

ORDINANCE NO. 251

*See Ord # 356*  
*See Ord. # 368*

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, DEFINING MOTOR VEHICLES, REGULATING, RESTRICTING AND OR PROHIBITING THE OPERATION THEREOF UPON STREETS OR PARTS THEREOF AND OR PROVIDING CONDITIONS UNDER WHICH THEY MAY BE OPERATED UPON THE STREETS, OR PARTS THEREOF, AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS a public highway or causeway, built by Dade County, Florida, between the cities of Miami and Miami Beach, in said county, is situated in part within the City of Miami Beach, Florida, and

WHEREAS, a double tracked electric railway is located in the center of said causeway, and there is during the greater part of each day and half of each night a great volume of traffic of motor vehicles on said causeway, causing congestion thereon, as a result of which many accidents happen in which many lives have been lost, and said causeway is not balustraded nor is there any construction on the sides thereof to prevent vehicles from driving or falling into Biscayne Bay immediately on each side thereof, and

WHEREAS, said electric railway is extended in a southeasterly direction from the intersection of 5th Street and Alton Road, along Alton Road to 1st Street; thence, in an easterly direction along 1st Street to the intersection of 1st Street and Washington Avenue; thence, in a southerly direction along Washington Avenue to the intersection of Washington Avenue and Biscayne Avenue; thence, in an easterly direction along Biscayne Avenue to the intersection of Biscayne Avenue and Ocean Drive; thence in a northerly direction along Ocean Drive to the intersection of Ocean Drive and 1st Street; thence in a westerly direction along 1st Street to the intersection of 1st Street and Washington Avenue; thence, in a general northerly direction along Washington Avenue to the intersection of Washington Avenue and 19th Street; thence in an easterly direction along 19th Street to the intersection of Sheridan Avenue and 19th Street;

thence, in a northerly direction along Sheridan Avenue to the intersection of Sheridan Avenue and 23rd Street; all of which streets, avenues, drive and road are within said City of Miami Beach and over which railway electric cars are now in operation, and

WHEREAS, a great many motor vehicles are operated south of 4th Street, in said City, and along the public highways, above designated, where said electric railway is in operation, thereby causing a great deal of congestion of traffic and inconvenience to the inhabitants of said City of Miami Beach, and

WHEREAS, the said City of Miami Beach desires, for the protection and convenience of its inhabitants to obviate any and all of the foregoing inconveniences, congested conditions and minimize the dangers to persons and property, and to regulate traffic so that its inhabitants may, with due regard to safety, operate automobiles and motor and other vehicles on the streets of said City. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

Section 1. For the purpose of this ordinance a "motor vehicle" is defined to be any motor propelled vehicle (including street cars, motor busses, automobiles and all other vehicles) which operates over the streets of the City of Miami Beach, Florida, and which for reward receives, carries and or discharges individuals offering themselves for transportation within said City or to points from without to points within said City or from points within to points without.

- (a) Either regularly along a definite and regular route, or
- (b) At intervals along a definite and regular route, or
- (c) Which vehicles shall be operated as a means of local transportation within the City.

Nothing in this ordinance contained shall be deemed to apply to any motor propelled vehicles used exclusively for sight-seeing purposes, or to motor propelled vehicles used exclusively as hotel busses, or to any motor propelled vehicle which is rented from a

stand in the street, or from a public or private garage, the designation or route of which is under the direction of the passenger or passengers transported therein.

The word "street" as used in this ordinance shall mean and include all public streets; avenues, boulevards, alleys, lanes, highways, sidewalks, public parks, parking roads, viaducts, causeways and other public places laid out for the use of vehicles.

The word "person" as used in this ordinance shall mean and include all persons, partnerships, firms, companies, corporations (except municipal corporations) and any others whatsoever owning, controlling or having charge of a motor vehicle or vehicles.

The word "applicant" as used in this ordinance includes every person who makes application to the City of Miami Beach for a permit to operate a motor vehicle or vehicles.

The word "permittee" as used in this ordinance means any individual, partnership or corporation who owns and/or operates a public transportation system under a permit granted in accordance with the terms and conditions of this ordinance.

The word "driver" as used in this ordinance includes every individual operating a motor vehicle as herein defined, either as *owner*, agent, employee or otherwise, for the permittee as herein defined.

Section 2. It shall be unlawful for any person owning a motor vehicle or vehicles to use, operate or run, or cause or allow any of his agents, servants or employees to use, operate or run said motor vehicle or vehicles in, along, through, over or upon any of the streets in the City of Miami Beach, Florida, or to carry on a business of transporting passengers for hire in a motor vehicle or vehicles in said City without first having applied for and accepted in writing a permit so to do as in this ordinance provided (unless such motor vehicle or vehicles are operated under the supervision of the Railroad Commission of the State of Florida, or under a street railway franchise granted by the City of Miami Beach.

Section 3. An application for a permit hereunder shall be filed in writing with the City Manager, which shall be verified by the oath of the person making such application as to the truth of the statements therein contained; if a natural person, by such person, and by the officers thereof if the applicant is a corporation; by a member thereof if the applicant is a partnership; and by a duly authorized representative, if applicant is other than a natural person, corporation and/or partnership. Said application shall set forth the following facts:

(a) The name, age, residence and business address, the length of time of residence at such place of residence, or in the case of a corporation the date of its incorporation, the names of its officers and directors and its place of business; if a partnership, the names thereof, the names of the partners and their residences and business address.

(b) The make, type, year of manufacture, motor number, serial number, State license number, seating capacity according to manufacturer's trade rating, color scheme and S. E. A. horsepower of the motor vehicle or vehicles proposed to be operated by the applicant, and if the motor vehicle proposed to be used has been adapted for use as such, either by converting a freight carrying truck into a passenger carrying vehicle, or by reconstructing, modifying or adding to the body, or seating arrangements thereof, in addition to the above, a statement of its carrying capacity in pounds, its rated seating capacity as adapted, and the method and material used in such conversion (except such motor vehicles as are operated under the supervision of the Railroad Commission of the State of Florida).

(c) The schedule or schedules on which the applicant proposes to operate (which schedule shall never be less than that provided for in Section 4 hereof), the proposed route or routes over which applicant desires to operate, the termini thereof, the fare to be charged on such route or routes, and a statement showing that the applicant has a sufficient number of motor vehicles so that the applicant

will at all times during the life of the permit be able to replace any motor vehicle withdrawn from service by accident, breakdown or otherwise and thus maintain at all times the schedule or schedules on which the applicant proposes to operate.

Section 4. The City Manager shall consider all such applications for permits and may if deemed advisable summon and examine the person who has signed the application and any other person or persons in regard to the granting of such permit, and if in the City Manager's opinion the applicant has fully complied with the provisions of this Ordinance relative to the furnishing of a bond or bonds and/or insurance policy or policies and/or cash deposit, and is a responsible person having the financial ability, skill, experience and dependability to furnish adequate and proper transportation, and is of the opinion that the motor vehicle or vehicles proposed to be operated is in good and satisfactory mechanical condition; has such appliances attached thereto in good condition as are required by law, and has fully complied with all other provisions of this Ordinance relative to the application for and granting of a permit, and is of the opinion that the public convenience and welfare requires the operation of the motor vehicle or vehicles proposed to be operated by the applicant, the City Manager shall grant the permit applied for unless otherwise directed by the City Council, otherwise he may refuse the permit to such applicant in whole or in part. If the City Manager shall determine to grant a permit to the applicant, he shall, if applicant agrees to schedules, routes and termini, as approved by the City Manager, and terms and conditions of the permit, and if the City Attorney and City Council approves the cash deposit, bond and/or insurance policy as provided for in Section 15 of this Ordinance, and upon satisfactory proof of the compliance with the other applicable provisions of this Ordinance, sign for the City a motor vehicle

permit in duplicate to operate or cause or permit the operation of the motor vehicles or vehicles therein described along the route or routes and between the termini according to the schedule or schedules therein stated, which permit, upon applicant's written acceptance endorsed upon the face thereof, shall become effective and shall constitute the agreement between the City and the applicant covering the operation of the motor vehicle or vehicles in accordance with all of the terms and provisions of this ordinance and upon the signing of such permit by the applicant, the applicant shall become a permittee hereunder.

One duplicate of said permit shall be placed in the City's files and the other given to the permittee. All of said permits shall expire on December 31st of the year in which they are granted and shall provide, among other things, that the permittee shall operate the motor vehicle or vehicles described in the application over the specified route or routes therein named on the schedule or schedules therein set forth, which schedule or schedules shall provide as a minimum.

(a) That at least one complete trip between the specified termini shall be made during each hour from 6 A. M. to 12 o'clock midnight every day, Sunday and holidays, included, and

(b) That the operation of the motor vehicle or vehicles on the route or routes therein described shall be conducted so that at no time during any day from 6 A. M. to 12 o'clock midnight shall be operated by permittee between the specified termini under the permit less than 50% of the number of vehicles operated by said permittee between the specified termini on said route during any period of the day from 6 A. M. to 12 o'clock midnight.

The schedule or schedules, route or routes or termini fixed by the permit may be changed by the City Manager at any time upon ten (10) days notice in writing to the permittee, or any such change may be made by the City Manager at the request of permittee at his discretion, but nothing herein contained shall permit or

allow any permittee to operate his motor vehicle or vehicles on a schedule that is less than the minimum schedule herein provided for.

All permits signed by the City Manager with a permittee shall provide that no permit shall be transferable without the consent of the City Council expressed by resolution,

The form of the permit shall embrace the following and such other conditions prescribed by this ordinance as the City Manager shall prescribe:

MOTOR VEHICLE PERMIT No. \_\_\_\_\_  
CITY OF MIAMI BEACH  
TO  
\_\_\_\_\_ Permittee.

Dated \_\_\_\_\_ 19\_\_.

In consideration of the agreement by Permittee hereunder, as evidenced by his signed acceptance hereof, to operate same on the route or routes and under the schedule or schedules attached hereto and made a part hereof, and in accordance with all the requirements of Ordinance No. \_\_\_\_\_ of the City of Miami Beach, permission is hereby granted to \_\_\_\_\_ Permittee, to operate the motor vehicle or vehicles described in his "Application No. \_\_\_\_\_ for Motor Vehicles Permit" as approved by the City Manager on the said route or routes and under the same schedule or schedules attached hereto.

This permit shall not become effective until signed and accepted by \_\_\_\_\_, Permittee, and shall expire on the 31st day of December of the present year unless sooner revoked, and shall not be in part or wholly transferred without the consent of the City Council of Miami Beach, expressed by resolution duly passed.

CITY OF MIAMI BEACH

BY \_\_\_\_\_  
City Manager

Signed and Accepted the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_.

BY \_\_\_\_\_

After the permit has been duly signed on behalf of the City and by the Permittee, the City Manager shall sign with the Permittee in duplicate a record card for each motor vehicle to be operated on the route or routes for which the permit was signed, which record card shall set forth the permit number, Permittee's name and address, make, type, State license number and seating capacity of motor vehicle, and in detail the condition of said vehicle. One of said record cards shall be placed in the City's files and the other given to the applicant, who shall attach said record card to the motor vehicle covered by said record card, which record card shall be kept in plain view at all times while the said vehicle is being operated.

The record card given to the applicant shall cover only the motor vehicle for which it was issued and shall not be transferred to any person or motor vehicle. No motor vehicle shall be operated by Permittee not described in his application for a permit, and should Permittee desire to replace or substitute for a motor vehicle or operate an additional motor vehicle or vehicles, application must be made for a permit, as in the first instance, in accordance with this ordinance, to the City Manager, to operate said motor vehicle or vehicles.

Section 5. Each Permittee shall have and use a distinctive, uniform and decorative color scheme acceptable to the City Council for all motor vehicles operated by or for him to clearly show that same are public carriers, and shall state said color scheme in his application for a permit, as provided for in Section 3 hereof, and no permit shall be granted where such color scheme infringes on a



color scheme heretofore used or adopted by any Permittee in the City of Miami Beach, or where such scheme infringes on a color scheme previously adopted by another Permittee for the operation of a motor vehicle or vehicles with such color scheme, provided, however, that the foregoing does not apply where any person has suspended or ceased operation for a period of one year. Every motor vehicle shall have painted upon the body and on each side thereof the word "Bus" and the name of the Permittee and the fare to be charged, in letters at least one and one-half inches in height and not less than one-half inch in width, so that the same shall be readily legible to the public, and shall be approved by the City Manager of the City of Miami Beach and show the termini of the route over which it runs. It shall be unlawful to operate a motor vehicle which does not comply with this Section 5.

Section 6. It shall be unlawful for any motor vehicle to be operated after dusk unless there shall be sufficient light provided therein to adequately illuminate the inside thereof, and all laws of the State of Florida and ordinances of the City of Miami Beach relating to the lighting of motor vehicles shall be complied with by Permittee and drivers of motor vehicles.

Section 7. Every Permittee owning or operating any motor vehicle shall abide by each and all of the ordinances, rules and regulations of the City of Miami Beach applying thereto.

Section 8. It shall be unlawful for any permittee to permit any motor vehicle to be driven or operated by any individual who is not licensed to operate a motor vehicle upon the streets of the City of Miami Beach.

Section 9. It shall be unlawful for any permittee or driver of any motor vehicle to:

(a) Solicit passengers or attract attention by calling or by the use of a horn, bell, whistle or other signal.

(b) Operate or run such vehicle while any individual is standing or sitting on the running board, fender, hood or door.

(c) Reconstruct, alter, modify, add to, or otherwise change the body or seating arrangement of such motor vehicle after a permit

to operate the same has been granted without applying for and obtaining consent of the City Manager to do so.

(d) Drive or operate a motor vehicle without having the same equipped with a suitable horn or similar warning device and standard speedometer, all in proper working order, and such other equipment as is required for motor vehicles under the laws of the State of Florida, or may be required to comply herewith.

(e) Accept or transport a greater number of passengers than the rated passenger-seating capacity of the motor vehicle, unless said motor vehicle shall be designed, built and equipped for the purpose of carrying standing passengers.

(f) Smoke while driving said motor vehicle.

(g) Fail to have the record card, issued to the Permittee thereof under the provisions of this ordinance, attached to said motor vehicle in plain view as required by this ordinance.

Section 10. Every permittee shall immediately report fully in writing to the City Manager, the time, place, cause and circumstances of any accident or injury to a passenger or person, or damage to any property in which the motor vehicle or vehicles of permittee is or are involved.

Section 11. Every article left in a motor vehicle by passengers shall within twelve hours after the same is found by or delivered to the driver of such motor vehicle be deposited at the police station in the City of Miami Beach.

Section 12. It shall be unlawful for the driver or operator of any motor vehicle or vehicles to receive or collect fares or compensation for transportation greater than that stated in the notice required herein to be placed upon such motor vehicles and greater than that specified in the application for permit and in the permit, except between midnight and six o'clock A. M. when not more than double the said fare may be charged.

Section 13. In order to insure the safety of the public, it is hereby declared unlawful for any Permittee or person to drive or operate any motor vehicle or allow the same to be driven or

operated in the City of Miami Beach unless such Permittee shall have given, and there is in full force at all times while such motor vehicle is being driven or operated, on file, or proof thereof satisfactory to the City Council, in the office of the City Manager of the City of Miami Beach, a bond or bonds for each such motor vehicle in the penal sum of Five Thousand (\$5,000.00) Dollars for injury to any one person; Ten Thousand (\$10,000.00) Dollars for injuries to more than one person in the same accident, and One Thousand (\$1,000.00) Dollars property damage in any one accident, with a reliable and responsible corporate surety company regularly and generally engaged in the conduct of the business of a Surety Company, as surety, which surety shall have been approved by the City Council of Miami Beach and which bond shall run to the City of Miami Beach, and which shall insure:

1. To the benefit of any passenger or passengers in such motor vehicle who may receive bodily injuries, and to the heirs, or legal representatives, or any passenger or passengers who may suffer death by reason of the negligence or misconduct on the part of the Permittee or driver of such motor vehicle;

2. To the benefit of any individual or individuals who may receive bodily injuries and to the heirs, or legal representatives, or any individual or individuals who may suffer death by reason of the negligence or misconduct on the part of the Permittee or driver of such vehicles;

3. To the benefit of any individual or individuals who may sustain damage by reason of any injury to his or their property by reason of the negligence or misconduct of the Permittee or driver of such motor vehicle;

provided, however, in lieu of giving such bond or bonds, any permittee, before permitting any one to drive or operate any motor vehicle or permitting the same to be driven or operated, may procure and file with the City Manager of said City a policy or policies of liability insurance on each motor vehicle so operated with

a reliable and responsible corporate insurance company regularly and generally engaged in the conduct of a business of an insurance company satisfactory to the City Council of the City of Miami Beach, insuring said Permittee in the sum of Five Thousand (\$5,000.00) Dollars for injury to any one person; Ten Thousand (\$10,000.00) Dollars for injuries to more than one person in the same accident, and One Thousand (\$1,000.00) Dollars property damage in any one accident.

It is further provided that if more than ten and not more than seventy-five motor vehicles are owned, controlled and/or operated by any one Permittee, such Permittee in lieu of the aforementioned bond or bonds or liability insurance policy or policies covering each motor vehicle owned, controlled and/or operated by such Permittee as herein provided may keep at all times on deposit with the City a minimum of Ten Thousand (\$10,000.) Dollars in cash, or may file with the City Manager a primary blanket bond or liability insurance policy, or proof thereof satisfactory to the City Council, under which the underwriters shall be liable for Ten Thousand (\$10,000.00) Dollars net loss as a result of any one accident or a series of accidents arising out of one event, of a company (approved by the City Attorney and the City Council) regularly and generally engaged in such business, and such Permittee in addition to the said minimum of Ten Thousand (\$10,000.00) Dollars kept on deposit with the City, or primary blanket bond or liability insurance policy filed with the City Manager, shall file with the City Manager an excess indemnity bond or liability insurance policy, or proof thereof satisfactory to the City Council, of a company (approved by the City Council) regularly and generally engaged in such business, under which bond or insurance policy the underwriters shall be liable for the excess of Ten Thousand (\$10,000.00) Dollars net loss as a result of any one accident or series of accidents arising out of one event and up to One Hundred Thousand Dollars (\$100,000.00) of excess. The said bonds or liability insurance policies provided for in this paragraph shall be blanket bonds or

liability insurance policies covering all motor vehicles operated by such Permittee, which shall provide for the payment of any final judgment recovered by any individual on account of the ownership, operation, maintenance or use of any such vehicle or any default in respect thereto and shall be for the benefit of every individual suffering loss, damage or injury aforesaid.

This Section 13 is intended to cover the operation by permittee of not to exceed seventy-five motor vehicles, and, in the event permittee owns, controls and/or operates more than seventy-five motor vehicles, such permittee shall give and file with the City Manager a bond or bonds or liability insurance policy or policies, or proof thereof satisfactory to the City Council, or deposit cash with the City, all as provided for in this Section 13, for each additional group of seventy-five or less than seventy-five motor vehicles, as in the first instance for the first group of seventy-five or less than seventy-five motor vehicles owned, controlled and/or operated by permittee.

No permit shall be issued for the operation of a motor vehicle or vehicles unless a bond or insurance policy as provided for herein shall have been submitted to and approved by the City Attorney and City Council.

Section 14. Any person to whom a permit to operate a motor vehicle or vehicles, as herein provided, shall be granted, shall cause the said motor vehicle or vehicles to be operated regularly and if he shall fail or neglect to operate said motor vehicle or vehicles over the route or routes or on the schedule or schedules and for the fare or fares therein provided for, or violates any of the provisions of this ordinance, the City Manager may revoke said permit, or may suspend such permit pending a hearing by the Municipal Court if requested by the Permittee and upon such hearing, if it shall be adjudged by the said Municipal Court that the said Permittee has neglected to operate the said motor vehicle or vehicles over the route or routes and on the schedule or schedules and for the

fare or fares herein provided for, or has violated any of the provisions of this Ordinance, then, and in that event, the permit may be revoked.

See Ord. #368 Section 14 A.

Section 15. Nothing herein contained shall be construed to effect, repeal or alter the provisions of any ordinance of the City of Miami Beach, requiring the drivers and operators of motor vehicles for hire to take an examination and receive a permit to drive and operate such vehicles.

Section 16. It shall be unlawful for the driver of any motor vehicle upon leaving either end of his route not to operate the said motor vehicle on said route to the other end thereof, stopping enroute only sufficient time to take on or discharge passengers.

Section 17. In order to enable the City of Miami Beach to regulate transportation service furnished hereunder to the end that said service shall at all times be dependable and adequate, every or any permittee, shall, if required by the City Council, during the period of the permit, file with the City Manager of the City of Miami Beach, in addition to any other statements or reports required to be filed or made under any other ordinances of the City, weekly reports in detail, in the form required by the City Manager, showing the following facts separately for each route operated over, the reports to be filed by twelve o'clock noon on Tuesday of the week following that which the report covers, provided, however, that reports due on holidays shall be filed on the next legal business days;

1. Number of motor vehicles operated.
2. Total vehicle miles traversed.
3. List of trips made, inbound and outbound separately.
4. Statement of passengers carried per day.
5. A detailed statement of accidents, if any.
6. Statement of uncompleted trips or deviations from schedule, or route, if any, with explanation of reason therefor.

Every permittee shall also, during the period of the permit, if required by the City Council, file with the City Manager of the City of Miami Beach, in addition to any other statements or reports

required to be filed or made under any other ordinance of the City, monthly reports in detail in the form required by the said City Manager, showing the following facts for each calendar month's period, and reports for each month to be filed within ten days from the termination thereof.

- (1) Consolidated monthly report covering the weekly reports above listed.
- (2) Number of motor vehicles operated by the owner.
- (3) Number of times any motor vehicle has been laid up for repairs or has failed to be operated.
- (4) A detailed statement showing the earnings and expenses.
- (5) A statement of assets and liabilities of the permittee.
- (6) A statement showing the number of accidents.
- (7) A statement of the number of outstanding claims for damages.
- (8) A statement showing all amounts paid on account of damages to persons or property.
- (9) A statement of indemnity bonds in force and/or liability insurance carried.

The books and records of such permittee shall so be kept that at all times the City may have an opportunity to verify the statements contained in the reports. If such permittee shall fail to observe the requirements of this Section 17 his permit may be immediately revoked.

Section 18. Whenever it shall appear to the City Manager that the motor vehicle covered by any permit herein provided for is not in good and sufficient mechanical condition, or has not such appliances attached thereto in good condition as are required by the laws of the State of Florida relating to motor vehicles, and as required by this ordinance, then the said City Manager may order such motor vehicle withdrawn from service and the permit therefor revoked unless such person shall request a hearing before the Municipal Judge, and in such event the City Manager may order such motor vehicle withdrawn from service pending such hearing, and if it is

adjudged at said hearing by said Municipal Court that the said motor vehicle is not in good and sufficient mechanical condition as set forth and required by this ordinance, then, and in that event, the said permit may be revoked as to such motor vehicle.

Section 19. Upon the expiration of the term for which any permit is granted, or upon the revocation thereof, the holder of such permit shall surrender to the City Manager the permit and record card received from said City Manager by such person, and it shall be unlawful for any person to operate a motor vehicle within said City after such permit has expired, or after it has been revoked.

Section 20. It shall be unlawful for any person to display upon any motor vehicle covered by a permit to operate the same as a motor vehicle any sign indicating that the said motor vehicle may be hired, except as herein provided.

Section 21. Whenever an exception, in this ordinance appears, excepting any motor vehicle or vehicles operated under the supervision of the Railroad Commission of the State of Florida or under the street railway franchise granted by said City of Miami Beach, then such exception shall apply only to such motor vehicle or vehicles operated as a substitution for the operation of a street railway within said City pursuant to a resolution of this City Council approving such substitution, and if a motor vehicle or vehicles are by such resolution permitted to be operated as a substitution for operation of a street railway under a franchise granted by this City, but is also operated over some street or streets within said City other than as a substitution for an electric railway, then all of the provisions hereof shall extend to such motor vehicle or vehicles when and only as operated upon streets, other than where it is operated for such substitution, the intention being that the provisions of this ordinance shall not apply to a motor vehicle when and to the



extent it is operated in substitution pursuant to a resolution of the City Council of said City permitting the same for a street railway.

Section 22. That any person, permittee, driver, or operator found guilty of a violation of any one or more of the provisions of this ordinance or of operating a motor vehicle without having obtained a permit in accord herewith, or after the revocation suspension or expiration of a permit, unless another shall have been granted or by operating a motor vehicle along any street or streets not named in the permit, shall upon conviction be fined not exceeding \$500.00, or be imprisoned in the City Jail not exceeding ninety days, or by both such fine and imprisonment, in the discretion of the Municipal Judge.

Section 23. That all ordinances, or parts of ordinances, in conflict herewith are hereby repealed, but such repeal shall apply only to that part of an ordinance in conflict herewith where only a part conflicts, but shall apply to the whole of an ordinance if the whole thereof is in conflict herewith.

Section 24. That the City Council in exercising its duty and powers hereunder shall do any and every act that is deemed necessary or expedient by it in so far as not in conflict with any of the provisions of this ordinance, charter of said City and applicable laws to provide for the City of Miami Beach and the inhabitants thereof a well regulated, safe, proper, adequate, coordinated and unified motor vehicle transportation system.

Section 25. If any section, part of section, paragraph or clause of this ordinance shall be held to be unconstitutional or void, the remaining provisions of this ordinance shall nevertheless remain in full force and effect.

Section 26. This ordinance shall be effective immediately upon its passage, approval and posting according to law.

PASSED AND ADOPTED this 17th day of August, A. D., 1927.

John H. Lee  
President of City Council

ATTEST:

S. W. Toulmin  
City Clerk

APPROVED by me this 17th day of August, A. D., 1927.

[Signature]  
Mayor

1st Reading, August 10th, 1927.

2nd Reading, August 10th, 1927.

3rd Reading, August 17th, 1927.

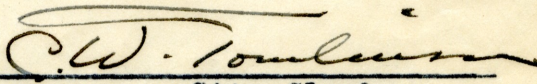
Posted - August 20th, 1927.



STATE OF FLORIDA )  
COUNTY OF DADE )

I, C. W. TOMLINSON, CITY CLERK in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 251 entitled "AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, DEFINING MOTOR VEHICLES, REGULATING, RESTRICTING AND OR PROHIBITING THE OPERATION THEREOF UPON STREETS OR PARTS THEREOF AND OR PROVIDING CONDITIONS UNDER WHICH THEY MAY BE OPERATED UPON THE STREETS, OR PARTS THEREOF, AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE," having been duly passed and adopted by the City Council of the City of Miami Beach has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 20th day of August, A. D., 1927, and that said ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Miami Beach on this the 21st day of September, A. D., 1927.

  
City Clerk.



Ordinance No. 257  
Regulating transportation