

ORDINANCE NO. C-22-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 26-161 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "RATES AND HOURS FOR ON AND OFF-STREET PARKING", TO REVISE THE RESIDENCY REQUIREMENTS FOR APPLICABLE RESIDENTIAL PARKING RATES, ESTABLISH A PARKING RATE FOR ELECTRIC VEHICLES IN CITY OPERATED PARKING SPACES, INCREASE THE MONTHLY PERMIT PARKING RATE, AND MODIFY VARIOUS PROVISIONS TO THE SPECIAL EVENT PARKING RATE STRUCTURE AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, at the January 5, 2022 Commission meeting, the City Commission of the City of Fort Lauderdale requested staff to consider revising the residency requirements in Section 26-161 of the Code of Ordinances of the City of Fort Lauderdale, Florida, to address the eligibility for residential parking rates; and

WHEREAS, the use of electric vehicles is emerging in popularity and promotes the protection of the environment by reducing greenhouse gas emissions; and

WHEREAS, the City of Fort Lauderdale seeks to invest in making electrical vehicle charging stations available to the public in city operated parking spaces; and

WHEREAS, electrical vehicle charging stations have a higher operating cost than standard spaces; and

WHEREAS, to generate the necessary funds to operate electrical vehicle charging stations, it is necessary to establish a parking rate; and

WHEREAS, to generate necessary funds for present and future needs of the parking management system, operations and management, it is necessary to increase the monthly permit parking rate in the City of Fort Lauderdale; and

WHEREAS, the proposed amendments to the Code of Ordinances of the City of Fort Lauderdale, Florida, serve a public and municipal purpose; and

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 26-161 of the City of Fort Lauderdale, Florida, Code of Ordinances is hereby amended to provide as follows:

Sec. 26-161. - Rates and hours for on and off-street parking.

- (a) Under authority of law, the city has acquired certain municipal on and off-street parking lots, garages, and areas, and the revenue derived therefrom shall be used to pay the cost of maintenance and supervision and to retire the principal and interest of municipal parking revenue bonds, in accordance with the provisions of the resolution authorizing same. All such parking lots, garages, and areas owned or operated by the city, except as otherwise provided in this section, shall be operated subject to the rates and hours of operation listed below:

	Resident Rate	Non-Resident Rate
Zone 1	\$1.50 / Hour	\$4.00/ Hour
Zone 2	\$1.50 / Hour	\$3.00 / Hour
Zone 3	\$1.00 / Hour	\$2.00 / Hour

As used in this section:

- (i) Zone 1 means any land that is east of the Intracoastal Waterway and south of Oakland Park Boulevard within the boundaries of the City of Fort Lauderdale.
- (ii) Zone 2 means any land that is east of Interstate-95, west of the Intracoastal Waterway, south of Northeast 11th Street and north of Southwest 7th Street within the boundaries of the City of Fort Lauderdale.
- (iii) Zone 3 means any land within the boundaries of the City of Fort Lauderdale not defined by Zone 1 or Zone 2.

When on-street parking or lots are added, hourly rates are based on the geographic zone identified in section 26-161(a), herein.

- (1) The City of Fort Lauderdale residential parking rates are applicable when the

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residency of a person is verified by the director of the transportation and mobility department, ~~by providing a valid Florida License or State of Florida Identification, with a photo, a vehicle registration and such other additional documentation as proof of residency in the City of Fort Lauderdale.~~ An applicant shall submit an application for residential parking rates provided by the City. The application must be submitted to the transportation and mobility department with the following documentation:

- (i) Proof of property ownership in the City of Fort Lauderdale; or
- (ii) A copy of a current lease or rental agreement that reflects the property address in the City of Fort Lauderdale; and
- (iii) A valid driver's license; and
- (iv) A maximum of four (4) official state vehicle registrations; or
- (v) Such other additional documentation that is verifiable by the director of the transportation and mobility department as proof of residency in the City of Fort Lauderdale.

The applicant's name shall appear on the required documentation.

- (2) The residential rates are only applicable to residential properties. Commercial properties are not eligible for the residential parking rate.
- ~~(2)~~(3) Resident rates will only be applied through ~~only~~ to mobile parking payment applications or other payment methods approved by the transportation and mobility department.
- ~~(3)~~ Permit only spaces:
 - ~~a. Anchor Lot located at 531 Northwest 7th Avenue is permit only.~~
- (4) Upon the recommendation of the director, the city manager may approve temporary parking meter rate changes, including a daily maximum meter rate, and temporary hourly increases up to an amount not to exceed one dollar (\$1.00) per hour of parking time, or may authorize a special event parking rate of no more than thirty (\$30.00) dollars at any City operated lot or garage, for a period not to exceed six (6) months at a time, provided that prior written notification is given to the city commission by the city manager.
- (5) City operated parking spaces that have electric vehicle charging stations may

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charge up to five dollars (\$5.00) per hour applied through mobile parking payment applications or other payment methods approved by the transportation and mobility department.

- (5)(6) Parking is permitted twenty-four (24) hours per day, unless indicated otherwise at parking meters in the parking lot, garage, or area. A closing time may be designated at the discretion of the director.
- (6)(7) Monthly-permit parking as approved by the city manager, is allowed at the rate of not less than ~~thirty-five~~ forty dollars (~~\$35~~40.00), plus tax, per month; provided, however, restricted hour monthly-permit parking at rates approved by the city manager is allowed. ~~The city will sell all monthly parking permits on a first-come, first-served basis.~~ Any person wishing to purchase a monthly permit shall first resolve all outstanding or unpaid city-issued parking citations. The resale of city-issued monthly parking permits at a higher price than face value is forbidden and may result in the revocation of said permits without refund and prohibit future sales of city permits to the offending individual(s), corporation or entity.
- (b) ~~Each parking meter or multi-space parking meter shall contain a legend showing the type of payment and the parking time allowed for such payment. In case of violation it shall be the duty of the enforcement personnel to issue a citation.~~
- (eb) Upon recommendation of the transportation and mobility department, the city manager may authorize the execution by the director of contracts by which the city agrees to rent or lease parking spaces within any municipal parking lot, garage, or area. Such contracts shall be for a term of not less than one (1) month nor more than five (5) years. The minimum contract fee shall be not less than ~~thirty-five~~ forty dollars (~~\$35~~40.00) per parking space per month. ~~The fees shall be paid monthly, in advance.~~
- (d) ~~When on-street parking or lots are added, rates are based on nearby parking.~~
- (ec) For the purposes of this section, "special event parking" is defined as any event or activity that impacts City parking facilities during a specific period of time. The policies and schedules of fees for special event parking are as follows:
- (1) The event applicant or sponsor or his/her designee must provide the full payment for all parking spaces the applicant will use that will not otherwise be available for public use to the transportation and mobility department no later than five (5)

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business days prior to the start of the event.

- (2) The event applicant or sponsor will provide their own monitoring and/or security for the prepaid parking spaces during the rental period.
- (3) The event applicant or sponsor is responsible for blocking and identifying the prepaid parking spaces at the beginning of the event and throughout the duration of the reserved period.
- (4) The event applicant or sponsor is responsible for returning the parking spaces to their original condition by the end of the rental period. This includes, but is not limited to clean-up, removing all barricades and debris from the parking spaces, and making any necessary repairs.
- (5) If clean-up and/or repairs are not completed by the end of the prepaid parking space rental period, the event applicant or sponsor shall pay fees equal to the posted meter rate or lot entry rate until the spaces are available for public parking.
- (6) Vehicles must be legally parked within the rented parking spaces or parking area.
- (7) The resale of any prepaid parking spaces at a higher price than what was originally paid by the event is prohibited and may result in revocation of the use of the prepaid parking spaces without refund and prohibit the future sale of special event parking spaces sponsored or organized by the offending event applicant or sponsor.
- (8) No refunds will be provided unless the event is canceled in its entirety and the public parking spaces remain available to the general public. No partial refunds will be made under any circumstances.
- (9) The event applicant or sponsor must provide the director or his/her designee proof of insurance at least five (5) business days prior to the event date.
- (10) The event applicant or sponsor shall pay the following special event prepaid parking rates, plus applicable sales tax:
 - a. For events commencing on or after August 1, 2021, and impact public parking use for less than 72 hours, the lessor of:

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- i. The current non-resident meter rate, per space, multiplied by the number of spaces reserved, and then multiplied by the number of hours; or
 - ii. A daily 24 hour fixed rate of \$30.00 per space.
- b. For events commencing on or after August 1, 2021 and impact public parking use for more than 72 hours, the rate shall be determined by multiplying the number of reserved parking spaces by the number of 24-hour periods, and by the fixed rate of \$30.00 per space. Proration will not be permitted.
 - c. The city manager may authorize a reduced rate of no less than \$10.00 per space, per 24-hour period, to the special event rate structures identified in 26-161 ~~(e)~~(10)(b) for events that are co-sponsored by the city, or provide significant economic benefit to the city or are annually recurring events that encourage community enhancement and enrichment.
- ~~(f)~~ Upon recommendation by the city manager, parking may be provided at no charge or at a reduced rate to organizations holding events involving the clean-up, repair, or maintenance of city facilities provided that prior written notification, ~~no less than seven (7) days,~~ is provided given to the city commission by the city manager.
 - ~~(g)~~ Upon the recommendation by the city manager, parking may be provided at a reduced rate for co-sponsored and/or city sanctioned regularly scheduled and recurring programs encouraging community enhancement and enrichment with prior written notification given to the city commission by the city manager.
 - ~~(f)~~ Upon the recommendation by the city manager, parking may be provided at no charge or at a reduced rate for city sponsored educational or professional development programs.

SECTION 2. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. That this Ordinance shall be in full force and effect, upon final passage.

PASSED FIRST READING this ____ day of _____, 2022.

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ORDINANCE NO. C-22-

PAGE 7

PASSED SECOND READING this ____ day of _____, 2022.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

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C-22-

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Exhibit 1
Page 7 of 7