

**Sec. 82-5 – Annual Registration Required.**

(a) *Registration.* Landscape maintenance contractors, tree trimmers, gardeners, and others similarly situated, that perform work in the City’s residential areas, shall register all motorized vehicles with the City annually before providing services within the boundaries of the City of Coral Gables. Registration includes the payment of a registration fee of \$5 per vehicle decal. Registration shall run with the calendar year. The information provided on the City’s registration form is subject to the City’s False Claims Ordinance (Chapter 39, City Code). While performing work, operators shall follow the Maintenance of Traffic plans in place at the time of service as well as any other established City policies and guidelines relating to these services and shall only use a motorized vehicle that has an affixed decal issued by the City. Nothing in this ordinance shall be read to eliminate the requirement of obtaining a Local Business Tax Receipt as prescribed in Chapter 66 of the City Code and Chapter 205, F.S.

(b) *Penalties.*

- (1) A landscape maintenance contractor, tree trimmer, gardener, or other similarly situated individual/company, who fails to register all motorized vehicles prior to performing the work or who uses a vehicle without the affixed City-issued decal shall be given a warning and fifteen (15) calendar days to complete the registration process;
- (2) If the individual/company does not complete the registration process within the 15 calendar days, and continues to work in the City or performs work using a vehicle without an affixed City-issued decal, a Code Enforcement Officer shall issue a ticket. The ticket shall inform the violator of the nature of the violation, amount of the fine for which the violator is liable, instructions and due date for paying the fine, and that the violation may be appealed pursuant to the procedures in Article VI, Division 3 of the City Code of Ordinances.
- (3) A violator who has been issued a ticket must elect to either:
  - i. Pay the following civil fine:
    - a. First violation within a 12-month period.....\$50.00;
    - b. Second or subsequent violation within a 12-month period..... \$100.00.
  - ii. Request an administrative hearing before a special master as set forth in Article IV, Division 3 of the City Code of Ordinances.
- (4) Failure to pay the civil fine, or to timely request an administrative hearing before a hearing officer, shall constitute a waiver of the violator’s right to an administrative hearing before the special master, and shall be treated as an admission of the violation, for which fines and penalties shall be assessed accordingly.
- (5) A certified copy of an order imposing a fine may be recorded in the public records, and thereafter shall constitute a lien upon any real or personal property owned by the violator, which may be enforced in the same manner as a court judgment by the sheriffs of this state, including

levy against the violator's real or personal property, but shall not be deemed to be a court judgment except for enforcement purposes.

(6) The hearing officer shall not have discretion to alter the penalties prescribed in this article. Any party aggrieved by a decision of a hearing officer may appeal that decision to a court of competent jurisdiction.

(7) In addition to issuing a ticket, the Code Enforcement Officer may require that an individual/company, who is not registered within fifteen (15) days of receiving the ticket and who is committing an egregious violation or is a repeat offender, cease performing the work immediately.

(c) *Exemptions.*

(1) The following are exempt from the registration requirement:

(a.) Any individual younger than 22 years old who is enrolled in an elementary, middle or high school program and who performs landscaping services on a part-time basis and who does not use a commercial vehicle while doing so;

(b.) Subcontractors for Florida Power and Light (FPL) or other utility companies performing landscaping maintenance to areas surrounding polls or other equipment;

(c.) Landscaping or tree trimming performed either in anticipation of a state of emergency, due to a hurricane or similar natural disaster, or following such an event for a reasonable period of time, as determined by the City Manager;

(d.) Educational institutions (including the school district and public or private colleges or universities), county, state and federal government entities, religious institutions and hospitals;

(e.) The City Manager may waive the registration requirement for good cause.

(2) Active City vendors engaging in work for the City or who perform work at the City's request must register all vehicles but are not required to pay the registration fee.

(d) *Immunity.* The City and its elected and appointed officials, employees and agents are immunized from civil or criminal liability for actions taken in accordance with this section.