

## ORDINANCE 2024-03

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 66-70 TO PROVIDE DUTIES OF VEHICLE OPERATORS TO ACTUATE PARKING METERS AND AMENDING SECTION 66-72 TO PROVIDE FOR ADDITIONAL LIMITATIONS ON PARKING IN CITY PARKING LOTS AND BEACH ACCESS EASEMENTS IN CHAPTER 66 (TRAFFIC AND VEHICLES) OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, City Staff has reviewed the current provisions of Chapter 66 of the Code of Ordinances for the City of Madeira Beach and has recommended that Section 66-70 be created to provide for duties of vehicle operators to actuate parking meters and provide for parking beyond time fixed for such vehicles and that Section 66-72 be amended to provide for additional parking limitations; and

**WHEREAS**, the recommendations of the City Staff have been found meritorious by the Board of Commissioners; and

**WHEREAS**, the Board of Commissioners has received input from the public at two public hearings.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:**

**Section 1.** That Section 66-70 (Duty of Operators of Vehicles to Actuate the Parking Meter; Parking Beyond Time Fixed for Such Vehicle) of Division 1 (Generally) of Article III (Stopping, Standing, Parking) of Chapter 66 (Traffic and Vehicles) of the Code of Ordinances of the City of Madeira Beach, Florida, is hereby created and shall read as follows:

**Sec. 66-70. Duty of operators of vehicles to actuate the parking meter; parking beyond time fixed for such vehicle.**

- (1) When any vehicle shall be parked in any time regulated parking space as designated pursuant to this chapter, where controlled by a parking meter, the owner or operator of such vehicle shall, upon entering the parking space, immediately actuate the parking meter. The parking meter may be actuated by manual or electronic means and/or by payment of authorized legal tender, and the parking space may then be used by such vehicle during the parking time limit prescribed for that parking space.
- (2) It is unlawful for any person to permit a vehicle to remain or be placed in any parking space when the parking meter indicates or displays a signal showing that such vehicle is parked overtime or when the pay station receipt indicates that parking time limits have expired.
- (3) It is unlawful for any person to permit a vehicle to remain in any parking space for more than two (2) hours after a citation has been issued for violation of subsection (2) of this section.
- (4) When signs are erected giving notice of time limits, no person shall park a vehicle in any parking meter space and/or zone for a continuous period of time longer than that period of time designated by such signs. In order to enforce this provision no person shall roll the tires of a vehicle or attempt to remove the markings made by a parking enforcement specialist prior to removing the vehicle from the parking space.

**Section 2.** That Section 66-72 (Limitations on Parking in City Parking Lots and Beach Access Easements) of Division 2 (Parking Meters, Permits and Limitations) of Article III (Stopping, Standing, Parking) of Chapter 66 (Traffic and Vehicles) of the Code of Ordinances of the City of Madeira Beach, Florida, is hereby amended to read as follows:

**Sec. 66-72. Limitations on parking in city parking lots and beach access easements.**

Parking of any type motor vehicle is allowed in the city parking lots and beach access easements subject to the following limitations:

- (1) All vehicles must park within the designated metered spaces;
- (2) No part of the vehicle may extend beyond the limits of the marked parking space;

- (3) Backing of vehicles into metered spaces is permitted if the license plate of the vehicle can still be readily observed (except where a no back in parking sign is posted for a particular lot or parking space);
- (4) Parking in front of a driveway, blocking access for residents or emergency vehicles is prohibited;
- (5) Double parking is prohibited. Double parking refers to parking next to or obstructing another parked vehicle, wholly or partially;
- (6) Parking too close to an intersection obstructing visibility for other drivers is prohibited;
- (7) Parking on the sidewalk or pedestrian walkway obstructing pedestrian traffic is prohibited;
- (8) Parking in a bus zone or bus stop impeding public transportation is prohibited;
- (9) Unauthorized parking in a reserved spot for employees or residents is prohibited. This includes parking in a designated space without proper authorization;
- (10) Parking in a manner that obstructs access to public facilities, like mailboxes or trash bins is prohibited;
- (11) Parking in a manner that obstructs visibility for other drivers, such as parking on a curve is prohibited;
- (12) Parking in a manner that blocks access to essential infrastructure, like fire hydrants or utility boxes is prohibited;
- (13) Parking within fifteen (15) feet on either side of a fire hydrant or in a designated tow-away zone is prohibited;
- (14) Parking in a bike lane or crosswalk endangering cyclists and pedestrians is prohibited;
- (15) Except when otherwise provided in this chapter, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway, or its left wheels within 12 inches of the left-hand curb or edge of the roadway;
- (416) Parking is only allowed during the hours of 6:00 a.m. to 12:00 midnight, unless otherwise posted;
- (517) Meters are in effect on all lots during the allowable hours of operation, seven days a week; and
- (618) Parking is prohibited in all areas during the hours of 12:00 midnight to 6:00 a.m. daily, unless otherwise posted.

**Section 3.** For purposes of codification of any existing section of the Madeira Beach Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

**Section 4.** Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

**Section 5.** In the event a court of competent jurisdiction finds any part or provision of the Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

**Section 6.** The Codifier shall codify the substantive amendments to the Code of Ordinances of the City of Madeira Beach contained in Sections 1 and 2 of this Ordinance as provided for herein and shall not codify the exordial clauses nor any other sections not designated for codification.

**Section 7.** Pursuant to Florida Statutes §166.041(4), this Ordinance shall take effect immediately upon adoption.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2024.**

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James "Jim" Rostek, Mayor

**ATTEST:**

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Clara VanBlargan, MMC, MSM, City Clerk

**APPROVED AS TO FORM:**

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Thomas J. Trask, City Attorney

PASSED ON FIRST READING: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_