows that such taxicab has passed inspection;(4)Present each taxicab to the designated
307 county office for photographing; and(5)Pay to the county administrator a permit fee in the
308 amount established by the board by resolution, which amount reflects the administrative
309 costs involved.(c)Non-medical wheelchair or stretcher transportation vehicle. Before a
310 vehicle permit required by this division shall be issued by the county administrator, or
311 his/her designee, the operator of a non-medical wheelchair or stretcher transportation
312 vehicle shall submit to the county an application for a permit as a service provider and
313 otherwise conform to the following requirements:(1)Pay to the county the local business
314 tax receipt required by chapter 1-10, division 11, of the County Code;(2)Ensure that each
315 non-medical wheelchair or stretcher transportation vehicle adheres to vehicle design
316 criteria as set forth in Chapter 316 of the Florida Statutes, as the same may be amended
317 from time to time;(3)For each non-medical wheelchair or stretcher transportation vehicle
318 for which a permit is sought, file with the county administrator, or his/her designee, a
319 current certificate of liability and property insurance from an insurance company with a
320 Best rating of B or better and authorized to do business in the State of Florida. The policy
321 of insurance evidenced by such certificate shall secure against loss sustained by reason
322 of death or injury to persons and loss or damage to property, in the following amounts:a.In
323 the amount of one hundred twenty five thousand dollars (\$125,000.00) because of bodily
324 injury to, or death of, one (1) person in any one (1) accident;b.Subject to such limits for
325 one (1) person, in the amount of three hundred thousand dollars (\$300,000.00) because

326 of bodily injury to, or death of, two (2) or more persons in any one (1) accident; andc.In
327 the amount of one hundred thousand dollars (\$100,000.00) because of injury to, or
328 destruction of, property of others in any one (1) accident.

329 The policy of insurance evidenced by such certificate also shall provide that, in the event
330 of cancellation thereof, written notice shall be provided to the county administrator, or
331 his/her designee, at least ten (10) days prior to the effective date of any such cancellation.
332 In the instances where one (1) applicant submits applications for vehicle permits for more
333 than one (1) non-medical wheelchair or stretcher transportation vehicle, the certificate of
334 insurance may be in the form of a fleet policy covering all non-medical wheelchair or
335 stretcher transportation vehicles owned or operated by the applicant, which shall provide
336 the same coverages as specified in this section for each such non-medical wheelchair or
337 stretcher transportation vehicle;

338 (4)For each non-medical wheelchair or stretcher transportation vehicle for which a permit
339 is sought, provide an inspection certificate in a form to be provided by the county
340 administrator, or his/her designee, completed and signed by a qualified inspector of non-
341 medical wheelchair or stretcher transportation vehicles approved by the county
342 administrator, or his/her designee, which shows that such non-medical wheelchair or
343 stretcher transportation vehicle has passed inspection;(5)Present each non-medical
344 wheelchair or stretcher transportation vehicle to the designated county office for
345 photographing;(6)Submit a statement indicating the method of screening that will be used
346 to assure that all calls responded to are non-medical in nature; and(7)Pay to the county
347 administrator a permit fee in the amount established by the board by resolution, which
348 amount reflects the administrative costs involved.

349 The following general requirements apply to all providers of non-medical wheelchair or
350 stretcher transportation at all times during the operation of all non-medical wheelchair or
351 stretcher transportation vehicles:

352 (8)Each person employed as a driver or as an attendant or assistant:a.Must be at least
353 eighteen (18) years of age and eligible for employment in the United States;b.May not,
354 within the past five (5) years, have been convicted of or pled guilty or no contest to a
355 felony or first-degree misdemeanor charge, including, but not limited to, reckless driving
356 or driving under the influence of alcohol or a controlled substance;c.May not be under the
357 influence of alcohol or a controlled substance; andd.Must have completed a course and
358 maintains current certification in basic cardiopulmonary resuscitation (CPR), first aid, and
359 vehicle driving and safety.(9)Non-medical wheelchair or stretcher transportation vehicles
360 may transport only persons who do not, and are not likely to, require any basic or
361 advanced life support techniques, as defined in Section 401.23 of the Florida Statutes,
362 during transport;(10)Non-medical wheelchair or stretcher transportation vehicles may not
363 transport persons to emergency rooms unless such transport is to a scheduled
364 appointment;(11)Non-medical wheelchair or stretcher transportation vehicles may not
365 carry medical supplies or equipment, including medical oxygen, required for basic or
366 advanced life support vehicles, except that non-medical wheelchair or stretcher

367 transportation vehicle may carry first aid kits, and a passenger may use and carry a
368 cylinder of his or her own prescription medical oxygen, provided the following
369 requirements are met:a.The passenger is alert, conscious and otherwise able to self-
370 administer and self-maintain the flow of oxygen throughout the transport;b.The oxygen
371 cylinder is safely secured in an upright position during the transport;c.The oxygen is
372 accessible by the passenger throughout the transport;d.The non-medical wheelchair or
373 stretcher transportation vehicle may not have on board more than five hundred (500) liters
374 of oxygen at any time; ande.Oxygen cylinders carried on board shall not have regulators
375 which deliver more than six (6) liters of oxygen per minute.(12)A minimum of one (1)
376 attendant to transport wheelchair bound passengers, and a minimum of two (2)
377 attendants/assistants to transport stretcher bound passengers, shall be provided at all
378 times; and(13)Non-medical wheelchair or stretcher transportation providers shall not
379 display, promote, advertise or market in any promotional materials, including any website
380 or telephone book, or display on any vehicle the terms, "ambulance," "emergency medical
381 transportation," the Star of Life symbol or any variation thereof, any medical insignia, or
382 any other term or symbol that is likely to mislead the public into believing the service
383 provides emergency medical transportation services, ambulance services, and/or basic
384 or advanced life support.

385 (~~Ord. No. 97-038, Art. II, § 3, 6-3-97; Ord. No. 2008-037, § 10, 4-22-08; Ord. No. 2011-~~
386 ~~041, § 5, 11-22-11; Ord. No. 2014-009, § 7, 3-25-14)~~

387 ~~Sec. 1-10-389. Issuance.~~

388 ~~Upon the satisfactory fulfillment of the requirements of this division and with the approval~~
389 ~~of the county administrator, the county administrator may issue a vehicle permit and a~~
390 ~~corresponding permit number to the applicant~~

391 (~~Ord. No. 97-038, Art. II, § 4, 6-3-97; Ord. No. 2014-009, § 8, 3-25-14)~~

392 ~~Sec. 1-10-390. Expiration of vehicle permit.~~

393 (~~a)Vehicle permits issued in accordance with this division shall expire on September 30~~
394 ~~of each year, unless earlier canceled or revoked as provided herein. Every person~~
395 ~~seeking to renew a vehicle permit shall request such renewal from the county~~
396 ~~administrator, or his/her designee, within thirty (30) days prior to the expiration of the~~
397 ~~existing vehicle permit. Prior to issuance of a renewal vehicle permit, the operator of a~~
398 ~~taxicab, limousine or non-medical wheelchair or stretcher transportation vehicle shall~~
399 ~~provide a current certificate of insurance in the amounts outlined in section 1-10-388(1),~~
400 ~~(2) and (3), a current inspection certificate as described in section 1-10-388(1), (2) and~~
401 ~~(3), and shall provide any additional information which is necessary to update the original~~
402 ~~application for vehicle permit and any additional information which the county~~
403 ~~administrator, or his/her designee, may reasonably require. In the event there is a change~~
404 ~~or addition to information provided by an applicant on any application or permit renewal~~
405 ~~prior to the applicable renewal period, applicant shall provide such change or addition to~~

406 the county administrator, or his/her designee, within ten (10) days of such change or
407 addition.(b)Owners must present each taxicab, limousine and non-medical wheelchair
408 and stretcher transportation vehicle to the designated county office for photographing.

409 (Ord. No. 97-038, Art. II, § 5, 6-3-97; Ord. No. 2011-041, § 6, 11-22-11; Ord. No. 2014-
410 009, § 9, 3-25-14)

411 Sec. 1-10-391.—Revocation of vehicle permit.

412 (a)The code enforcement board shall have full power and authority to revoke a vehicle
413 permit issued pursuant to this division if it shall be shown that the applicant obtained the
414 permit by fraud or deceit, or that the operator has been guilty of, or permitted, suffered,
415 or allowed the violation of any of the provisions of this article or any county ordinance or
416 state statute reasonably related to the licensing or operation of a vehicle, taxicab,
417 limousine or non-medical wheelchair and stretcher transportation vehicle.(b)Upon the
418 cancellation or lapse of any policy of insurance on any taxicab, limousine, or non-medical
419 wheelchair and stretcher transportation vehicle required by this division, the vehicle
420 permit issued for such taxicab, limousine or non-medical wheelchair and stretcher
421 transportation vehicle shall immediately be revoked unless the operator of the taxicab,
422 limousine or non-medical wheelchair and stretcher transportation vehicle shall have
423 obtained another policy of insurance containing all of the requirements of the original
424 policy prior to the effective date of cancellation or lapse.(c)Any operator of a taxicab,
425 limousine or non-medical wheelchair and stretcher transportation vehicle desiring to
426 appeal the revocation of a vehicle permit shall file a petition for appeal to circuit court
427 within thirty (30) days from the date of revocation.

428 (Ord. No. 97-038, Art. II, § 6, 6-3-97; Ord. No. 2011-041, § 7, 11-22-11; Ord. No. 2014-
429 009, § 10, 3-25-14)

430 Sec. 1-10-392.—Transferability.

431 Any vehicle permit issued in accordance with this article shall not be transferable

432 (Ord. No. 97-038, Art. II, § 7, 6-3-97; Ord. No. 2014-009, § 11, 3-25-14)

433 Sec. 1-10-393.—Display of company name and vehicle permit number.

434 (a)Once a vehicle permit has been issued pursuant to this division, an operator of a
435 taxicab shall display the following:(1)Exterior—the operator's company name and phone
436 number and the permit number on the taxicab for which the permit was issued. Such
437 name, phone number and permit number shall be prominently displayed and painted or
438 permanently affixed on the taxicab in numbers and letters not less than three (3) inches
439 in height. Additionally the operator shall place the county issued sticker on the windshield
440 on the passenger side of the vehicle.(2)Interior—company name, address, and phone
441 number; the name of the owner of the company if different from the operator; vehicle
442 make, model, year, color and license plate number; and the following statement—"If you

443 have concerns about the safety or condition of the vehicle please contact Charlotte
444 County at 941-743-1201." This must be prominently displayed for observation by
445 passengers.(3)Failure to permanently affix the above information shall be deemed a
446 violation of the code.(b)Once a vehicle permit has been issued pursuant to this division,
447 an operator of a limousine shall place the county issued sticker on the windshield on the
448 passenger side of the vehicle.(c)Once a vehicle permit has been issued pursuant to this
449 division, an operator of a non-medical wheelchair and stretcher transportation vehicle
450 shall display the non-medical wheelchair and stretcher transportation vehicle permit in
451 such a way as to be visible to the passenger at all times while occupied. The vehicle
452 permit must be made available to passengers for inspection upon request.

453 (~~Ord. No. 97-038, Art. II, § 8, 6-3-97; Ord. No. 2011-041, § 8, 11-22-11; Ord. No. 2014-~~
454 ~~009, § 12, 3-25-14~~

455 ~~Secs. 1-10-394—1-10-405.—Reserved.~~

456 ~~DIVISION 3.—DRIVER PERMITS~~

457 ~~Sec. 1-10-406.—Driver permit required.~~

458 ~~No person shall physically operate or drive any taxicab, limousine or non-medical~~
459 ~~wheelchair and stretcher transportation vehicle and pick up or drop off passengers over~~
460 ~~and upon the streets or roads in the county without having first obtained from the county~~
461 ~~administrator, or his/her designee, a permit to drive a taxicab, limousine or non-medical~~
462 ~~wheelchair and stretcher transportation vehicle. No operator shall permit his/her taxicab,~~
463 ~~limousine or non-medical wheelchair and stretcher transportation vehicle to be so~~
464 ~~operated or driven by any person without such person having first obtained from the~~
465 ~~county administrator, or his/her designee, a permit to drive a taxicab, limousine or non-~~
466 ~~medical wheelchair and stretcher transportation vehicle.~~

467 (~~Ord. No. 97-038, Art. III, § 1, 6-3-97; Ord. No. 2014-009, § 13, 3-25-14~~)

468 ~~Sec. 1-10-407.—Application; eligibility.~~

469 (~~a)Each applicant for a permit must personally appear and sign the taxi driver, limousine~~
470 ~~driver or non-medical wheelchair and stretcher transportation driver permit application~~
471 ~~required by this division to the county administrator, or his/her designee, on forms~~
472 ~~supplied by the county administrator, or his/her designee, which application shall contain~~
473 ~~all the information and documentation under any rules, regulations or procedures made~~
474 ~~or adopted by the county administrator in accordance with section 1-10-374 of this~~
475 ~~article.(b)Each applicant shall pay to the county administrator a permit fee in the amount~~
476 ~~established by the board by resolution, which amount reflects the administrative and~~
477 ~~investigation costs involved.(c)To be eligible to submit an application, the applicant must~~
478 ~~meet the following requirements:(1)Must be at least eighteen (18) years of age,(2)Must~~
479 ~~have the appropriate, valid Florida driver's license, with any necessary endorsements for~~
480 ~~the vehicle driven issued by the State of Florida,(3)Must have not, within the last five (5)~~

481 years had a driver's license suspended under the point system provided in Chapter 322
482 of the Florida Statutes; and(4)Must be able to read and write the English language.

483 (Ord. No. 97-038, Art. III, § 2, 6-3-97; Ord. No. 2011-041, § 9, 11-22-11; Ord. No. 2014-
484 009, § 14, 3-25-14

485 Sec. 1-10-408. — Investigation.

486 (a)Prior to issuance of any driver permit, a copy of the application shall be forwarded to
487 the Florida Department of Law Enforcement in order to give that agency an opportunity
488 to review that application together with a written request for information regarding
489 existence of any criminal history for all persons listed on the application. The applicant
490 and each other person making an information request of the Florida Department of Law
491 Enforcement shall give written directions to the Florida Department of Law Enforcement
492 to deliver any applicable information to the county administrator or his/her designee along
493 with the fingerprints and photograph to be attached to and form a part of the application.
494 If the results of the investigation reveal any one (1) or more of the following, the applicant
495 shall be denied a permit:(1)Conviction in the past five (5) years of any felony;(2)Conviction
496 within the past three (3) years of any crime involving the sale or possession of controlled
497 substances as defined by section 893.03, Florida Statutes, or the RICO Act, Chapter 895,
498 Florida Statutes;(3)Conviction in the past three (3) years of driving a motor vehicle while
499 under the influence of drugs, alcohol, or with an unlawful blood alcohol level;(4)A finding
500 of guilt or a plea of guilty or a plea of nolo contendere to a felony, misdemeanor or
501 ordinance, any of which involve moral turpitude, or to any of the offenses listed in
502 subsections (1), (2), or (3) of this section, within the past three (3) years, or five (5) years
503 if a felony. Moral turpitude shall be as defined in statutes, case law, or ordinance. This
504 subsection applies notwithstanding suspension of sentence or withholding of adjudication
505 or sentencing;(5)Requirement to register as a sexual offender/sexual predator, career
506 offender or convicted felon pursuant to Section 775.13, 775.21, 775.261, 943.0435, or
507 944.607 Florida Statutes;(6)Submission of false or materially misleading statements on
508 such application;(7)On parole at the time of application.(b)If the county has actual
509 notification prior to issuance of an original permit or renewal permit that an applicant has
510 been arrested prior to or subsequent to the submission of the initial application or
511 application for renewal, such application shall be held in abeyance until a prosecutorial
512 decision or judicial decision has been rendered.

513 (Ord. No. 97-038, Art. III, § 3, 6-3-97; Ord. No. 2011-041, § 10, 11-22-11; Ord. No. 2014-
514 009, § 15, 3-25-14

515 Sec. 1-10-409. — Issuance.

516 Upon the satisfactory fulfillment of the requirements of this division and with the approval
517 of the county administrator, or his/her designee, the county administrator, or his/her
518 designee, may issue a driver permit to the applicant.

519 (~~Ord. No. 97-038, Art. III, § 4, 6-3-97; Ord. No. 2014-009, § 16, 3-25-14)~~

520 ~~Sec. 1-10-410. Driver permit period; renewal.~~

521 ~~(a)All driver permits issued pursuant to this division shall expire on the September 30~~
522 ~~following their issuance; however, driver permits issued or renewed during the months of~~
523 ~~August and September shall expire on the September 30 of the year next following their~~
524 ~~issuance or renewal. Any holder of a driver permit seeking to renew his/her permit shall~~
525 ~~request such renewal from the county administrator, or his/her designee, within thirty (30)~~
526 ~~days prior to the expiration of such permit. Prior to issuance of a renewal driver permit,~~
527 ~~the applicant shall provide a completed application therefor, and any additional~~
528 ~~information which the county administrator, or his/her designee, may reasonably require.~~
529 ~~In the event there is a change or addition to information provided by an applicant on any~~
530 ~~application or permit renewal prior to the applicable renewal period, the applicant shall~~
531 ~~provide such change or addition to the county administrator, or his/her designee, within~~
532 ~~ten (10) days of such change or addition.~~

533 ~~(Ord. No. 97-038, Art. III, § 5, 6-3-97; Ord. No. 2011-041, § 11, 11-22-11; Ord. No. 2014-~~
534 ~~009, § 17, 3-25-14)~~

535 ~~Sec. 1-10-411. Display of permit.~~

536 ~~(a)Every holder of a taxicab driver permit shall have his/her permit conspicuously~~
537 ~~displayed so that it may easily be seen by occupants of the taxicab being driven by the~~
538 ~~holder of the driver permit. Such permit shall include a photograph of the holder of the~~
539 ~~permit of a size designated by the county administrator, which photograph shall be a good~~
540 ~~likeness of the holder of the driver permit. Any driver of a taxicab who fails to display~~
541 ~~his/her driver permit in accordance with this section shall be deemed in violation of this~~
542 ~~division, and any permit issued pursuant to this division may be revoked by the code~~
543 ~~enforcement board.(b)Every holder of a limousine or non-medical wheelchair and~~
544 ~~stretcher transportation vehicle driver permit shall have his/her permit available for~~
545 ~~inspection upon request of occupants of the limousine or non-medical wheelchair and~~
546 ~~stretcher transportation vehicle being driven by the holder of the driver permit. Such~~
547 ~~permit shall include a photograph of the holder of the permit of a size designated by the~~
548 ~~county administrator, which photograph shall be a good likeness of the holder of the driver~~
549 ~~permit. Any driver of a limousine or non-medical wheelchair and stretcher transportation~~
550 ~~vehicle who does not make available his/her driver permit in accordance with this section~~
551 ~~shall be deemed in violation of this division, and any permit issued pursuant to this division~~
552 ~~may be revoked by the code enforcement board.~~

553 ~~(Ord. No. 97-038, Art. III, § 6, 6-3-97; Ord. No. 2011-041, § 12, 11-22-11; Ord. No. 2014-~~
554 ~~009, § 18, 3-25-14)~~

555 ~~Sec. 1-10-412. Revocation or suspension of driver permit.~~

556 ~~(a)Any driver permit issued pursuant to this division may be revoked by the code~~
557 ~~enforcement board upon satisfactory proof that the driver has been guilty of any violation~~
558 ~~of this article, or meets any of the criteria for denial of a permit contained in section 1-10-~~
559 ~~408(a) of this division.(b)Upon conviction of a driver of a taxicab, limousine or non-medical~~
560 ~~wheelchair and stretcher transportation vehicle for the violation of this article or any traffic~~
561 ~~offense, the court may in addition to the other penalties imposed for such violation, revoke~~
562 ~~or suspend the driver permit issued pursuant to this division. The revocation or~~
563 ~~suspension shall be reported by the court to the county administrator or his~~
564 ~~designee.(c)Whenever a permit issued pursuant to this division shall be revoked, either~~
565 ~~by the code enforcement board or a court, or where the permit shall be suspended, the~~
566 ~~county administrator shall immediately require the driver to surrender the driver permit~~
567 ~~and driver photograph. It shall be unlawful for any driver to fail or refuse to surrender to~~
568 ~~the county administrator, or his/her designee, such driver permit and driver photograph~~
569 ~~upon notice that such driver permit has been revoked or suspended.(d)Any driver of a~~
570 ~~taxicab, limousine or non-medical wheelchair and stretcher transportation vehicle desiring~~
571 ~~to appeal to circuit court may do so within thirty (30) days from the date of revocation.~~

572 ~~(Ord. No. 97-038, Art. III, § 7, 6-3-97; Ord. No. 2011-041, § 13, 11-22-11; Ord. No. 2014-~~
573 ~~009, § 19, 3-25-14)~~

574 Section 2. The articles repealed by this ordinance shall be designated in the
575 Code as “reserved.”

576 Section 3. Severability. If any subsection, sentence, clause, phrase, or portion
577 of this Ordinance is for any reason held invalid or unconstitutional by any court of
578 competent jurisdiction, such portion shall be deemed a separate, distinct, and
579 independent provision and such holding shall not affect the validity of the remainder of
580 this Ordinance.

581 Section 4. Codification. It is the intention of the Board of County Commissioners
582 of Charlotte County, Florida and it is hereby ordained that the provisions of this Ordinance
583 shall become and be made a part of the Code, and the sections of this Ordinance may
584 be renumbered to accomplish such intention. In the event this Ordinance conflicts with

585 any provisions of the Code, the provisions of this Ordinance shall control to the extent of
586 any such conflict.

587 **Section 5.** Effective Date. The effective date shall be as provided by law.

588 PASSED AND DULY ADOPTED this 23rd day of April, 2024.

589 BOARD OF COUNTY COMMISSIONERS
590 OF CHARLOTTE COUNTY, FLORIDA

591
592
593

594
595

By: _____
William G. Truex, Chairman

596 ATTEST:
597 Roger D. Eaton, Clerk of the Circuit
598 Court and Ex-Officio Clerk of the
599 Board of County Commissioners

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601
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603 By: _____
604 Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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By: _____
Janette S. Knowlton, County Attorney
LR 24-0117 