

Ordinance 2022-08

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 82 - TRAFFIC AND VEHICLES, ARTICLE III – STOPPING STANDING AND PARKING; DIVISION 1 – GENERALLY, SECTION 82-135 – PARKING OF VEHICLES ON CITY RIGHTS-OF-WAY; DIVISION 2 – ENFORCEMENT, SECTION 82-172 – FINES FOR VIOLATIONS; DIVISION 3 – METERED PARKING, SECTION 82-201 – TIME LIMITS; SECTION 82-207 – MANNER OF PARKING VEHICLE; SECTION 82-211 – PUBLIC-PRIVATE JOINT USE PARKING AGREEMENTS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach desires to regulate the stopping, standing, and parking of non-moving motor vehicles, commercial and recreational camper vehicles, and vessels by imposing greater fines to decrease the amount of issues with clogged streets, blocked driveways, improper parking, and unattended vehicles with the motor running.

WHEREAS, Florida Statute 316.1951, Parking for certain purposes prohibited; sale of motor vehicles; prohibited acts, and 316.1967, Liability for payment of parking ticket violation of other parking vehicles, grant local governments the ability to implement local rules related to streets, highways, or other property under its jurisdiction.

WHEREAS, the City Commission desires to increase such fines to reduce vehicular nuisances and to protect the general welfare, health, and safety of the public.

WHEREAS, the City Commission also wishes to regulate the hours, the location, and the manner of vehicles parked in metered parking zones to maximize the flow and use of parking spots.

WHEREAS, the City Commission, after due consideration, has determined that amending Chapter 82, Traffic and Vehicles, of the Code of Ordinances, to regulate parking will improve the safety of the public within the City of St. Pete Beach.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETEBEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The Code of Ordinances Chapter 82 is amended as follows:

ARTICLE III. – STOPPING, STANDING, AND PARKING

DIVISION 1. – GENERALLY

Sec. 82-135. - Parking of vehicles on city rights-of-way.

- (a) No person shall park a vehicle upon any city street or within the city rights-of-way for the principal purpose of:
 - (1) Displaying a vehicle for sale;
 - (2) Displaying advertising;
 - (3) Storage, or junkage or dead storage for more than 24 hours.

- (b) The following vehicles shall not be parked or stored such that any portion of the vehicle is located on city right-of-way directly contiguous to a residential property:
 - (1) Any boat or boat trailer;
 - (2) Any hauling trailer;
 - (3) Any travel trailer, motor homes in excess of 3,500 pounds, attached or unattached camping trailers, or other recreational vehicle;
 - (4) Any semitrailer truck or cab;
 - (5) Any commercial vehicle;
 - (6) Except a commercial vehicle or a semitrailer truck or cab during the actual performance of a service at the premises at which it is parked or for the loading, unloading, or cleaning of vehicles other than semitrailer trucks or cabs, provided such act is fully completed within six hours.

- (c) No operator of a vehicle shall park a vehicle on a city owned or operated parking lot, or other city property overnight between the hours of 12:00 midnight and 6:00 a.m. The city manager, or designee, may waive this prohibition on a temporary basis where it is determined that such waiver is necessary. Vehicles parked overnight violating this subsection may be ticketed every two hours in violation or be subject to immobilization subject to section 82-166.

- (d) No operator of a vehicle shall leave a vehicle parked and unmoved on any city street or within city rights-of-way, for a period longer than 72 hours, provided that such vehicle is not registered to an address immediately adjacent to the location where the vehicle is parked. The city manager, or designee, may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.

- (e) No operator of a vehicle shall leave a vehicle parked within ten feet of a mailbox-between 8:00 a.m. and 5:00 p.m., except Sundays and holidays, unless such vehicle is registered to an address immediately adjacent to the location where the vehicle is parked. The city manager may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.

(f) No operator of a vehicle shall leave a vehicle parked in a manner which blocks access to a commercial or residential dumpster accessible from city right-of-way.

(g) The parking of boats, trailers, campers, recreational vehicles, commercial vehicles and trucks in excess of one-ton cab weight shall be prohibited on any city rights-of-way between the hours of 12:00 midnight and 6:00 a.m. The city manager, or designee, may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.

(h) No operator of a vehicle shall park a vehicle on dirt, grass or landscaped city rights-of-way, medians, swales, or similar areas. The city manager, or designee, may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.

DIVISION 2. – ENFORCEMENT.

Sec. 82-172.- Fines for violations.

The following fines shall be charged for certain parking violations:

Violation	Fine	After 30 days	Administrative Fee after 30 days
Blocking driveway	\$30.00	\$60.00	\$15.00
Boat trailers only	\$60.00	\$120.00	\$15.00
Disabled parking	\$250.00	\$500.00	\$15.00
Double parking	\$30.00	\$60.00	\$15.00
Fire lane/zone / Blocking a Fire Hydrant	\$30.00	\$60.00	\$15.00
Improper parking	\$30.00	\$60.00	\$15.00
Keys in ignition	\$30.00	\$60.00	\$15.00
Left wheels to curb	\$30.00	\$60.00	\$15.00
Motor running with vehicle unattended	\$30.00	\$60.00	\$15.00
No parking zone	\$30.00	\$60.00	\$15.00
Overtime parking / No Meter Payment	\$40.00	\$80.00	\$15.00
Parked on a sidewalk	\$30.00	\$60.00	\$15.00

Parking of boats, campers commercial and recreational vehicles on city rights-of- way between 12:00 midnight and 6:00 am	\$90.00	\$180.00	\$15.00
Unlawful parking of vehicles for sale, advertising, storage, or junkage on city right-of-way	\$500.00	\$1000.00	\$15.00
Parking on streets or lots restricted to a specific parking permit without a permit	\$90.00	\$180.00	\$15.00
Other	\$80.00	\$160.00	\$15.00
Other FL State Regulated Nonmoving Vehicle Infractions	\$30.00	\$60.00	\$15.00

DIVISION 3. – METERED PARKING.

Sec. 82-201.-Time limits.

When parking meters are erected on any public thoroughfare giving notice thereof, no person shall stop, stand or park a vehicle in any metered parking zone for a period of time longer than designated by the parking meters upon payment transaction in United States currency. The payment of a parking meter is required from 8:00 a.m. to 8:00 p.m. on all city metered parking spaces, except for the County Beach Access Park, which a meter payment is required 24 hours a day. From 8:00 am to 10:00 pm, meter payment is required for the parking spaces designated as boat trailer parking located near the municipal boat ramp situated at West Maritana and Casablanca, in the area between 30th and 35th Avenues and Egan Park.

Sec. 82-207. - Manner of parking vehicle.

Every vehicle shall be parked wholly within a metered parking space with the license plate that shows parking privilege has been granted clearly visible from the drive lane. The front end of such vehicle shall abut the curb for angled or perpendicular spaces, or the passenger side of such vehicle shall abut the curb for parallel spaces. Back in and pull through parking shall be strictly prohibited for metered and permit restricted parking areas.

Sec. 82-211. - Public-private joint use parking agreements.

(a) The city commission may, by resolution authorize the city manager, or designee, to enter into public-private joint use parking agreement with private businesses interested in maximizing the use of off-street parking lots during non-business hours for metered public parking.

(b) The public-private joint use agreement will allow the city to set up a mobile payment zone to be operated during non-business hours and manage the collection of meter payments during non-business hours.

(c) The revenue collected from the mobile payment zone shall be split 50/50 between the city and the private business.

(d) The private business shall be responsible for the general maintenance and upkeep of the parking lot. The city shall be responsible for litter maintenance during the period the city is engaged in managing the parking lot.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinance of the City of St. Pete Beach.

SECTION 4. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.


SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.


FIRST READING: April 12, 2022
PUBLISHED: April 27, 2022
SECOND READING: May 10, 2022
PUBLIC HEARING: May 10, 2022

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.



Alan Johnson, Mayor

I, Amber LaRowe, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 17 day of June, 2022.



Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Andrew Dickman, City Attorney