

RESOLUTION NO. 16-131

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATED TO LOW SPEED VEHICLES MADE AVAILABLE FOR RENTAL IN THE CITY; CONTINUING THE REGISTRATION MORATORIUM ESTABLISHED BY RESOLUTION 16-82 UNTIL DECEMBER 23, 2016 OR THE EXPIRATION OF ORDINANCE 1388, AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, on May 26, 2016 the City adopted Resolution 16-82, providing that no low speed vehicles shall be registered for rental use in the City after May 26, 2016, unless the owner of such vehicle can produce clear and convincing evidence of owner's purchase or legally binding agreement and payment for purchase of any such low speed vehicle on or before May 12, 2016, which by its own terms would be in effect for 120 days or until the Council took affirmative action substituting or abandoning that intent; and

WHEREAS, on June 23, 2016, the Council adopted Ordinance 1388, establishing a 6 month moratorium on the issuance of development orders and permits and on the processing of applications concerning motor vehicle sales, rental or service facilities on Front Beach Road or on a City road with a posted speed limit of 45mph or less that connects directly to Front Beach Road, or permits related to the establishment, change of use, expansion or altering of buildings or parking areas on property throughout the city on which low speed vehicles are offered or intended to be offered for rental; and

WHEREAS, since the adoption of the Resolution and Ordinance, staff has been working on the preparation of an Ordinance to regulate the use of low speed rentals and the properties on which they are offered for rental; and

WHEREAS, the Council does not intend to abandon its effort to regulate low speed vehicles, and in fact, would prefer to marry the registration moratorium established by Resolution 16-82 with the permit moratorium established by Ordinance 1338; and

WHEREAS, the Council finds it necessary and appropriate to extend the moratorium on the registration of low speed vehicles to sync with the expiration of the moratorium governing the issuance of permits on property throughout the City on which low speed vehicles are offered or intended to be offered for rental.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Panama City Beach, that a low-speed vehicle may not be registered with the City in accordance with City Code Section 22-105, until December 23, 2016, or the

date of expiration and dissolution of the moratorium established by Ordinance 1388 if such moratorium is extended by Ordinance of the City Council, whichever occurs later.

This prohibition shall not apply to a low speed vehicle offered or intended to be offered for rental when the owner of such vehicle provides clear and convincing evidence of having entered a legally binding agreement to purchase the low speed vehicle and paid all or a portion of the purchase price on or before May 12, 2016, and is unable to cancel the agreement and receive a return of the payment made, less a reasonable refund fee.

APPROVED AND ADOPTED, in regular session this 22nd day of September, 2016.

CITY OF PANAMA CITY BEACH

By: 
Mike Thomas, Mayor

ATTEST:


Diane Fowler, City Clerk



CITY OF PANAMA CITY BEACH AGENDA ITEM SUMMARY

1. DEPARTMENT MAKING REQUEST/NAME:

ADMINISTRATION/POLICE

2. MEETING DATE:

SEPTEMBER 22, 2016

3. REQUESTED MOTION/ACTION:

APPROVE EXTENSION OF LOW SPEED VEHICLE REGISTRATION MORATORIUM TO COINCIDE WITH EXPIRATION OF ORDINANCE 1388

4. AGENDA

PRESENTATION
PUBLIC HEARING
CONSENT
REGULAR

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES NO N/A
BUDGET AMENDMENT OR N/A

DETAILED BUDGET AMENDMENT ATTACHED YES NO N/A

6. BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT GOAL WILL BE ACHIEVED)

On May 26, 2016 the City adopted Resolution 16-82, providing that no low speed vehicles shall be registered for rental use in the City after May 26, 2016, which Resolution by its own terms would be in effect for 120 days or until the Council took affirmative action substituting or abandoning that intent. September 23, 2016 will be the 120th day. On June 23, 2016, the Council adopted Ordinance 1388, establishing a 6 month moratorium on the issuance of development orders and permits and on the processing of applications concerning motor vehicle sales, rental or service facilities on Front Beach Road or on a City road with a posted speed limit of 45mph or less that connects directly to Front Beach Road, or permits related to the establishment, change of use, expansion or altering of buildings or parking areas on property throughout the city on which low speed vehicles are offered or intended to be offered for rental. This Ordinance will expire on December 23, 2016 unless extended by Council.

Since the adoption of the Resolution and Ordinance, staff has been working on the preparation of an Ordinance to regulate the use of low speed rentals and the properties on which they are offered for rental. It is staff's understanding that the Council does not intend to abandon its effort to regulate low speed vehicles, and staff recommends the Council marry the registration moratorium established by Resolution 16-82 with the permit moratorium established by Ordinance 1338.

A resolution is attached to extend the registration moratorium until December 23, 2016, or the expiration of the moratorium established by Ordinance 1338 as it may be extended by the Council, whichever occurs later.