

ORDINANCE NO. C-12-40

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE RELATING TO PARKING; AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "TRAFFIC" BY AMENDING SECTION 26-91 "SCHEDULE OF FINES" TO PROVIDE FOR AN INCREASE IN PENALTIES FOR CERTAIN PARKING VIOLATIONS, AND TO INCREASE THE SURCHARGE IMPOSED TO FUND THE SCHOOL CROSSING GUARD PROGRAM; AMENDING SECTION 26-161 "RATES AND HOURS FOR ON AND OFF-STREET PARKING" TO PROVIDE FOR AN INCREASE IN MAXIMUM PARKING FEE AT A GIVEN PARKING LOT WHEN SPECIAL EVENTS ARE SCHEDULED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City presently imposes an eight dollar (\$8.00) surcharge on parking fines for the sole purpose of funding school crossing guard programs; and

WHEREAS, this surcharge is incorporated into the fine amounts listed in the parking fine schedule of Section 26-91(a) of the City of Fort Lauderdale Code of Ordinances; and

WHEREAS, pursuant to a cost recovery analysis that was performed to determine needed funding, City staff has recommended that the school crossing guard program surcharge on fines for all parking violations be increased by two dollars (\$2.00); and

WHEREAS, in the best interest of the public, the City Commission wishes to increase the fines for all parking violations, except for parking in parking spaces provided for disabled persons; and

WHEREAS, the City Commission further desires to clarify the parking fine schedule to reflect in Section 26-91(c) that a ten dollar (\$10.00) surcharge is included on each penalty, except for parking in parking spaces provided for disabled persons, set forth in the parking fine schedule of Section 26-91(a) of the City's Code of Ordinances;

#12-2296
EXHIBIT #1

WHEREAS, that the maximum special single rate in Section 26-161(a)(2)u for parking at the Fort Lauderdale Beach Park Lot, be increased from \$10.00 to \$20.00 for days when a special event is scheduled;

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

SECTION 1. That Section 26-91 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 26-91. Schedule of fines.

- (a) A schedule of fines for parking violations within the city is hereby established as follows:
- | | | |
|---|--------------------|----------------|
| (1) Parking overtime (sign) | \$30.00 | <u>\$32.00</u> |
| (2) Parking overtime (metered)..... | \$30.00 | <u>\$32.00</u> |
| (3) Parking in permit area without valid permit displayed | \$30.00 | <u>\$32.00</u> |
| (4) Parking in area posted no parking during specified hours | \$30.00 | <u>\$32.00</u> |
| (5) Parking in area posted authorized vehicle only..... | \$35.00 | <u>\$37.00</u> |
| (6) Within 15 feet of fire hydrant..... | \$35.00 | <u>\$37.00</u> |
| Plus a \$3.00 surcharge for firefighter education programs. | | |
| (7) Within 30 feet of traffic-control device | \$35.00 | <u>\$37.00</u> |
| (8) Parking on private property | \$35.00 | <u>\$37.00</u> |
| (9) Parking on crosswalk | \$35.00 | <u>\$37.00</u> |
| (10) Loading zone | \$35.00 | <u>\$37.00</u> |
| (11) Parking in prohibited areas | \$35.00 | <u>\$37.00</u> |
| (12) Parking on sidewalk | \$35.00 | <u>\$37.00</u> |
| (13) Blocking driveway | \$35.00 | <u>\$37.00</u> |
| (14) Blocking alley or overtime parking in alley | \$35.00 | <u>\$37.00</u> |
| (15) Double parking..... | \$35.00 | <u>\$37.00</u> |
| (16) Obstructing traffic..... | \$35.00 | <u>\$37.00</u> |
| (17) Parking facing oncoming traffic (1 or 2 way road) | \$35.00 | <u>\$37.00</u> |
| (18) Parking in safety zone..... | \$35.00 | <u>\$37.00</u> |
| (19) Parking in posted no parking area | \$35.00 | <u>\$37.00</u> |
| (20) Parking in parking spaces provided for disabled persons in violation of section 26-144 of this Code | \$250.00 | |
| (21) Parking in or blocking any area designated as an access aisle for persons with disabilities per F.S. 316.1955(2)..... | \$250.00 | |
| (22) Parking in fire lanes | \$40.00 | <u>\$42.00</u> |
| Plus a \$3.00 surcharge for firefighter education programs. | | |

| | | |
|---|--------------------|----------------|
| (23) Parking in courier zones | \$25.00 | <u>\$27.00</u> |
| (24) Parking by house trailers, buses, recreational vehicles, and truck tractors within the beach area in violation of section 26-131 of this Code..... | \$55.00 | <u>\$57.00</u> |
| (25) Other parking violations not listed above | \$25.00 | <u>\$27.00</u> |

...

(c) Each of the penalties for parking violations set forth in subsection (a) above includes a surcharge of ~~eight ten~~ ten dollars (~~\$8.00~~) (\$10.00) imposed for the sole purpose of funding the school crossing guard program of the city.

SECTION 2. That Section 26-161 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read 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:

(1) *On-street metered parking spaces:*

- a. In the core downtown area, meters south of and including Northeast 1st Street, north of the New River, east of Andrews Avenue, and west of Southeast 6th Avenue (US 1) at a rate of one dollar and fifty cents (1.50) per hour of parking time, with the exception of East Las Olas Boulevard between Southeast 3rd Avenue and Southeast 6th Avenue (west side of tunnel) at a rate of one dollar and seventy-five cents (\$1.75) per hour of parking time.

...

(2) *Off-street metered parking spaces:*

- a. Beach Community Center Lot located at 3201 Northeast 33rd Street at a rate of fifty cents (\$0.50) per hour of parking time.
- b. Bridgeside Square Parking Garage located south of Northeast 30th Court, north of Northeast 30th Street, east of Northeast 32nd Avenue, and west of Northeast 33rd Avenue at a rate of one dollar and twenty-five cents (\$1.25) per hour of parking time from 5:00 a.m.

to 6:00 p.m. and one dollar and fifty cents (\$1.50) per hour of parking time from 6:01 p.m. to 4:59 a.m.

...

- u. Fort Lauderdale Beach Park Lot located at 700 Seabreeze Boulevard at a rate of one dollar and seventy-five cents (\$1.75) per hour of parking time from 5:00 a.m. to 2:00 a.m. Residents of the city shall not be charged for parking, provided the resident has secured and utilizes a current city resident beach parking card. The city manager may approve a special single rate for nonresidents and residents of not more than ~~ten~~ twenty dollars (\$~~10.00~~20.00) for days when a special event is scheduled.

...

SECTION 3. 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 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 2nd day of October, 2012.

PASSED SECOND READING this the _____ day of _____, 2012.

ATTEST:

Mayor
JOHN P. "JACK" SEILER

City Clerk
JONDA K. JOSEPH