

RESOLUTION NO. 15-103

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, RELATED TO MOTOR SCOOTERS MADE AVAILABLE FOR RENTAL IN THE CITY; PROVIDING THAT NO MOTOR SCOOTERS SHALL BE REGISTERED FOR RENTAL USE IN THE CITY AFTER THE EFFECTIVE DATE OF THIS RESOLUTION UNLESS THE OWNER OF SUCH SCOOTER CAN PRODUCE CLEAR AND CONVINCING EVIDENCE OF OWNER'S PURCHASE OR LEGALLY BINDING AGREEMENT AND PAYMENT FOR PURCHASE OF ANY SUCH MOTOR SCOOTER ON OR BEFORE APRIL 23, 2015;

WHEREAS, The City Council finds that the operation of rented motor scooters in the City is a nuisance, that various attempts at regulating the rental and operation have been overcome by the sheer volume of motor scooters being rented and operated in the City; and

WHEREAS, at its April 23, 2015, Council meeting, the Council made a policy decision to prohibit the rental of 2 and 3 wheeled motor scooters at the conclusion of three years, and specifically stated in connection therewith that those 2 and 3 wheeled motor scooters which are currently registered with the City shall not be replaced when they are stolen, sold, retired or disposed of, or substantially damaged or otherwise are unfit or unsafe for further use or rental, and further that no additional scooters shall be eligible for registration and permit by the City; and

WHEREAS, Staff has been directed to prepare an ordinance for the Council's consideration in order to effect this statement of intent, which ordinance will likely not be adopted until June or later; and

WHEREAS, the City acknowledges that owners of existing scooter rental businesses who purchased new inventory of scooters on or before the Council's April 23, 2015, statement of intent (to affirmatively reduce the number of rented scooters in the City over the next three years) should not be denied the benefit of any such investment made by them before the City's April 23, 2015, decision.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Panama City Beach, that, until the earlier of one of the following:

(1) the Council takes an affirmative action to abandon its April 23, 2015, intent to reduce the number of rented motor scooters on the road in the next three years (by complete prohibition or otherwise), or

(2) the Council in some way effects that or a substituted intent by adoption of an ordinance, or

(3) the passage of 90 days from the adoption of this Resolution, a motor scooter may not be registered with the City in accordance with City Code Section 22-105 unless the owner of such motor scooter provides clear and convincing evidence of having entered a legally binding agreement to purchase the scooter and paid all or a portion of the purchase price on or before April 23, 2015, and is unable to cancel the agreement and receive a return of the payment made, less a reasonable refund fee.

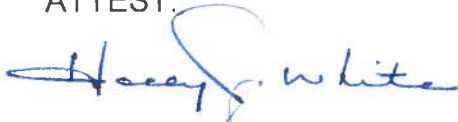
APPROVED AND ADOPTED, in regular session this 26th day of May, 2015.

CITY OF PANAMA CITY BEACH

By: 

Gayle F. Oberst, Mayor

ATTEST:



Holly J. White, City Clerk