

LEE COUNTY ORDINANCE NO. 21-13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, REPEALING LEE COUNTY ORDINANCE NOS. 11-25 AND 15-05, KNOWN AS THE LEE COUNTY TAXICAB AND LIVERY ORDINANCE; PROVIDING FOR AND EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida is the governing body in and for Lee County, a political subdivision and Charter County of the State of Florida; and

WHEREAS, on October 11, 2011, the Board of County commissioners adopted Lee County Ordinance No. 11-25, regulating taxicab and livery companies; and

WHEREAS, the Board of County Commissioners adopted Lee County Ordinance No. 15-05 which amended and restated Ordinance No. 11-25; and

WHEREAS, the Board of County Commissioners desires to repeal Ordinance Nos. 11-25 and 15-05 and no longer regulate taxicab and livery companies.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA THAT:

SECTION ONE: REPEALER

Lee County Ordinance Nos. 11-25 and 15-05 are hereby repealed.

SECTION TWO: EFFECTIVE DATE

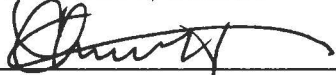
This Ordinance shall take effect upon its filing with the Office of the Secretary of the Florida Department of State.

Commissioner Ruane made a motion to adopt the foregoing ordinance, seconded by Commissioner Mann. The vote was as follows:

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 7th day of December, 2021.

ATTEST:
LINDA DOGGETT, CLERK

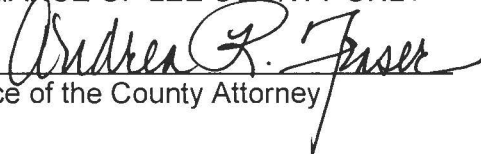
BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Cecil L Pendergrass, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By: 
Office of the County Attorney



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 9, 2021

Honorable Linda Doggett
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attn: Mr. Christopher Jagodzinski

Dear Ms. Doggett:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 21-13, which was filed in this office on December 9, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

RECEIVED

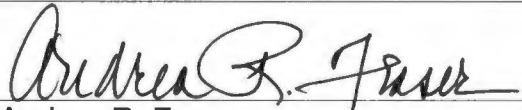
By Chris Jagodzinski at 4:02 pm, Dec 09, 2021

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

VIA HAND DELIVERY

DATE: December 7, 2021

TO: Commissioner L Pendergrass
Chair, Board of County
Commissioners

FROM: 
Andrea R. Fraser
Deputy County Attorney

RE: **Ordinance No. 21-13
Taxicab and Vehicle for Hire Ordinance
Agenda Item PH #7, December 7, 2021**

Attached, approved as to form, please find the original of the above-referenced ordinance adopted by the Board of County Commissioners on December 7, 2021.

The original ordinance is attached to the memorandum for execution. Kindly execute the ordinance at your earliest convenience and then forward to the Minutes Department for filing and transmittal to Tallahassee.

By copy of this memorandum to Eileen Gabrick, I request that a clerk attest to the Chair's signature on the attached ordinance and return the fully executed copy with all exhibits to my attention via email.

Insofar as State Statute mandates that the ordinance reach Tallahassee within ten (10) days of the adoption, please expedite the above request so that the ordinance arrives in Tallahassee no later than December 17, 2021.

Also attached please find the Data Retrieval form. Kindly include this ordinance in the Lee County Ordinance History.

Thank you for your prompt attention to this matter.

Attachment

VIA EMAIL ONLY:

Laurel Chick, Manager, Internal Services
Joyce Conatser, Senior Fiscal Officer
Samantha Westen, Executive Assistant
Rose Bahena, Administrative Specialist, Senior
Eileen Gabrick, Office Manager, Minutes Department
Andrea Eggen, Legal Administrative Specialist (for ordinance history)

RECEIVED
MINUTES OFFICE
2021 DEC - 8 - 10:00 AM



AGENDA ITEM REPORT

DATE: December 7, 2021
DEPARTMENT: County Attorney
REQUESTER: Andrea Fraser
TITLE: Public Hearing Continuation: Repeal Taxicab/Vehicle for Hire Ordinance Nos. 11-25 & 15-05

I. MOTION REQUESTED

Continuation of the Public Hearing to repeal the Taxicab and Vehicle for Hire Ordinance Nos. 11-25 and 15-05.

II. ITEM SUMMARY

Repeals Ordinance Nos. 11-25 and 15-05 and no longer regulate taxicab and vehicle for hire companies. Repeal of Ordinance 15-05 does not affect Lee County Port Authority's Ground Transportation Policy Section 740, as amended by Lee County Board of Port Commissioners Resolution 20-11-08P. The Port Authority shall continue to have all rights to regulate ground transportation services at Southwest Florida International Airport and Page Field as authorized by the Airports Rules and Regulations Ordinance 94-09, as amended, and other applicable laws and regulations.

III. BACKGROUND AND IMPLICATIONS OF ACTION

A) Board Action and Other History

On October 11, 2011, the Board of County Commissioners adopted Lee County Ordinance No. 11-25, regulating taxicab and livery companies. On March 17, 2015, the Board of County Commissioners adopted Lee County Ordinance No. 15-05 that amended and restated Ordinance No. 11-25. In 2018, the Legislature preempted local regulation of Transportation Network Companies (i.e. Lyft, Uber). At the Board's regular Tuesday meeting on April 16, 2019, the Taxi Cab Ordinance was before the Board for directing to public hearing to delete references to TNC's, when the suggestion of repealing the ordinances was discussed. On November 16, 2021, at the Board's regular Tuesday meeting for conducting a public hearing to repeal Taxi cab ordinances 11-25 and 15-05, the Board continued the public hearing to Tuesday, December 7, 2021, at 9:30 a.m. requesting an analysis of the impacts of repealing the ordinances and bringing back the results for Board consideration and vote. Repeal of Ordinance 15-05 does not affect Lee County Port Authority's Ground Transportation Policy Section 740, as amended by Lee County Board of Port Commissioners Resolution 20-11-08P. The Port Authority shall continue to have all rights to regulate ground transportation services at Southwest Florida International Airport and Page Field as authorized by the Airports Rules and Regulations Ordinance 94-09, as amended, and other applicable laws and regulations.

B) Policy Issues

C) BoCC Goals

D) Analysis

E) Options

1. Repeal Lee County Ordinances 11-25 and 15-05
2. Do not repeal Lee County Ordinances 11-25 and 15-05.

IV. FINANCIAL INFORMATION

A)	Current year dollar amount of item:	No funding required.
B)	Is this item approved in the current budget?	N/A
C)	Is this a revenue or expense item?	N/A
D)	Is this Discretionary or Mandatory?	N/A
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	No
F)	Fund: Program: Project: Account Strings:	
G)	Fund Type?	N/A
H)	Comments:	

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION

VII. FOLLOW UP

ATTACHMENTS:

Description	Upload Date	Type
<u>Repeal Taxi Vehicle for Hire Ordinance</u>	10/25/2021	Cover Memo
<u>FAIS Form</u>	10/25/2021	Cover Memo

REVIEWERS:

Department	Reviewer	Action	Date
County Attorney	Jacob, Michael D.	Approved	11/17/2021 - 2:13 PM
Budget Services	Henkel, Anne	Approved	11/18/2021 - 8:06 AM
Budget Services	Winton, Peter	Approved	11/18/2021 - 11:42 AM
County Attorney	Fraser, Andrea R.	Approved	11/18/2021 - 12:03 PM
County Manager	Winton, Peter	Approved	11/18/2021 - 12:22 PM

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

COUNTY: Lee

COUNTY ORDINANCE #: 21-13

(e.g., 93-001)

PRIMARY KEYFIELD

DESCRIPTOR: Motor Vehicles

SECONDARY KEYFIELD

DESCRIPTOR: Licenses/Permits

OTHER KEYFIELD

DESCRIPTOR: _____

ORDINANCE DESCRIPTION: Taxicab/Vehicle for Hire

(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: _____ AMENDMENT #2: _____

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: 11-25 ; REPEAL #3: _____

REPEAL #2: 15-05 ; REPEAL #4: _____

(Others Repealed: List All That Apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: _____

KEYFIELD 1 CODE: _____ KEYFIELD 2 CODE: _____

KEYFIELD 3 CODE: _____