

ORDINANCE NO. 25-06

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 17 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “TRAFFIC AND MOTOR VEHICLES;” BY AMENDING ARTICLE II ENTITLED, “PARKING, STOPPING AND STANDING;” AMENDING SECTION 17-16 ENTITLED “PARKING PLACES FOR HANDICAPPED PERSONS;” AMENDING SECTION 17-17 ENTITLED “CITATIONS FOR PARKING VIOLATIONS;” AMENDING SECTION 17-18 ENTITLED “PROHIBITED STOPPING, STANDING OR PARKING ON CERTAIN ROADWAYS;” AMENDING SECTION 17-19 ENTITLED “PROHIBITED PARKING, ADDITIONAL REGULATIONS;” AMENDING SECTION 13-82, ENTITLED “CITATIONS – OPTIONS OF PERSONS CITED;” PROVIDING FOR CERTAIN REGULATIONS RELATED TO SWALE PARKING; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Cooper City (“City”) desires to update and amend the City Code related the issuance of municipal parking citations in the City; and

WHEREAS, many vehicles are being parked and left unattended in prohibited areas within close proximity to public and private elementary, middle, and secondary schools before and after school hours; and,

WHEREAS, unattended vehicles parked along swales creates a visual blight on the areas, but also pose security and safety concerns; and

WHEREAS, the City desires to issue parking citation(s) to the owners of those vehicles impermissibly parked along swales and other prohibited areas; and,

WHEREAS, the City Commission of the City of Cooper City finds it is in the best interest of the health, safety and welfare of the residents of the City of Cooper City to adopt an ordinance

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to permit the issuance of non-criminal parking citations to owners of vehicles who are impermissibly parking in prohibited areas; and

WHEREAS, the City Commission has held a public hearing in accordance with Florida law; and

WHEREAS, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that this Ordinance is in the best interest of the citizens, residents, and business establishments in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City Commission of the City of Cooper City hereby amends Chapter 17 of the City's Code of Ordinances, entitled "TRAFFIC AND MOTOR VEHICLES," by amending Article II entitled, "PARKING, STOPPING AND STANDING," Section 17-16 entitled "Parking places for handicapped persons," Section 17-17, entitled "Citations for parking violations," Section 17-18 entitled "Prohibited stopping, standing or parking on certain roadways," and Section 17-19 entitled "Prohibited parking additional regulations" as follows:

Sec. 17-16. Parking places for handicapped persons.

(c) *Penalty for violations.* If a citation issued for a violation of section shall be paid prior to the issuance of a notice to appear or municipal information, the fine amount shall be ~~\$250.00~~ designated by county ordinance as may be amended from time to time. After the issuance of a notice to appear or municipal information the penalties provided in section 1-8 of this Code shall be applicable.

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Sec. 17-17. Citations for parking violations.

- (b) *Time of payment.* The citation shall notify the owner of the vehicle to pay the fine indicated on the citation within ~~ten~~ fifteen business days from the date of issuance at the place specified on the citation, and of the violator's right to appeal. Such citation for a parking violation shall be returnable and payable to the City or Broward County Clerk of Courts.

Sec. 17-18. Prohibited stopping, standing or parking on certain roadways.

- (e) Law enforcement officers, police service aides, code compliance officers, parking enforcement officers, and any authorized employee or agent are hereby authorized to issue parking citations to any vehicle illegally parked in violation of the section.

~~(5) Unless otherwise provided, citations issued for traffic or parking related offenses under this section shall be in the amount of \$25.00 for each offence, plus all applicable fees assessed by the Broward County Clerk of Courts.~~

- (f) *Stopping, standing or parking ~~on roadways~~ at certain times.* No person shall stop, stand, or park a vehicle ~~on any roadway~~ within 1,000 feet of the real property comprising a public or private elementary, middle, or secondary school within one hour before the scheduled starting time for the ~~regular~~ school day or school special event or within one hour ~~after~~ after of the scheduled school dismissal time for the ~~regular~~ school day or school special event; ~~except momentarily to actively pick up or discharge passengers~~

(1) On any public or private roadway or driveway;

(2) On any swale area;

(3) In any plaza, parking lot, or on closed business premises;

(4) In any park, field, or undeveloped land;

(5) In any other public or private location.

Obstructing the flow of traffic, including the full or partial blocking of any lane by standing, stopping, or parking in the roadway, shall constitute prima facie evidence of a violation of this section.

This section shall not apply to any person at their own place of residence, to any business owner or employee at their place of employment, to any person actively patronizing an open business, or to anyone having the express permission of the business owner, resident, or other

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property owner to be on or at a property so located, or to any person employed by a parcel delivery service.

Subsection (f) shall not apply to any interior roadway, swale, parking lot, or other property located within a gated community.

- (g) Every vehicle stopped or parked upon a roadway or swale area shall face the same direction as the traffic flow, subject to the provisions of F.S. § 316.195, as may be amended from time to time. ~~A violation of this section shall be \$50.00.~~
- (h) This section shall not apply to public or private emergency, construction, or other vehicles actively performing services pursuant to a governmental agreement or private contract.
- (i) ~~Unless otherwise stated, a violation of this section shall result in a parking violation in the amount of \$100.00, not including any other applicable fees as set forth in this chapter of the City code.~~ A violation of this section shall result in a parking violation in the amount set forth in Sec. 13-82 of the City's Code of Ordinances, as may be amended from time to time, in addition to any other applicable fees as set forth in the City Code.

Sec. 17-19. Prohibited parking, additional regulations.

- (c) All trailers, boats, commercial vehicles, and recreational vehicles prohibited by the City code, as amended, from being ~~parking~~ parked or stored on residential property, shall not be parked on any street, swale, or right-of-way, subject to the exceptions set forth within Section 25-10 of the City code as applicable.

SECTION 3: The City Commission of the City of Cooper City hereby amends Chapter 13 of the City's Code of Ordinances, entitled "Public Safety," by amending Article VI entitled, "Code Enforcement," Section 17-16 entitled "Parking places for handicapped persons," Section 13-82, entitled "Citations – Options of persons cited, as follows:

Sec. 13-82. - Citations—Options of persons cited.

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Violation	Code Section	Fine
Animal Nuisances	<u>5-3</u>	\$100.00

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Violation	Code Section	Fine
Animal Feeding	5-4	\$100.00
Tree Nuisances	18-10	\$100.00
Maintenance of Commercial Properties	6-32	\$250.00
Fire Code	7-2	\$250.00
Litter Violations	Chapter 8	\$250.00
Noise Violations	Chapter 10	\$100.00
Mandatory Recycling	14-3	\$25.00
Bulk Trash Violations	8-26	\$250.00
Overgrown Lots, Yards and Landscaping	8-38	\$100.00
Parking of commercial vehicles in residential district	25-10(a)	\$100.00
Smoking in Parks	12-45	\$100.00
Same direction swale parking	17-18(g)	\$50.00
Prohibited stopping, standing or parking on certain roadways (unless otherwise provided herein)	17-18	\$100.00

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SECTION 4: All sections of the City of Cooper City Code not amended hereunder shall remain in full force and effect.

SECTION 5: It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article” or such other word or phrase in order to accomplish such intention.

SECTION 6: All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are to be severable.

SECTION 8: This Ordinance shall become effective upon adoption.

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PASSED AND ADOPTED on First Reading this _____ day of _____, 2025.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2025.

JAMES CURRAN
Mayor

ATTEST:

TEDRA ALLEN, MMC
City Clerk

ROLL CALL

Mayor Curran	_____
Commissioner Shrouder	_____
Commissioner Katzman	_____
Commissioner Mallozzi	_____
Commissioner Smith	_____

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney

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