



PLANNING BOARD MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Tuesday, 2/16/2016
4:00 p.m.

Call to Order
Pledge of Allegiance
Roll Call

- 1. Changes to the Agenda** – Agenda items to be added, moved or deleted will be addressed at this time. Items added will be assigned agenda item numbers and items that are moved will retain the same item numbers. A notation will be made that those items will be taken out of order.
- 2. Audience Comments** – Comments shall be limited to three minutes per person to issues not on the agenda.
- 3. Agenda Items**
 - a. Minutes for Acceptance:**
January 19, 2016
 - b. Planning Board Procedures**
 - c. Ordinance 2016 – 04 – an ordinance amending Chapter 82 – code of ordinances**
 - c. Project updates – Pass-a-grille design work**
- 4. Adjournment**

APPEAL

If a person decides to appeal any decision made at this meeting, he or she will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

AMERICANS WITH DISABILITIES ACT

In Accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than four days prior to the meeting for assistance. The public is cordially invited to attend. All agenda material is available for review at City Hall.

PLANNING BOARD MINUTES

JANUARY 19, 2016

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Ward Friszolowski, Vice Chairman
Michael Lehman, Member
Jack Ohlhaber, Member
Ron Holehouse, Member

ALSO PRESENT:

Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Director (entered meeting at 4:48 p.m.)
Chelsey S. Welden, Planner II
Mary Jo Murphy, Deputy City Clerk

1. Changes to the Agenda

Chairwoman Secka announced that Item 3 c., "Project Updates – Mastry's Brewing Co." will be moved before Item 3 b., "Planning Board Procedures" on the agenda.

2. Audience Comments

There were no audience comments.

3. Agenda Items

a. Minutes for Acceptance

Member Holehouse made a motion to accept the 11/10/15, 11/16/15, 11/30/15, and 12/8/15 minutes. The motion was seconded by Member Ohlhaber and unanimously approved by a roll call vote (5 yeses – 0 nos).

c. Project Updates – Mastry's Brewing Co.

Ms. Welden, Planner II, updated the Planning Board in regard to the Mastry's Brewing Company site plan submittal. Member Holehouse posed a question in regard to the

possibility of using the Community Center's parking lot for Mastry's Brewing Company's overflow parking. City Attorney Dickman stated he would research the possibility and follow up with the Planning Board.

b. Planning Board Procedures

City Attorney Dickman presented and reviewed a five-page document in draft form with the Planning Board entitled: "City of St. Pete Beach, Planning Board Procedures."

- Planning Board Procedures, draft form – City Attorney Dickman and the Planning Board discussed the following actions to take place:
 - City Attorney Dickman stated he will identify designees for City Manager, City Clerk, etc., throughout the Planning Board Procedures document.
 - Outline of the public hearing process to be included in the document: City Attorney Dickman agreed to produce an outline of the public hearing process.
 - Quasi-judicial matters: City Attorney Dickman affirmed he will ask Planning Board members to disclose any ex parte communications.
 - E-mail addresses for board members: City Attorney Dickman confirmed he is going to research the aforementioned topic and report back to the Planning Board.
 - Amending of Motions: City Attorney Dickman stated he will simplify this section.
 - Voting Conflict: Board members are to call City Attorney Dickman and inform Mr. Dickman of possible conflicts before a meeting occurs. City Attorney Dickman stated he will provide the Planning Board members his cell phone numbers.
 - Attendance, late arrivals and offering public comment - City Attorney Dickman confirmed he will draft more details in regard to this topic.
 - Flexibility for the Chairwoman to work with the Community Development Director to schedule dates of meetings: City Attorney Dickman stated he will research the charter in regard to scheduling regular meetings.
 - Presiding Officer Duties: City Attorney Dickman stated he will research and clarify this section for the Planning Board.
 - Motion to Reconsider: City Attorney Dickman affirmed he will research and draft new language in terms of what can be reconsidered.

City Attorney Dickman stated he will work on the Planning Board Procedures and will bring it back for the next meeting on 2/16/16.

Member Ohlhaber asked for an update in regard to the walking tour in Pass-A-Grille.

Ms. Bryla commented that the consultant had submitted recommendations. Once the decision is made as how to proceed with the consultant's recommendations, Ms. Bryla advised the board she will provide the information to the Planning Board to review and to make a recommendation to present to the City Commission.

Ms. Bryla informed the Planning Board members that the City will present a 20-minute presentation during the one-hour CRA workshop in the Board of County Commissioners Chambers on 2/16/16 at 1:00 p.m. Ms. Bryla encouraged members to attend.

Ms. Bryla asked the Planning Board members to complete and return the 2015 Statement of Financial Interests to the City Clerk's Office by June 1, 2016.

4. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 5:21 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Tiffany Secka, Chairwoman

Minutes approved on: _____

CITY OF ST. PETE BEACH PLANNING BOARD PROCEDURES

SECTION ONE: REGULAR MEETINGS

The Planning Board ("Board") of the City of St. Pete Beach shall hold regular meetings on the third Tuesday of each month at the hour of 4:00 p.m., or other schedule consistent with the requirement of the Charter. When the day fixed for any regular meeting of the Board falls on the date designated by law as a legal or national holiday or shall fall upon some commemorative day designed locally or upon a day of local emergency, such meetings shall be held at the same hour on the next succeeding business day.

All meetings of the Board shall be held in the City Hall located at 155 Corey Avenue, St. Pete Beach, Florida or in some other duly designated place.

SECTION TWO: SPECIAL MEETINGS

Special meetings may be held upon the call of the chair, city commission, city manager or by any three members during a properly noticed public meeting upon no less than a twenty-four (24) hour notice to each member and by posting a notice of such meeting in the City Hall bulletin board, the City Library and on the City website.

SECTION THREE: PRESIDING OFFICER DUTIES

The Presiding Officer of the Board shall be the Chair or in his/her absence the Vice Chair. The Presiding Officer shall preserve strict order and decorum at all meetings of the Board.

He/she shall state every question coming before the Board, announce the decision of the Board on all subjects and decide all questions of order; subject, however, to an appeal to the Board upon such questions in which a majority vote of the Board shall conclusively govern and determine such question of order. He/she shall vote on all questions; his/her name being called last.

SECTION FOUR: QUORUM

The planning board shall consist of five regular members. A majority of the Board shall constitute a quorum; but a small number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Board. No action of the Board shall be taken except as otherwise adopted by the affirmative vote of the majority of a quorum present.

SECTION FIVE: CALL TO ORDER - PRESIDING OFFICER

The Chair or in his/her absence, the Vice Chair, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Board to order. In the

absence of the Chair and Vice Chair, the City Clerk or City Clerk designee shall call the Board to order, whereupon a Temporary Chair shall be selected by the members of the Board present. Upon arrival of the Chair or Vice Chair, the Temporary Chair shall immediately relinquish the chair upon the conclusion of the business immediately before the Board.

SECTION SIX: ROLL CALL

Before proceeding with the business of the Board, the City Clerk or City Clerk designee shall call the roll of the members and the names of those present shall be entered into the minutes. The City Clerk or City Clerk designee shall state that a quorum is or is not present.

SECTION SEVEN: ORDER OF BUSINESS

All meetings of the Board shall be open to the public. Promptly at the hour set by the City Charter and stated above, the Board, City Clerk or designee, City Attorney, and Community Development Director or designee shall take their regular places and the business of the Board shall be taken up for consideration and disposition in the following order.

1. Call to Order
2. Pledge of Allegiance
3. Changes to the Agenda
4. Minutes
5. Audience Comments on non-agenda items
6. Regular Meeting as published in the agenda
7. Adjournment

As an effective procedure to handle routine matters expeditiously, a consent agenda shall be used whenever possible. The Board reserves the right to modify the order of agenda items at its discretion. The Board shall establish a set procedure for hearing specific items on the agenda, including public comment, with the assistance of the City Attorney.

SECTION EIGHT: RULES OF DEBATE FOR BOARD MEMBERS

- a) DEBATE – Action on items before the Board shall be commenced without necessity for an oral motion by any Board member. The item can be opened at any time by the Presiding Officer for discussion. At the conclusion of discussion, action shall be concluded by a roll call vote. The Board member making or seconding the motion being voted on shall not be required to vote in favor of said motion.
- b) PRESIDING OFFICER: DEBATE AND MOTIONS - The Presiding Officer may vote, second and debate from the chair, subject only to any such limitation of debate as are imposed by these rules of all members and shall not be deprived of any of the rights and privileges of a Board member by reason of his/her acting as Presiding Officer.

- c) OBTAINING THE FLOOR: IMPROPER REFERENCE TO BE AVOIDED - Every member of the Board desiring to speak shall address the Chair and, upon recognition of the Presiding Officer, shall confine himself/herself to the question under debate, avoiding all personalities and indecorous language.
- d) INTERRUPTIONS - A member of the Board, once recognized, should not be interrupted when speaking unless it is to call him/her to order or as herein otherwise provided. If a member of the Board, while speaking, is called to order, he/she shall cease speaking until the question of order is determined; if in order, he/she shall be permitted to proceed.
- e) WITHDRAWAL OF MOTIONS - Any motion before the Board may be withdrawn at any time prior to a vote being taken thereon by the Board member making the motion, upon agreement by the Board member seconding the motion to withdraw his/her second.
- f) AMENDING OF MOTIONS - At any time during discussion of a motion on the floor, a request to amend said motion may be made if the maker of the motion and maker of the second on the floor accepts the requested amendment.
- g) MOTION TO RECONSIDER - A motion to reconsider any action taken by the Board may be made only on the day such action was taken. Such motion must be made by one on the prevailing side, but must be made immediately following the particular action taken by the Board. Only in certain circumstances, with assistance of the City Attorney, may a motion to reconsider take place after the Board has moved on to other items on the agenda. The motion to reconsider shall be debatable.
- h) REMARKS OF BOARD MEMBER, WHEN ENTERED IN MINUTES – A Board member may request through the presiding officer the privilege of having an abstract of his statement on any subject under consideration by the Board entered into the minutes.
- i) VOTING CONFLICT - No member of the Board, who is present at any meeting of the Board at which an official decision, ruling, or other official action is to be taken or adopted, may abstain from voting in regard to such decision, ruling or act, and a vote shall be recorded or counted for each member present except when, with respect to such member, there is, or appears to be, a possible conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such members shall comply with the disclosure requirement as governed by the Florida Statutes. Board members who believe they may have a conflict should contact the City Attorney before the meeting to investigate if a conflict does or does not exist.

SECTION NINE: RULES FOR PUBLIC COMMENT AT BOARD MEETINGS

These rules shall govern the conduct of persons attending all public meetings conducted by the Board. These rules shall not apply to employees or agents of the City who are present at the

meeting for the purpose of reporting on an agenda item or other subject that the Presiding Officer or the Board determines is appropriate.

- a) INTENT - These rules are intended in part to implement Section 218.0114, Florida Statutes, which requires that the parties be given a reasonable opportunity to be heard on a proposition before a board or commission.
- b) RECOGNITION - Only persons recognized by the Presiding Officer shall be permitted to address the Board. No person shall be recognized to comment on an agenda item until the Presiding Officer opens the item to public comment.
- c) LOCATION - A person recognized by the Presiding Officer to address the Board shall only do so from the lectern available for that purpose. Comment from the public seating area shall be prohibited.
- d) INTRODUCTION - The person addressing the Board shall first state his/her name and address.
- e) TIME LIMIT - A person is limited to three (3) minutes to address the Board on any one agenda item. The Presiding Officer shall be responsible for tolling the time and advising the person when their time has lapsed. The Presiding Officer shall have the discretion to adjust the time limit as he/she deems appropriate. When the person's time is finished, he/she shall leave the lectern. If requested by the presiding officer, the person may be required to state whether the person speaks for a group of persons or a third party, if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization and whether the person is being compensated by the organization.

No person, other than the Board and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the Presiding Officer. No questions shall be asked except through the Presiding Officer.

- f) SIGNS, PLACARDS, BANNERS - For public safety purposes, no signs or placards mounted on sticks, posts or similar structures shall be allowed in the Board's meeting rooms. Other signs, placards, banners, shall not disrupt meetings or interfere with others' visual rights.
- g) CAMERAS - The Board reserves the right to designate the placement of video, still or phone cameras within the commission chamber to minimize disruptions at the public meeting. The use of cell phones in the commission chamber is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals, including those on the dais, must exit the commission chamber to answer incoming cell phone calls.
- h) MANNER OF ADDRESSING THE COMMISSION - All comments shall be directed to the entire Board. Any questions to individual Board members, if appropriate, shall be

directed to the Presiding Officer and he/she shall submit it to the Board member, City Manager or City Attorney for an answer. No person shall create a nuisance or engage in any act that disrupts the regular conduct of business.

- i) PENALTY - Any person determined by the Presiding Officer to be in violation of these rules, or engaging in acts that are deemed by the Presiding Officer to be a nuisance, statements or acts that constitute a personal attack on any member of the Board, or to interfere with the orderly conduct of business at the meeting, then, in that event, the Presiding Officer may direct the person to leave the meeting or public building for the duration of the meeting. Any person who fails to obey an order of the Presiding Officer may be removed by a law enforcement officer at the request of the Presiding Officer.
- j) ENFORCEMENT - The Presiding Officer shall be responsible for the enforcement of these rules.

	St. Pete Beach Planning Board 155 Corey Avenue St. Pete Beach, FL 33706 727-367-2735
2/16/2016	
Item Ordinance 2016-04 Staff Representative Chelsey Welden Planner II Community Development Dept. Requested Action Approval of Ordinance 2016-04 Staff Recommendation Approval	ITEM SUMMARY: The City Commission has directed staff to evaluate the City’s parking Ordinance (Chapter 82 of the Code of Ordinances) in an effort to: 1) More clearly define the different types of parking permits issued by the City; 2) Simplify the posted times of restricted parking areas; and 3) Add application submittal requirements. All posted parking signs are proposed to be changed to require permits or payment of meters from 8am-8pm except for the “B” non-metered residential streets, which will remain as they are. Exhibit B, the table which states the maximum number of “A” parking permits each property may purchase per year, has been updated to reflect the current number of units that the Camelot Apartments has—an increase from 20 to 24 units. This will permit them to purchase up to 24 annual parking permits. Numerous scrivener’s errors were also corrected throughout the chapter, including references to the police department and grammatical mistakes. There are many different types of parking permits administered through the Community Development Department, all valid for different areas of the city and sold at different costs. While the fee schedule in the Code of Ordinances does give names to some of these parking permits, differentiating them from each other, Chapter 82 does not. This has made it very difficult to administer the parking permits. Staff has gone through and assigned names to each type of parking permit, and expanded upon descriptions where necessary. A new section was added for the “D” parking permit—a decal and hangtag that the City has issued for an defined period of time to residents of “D” streets as defined in Chapter 82, but without any specific regulations in the Code. In this new section, any person who can furnish proof of residency

and vehicle registration for a residence on a “D” street (generally the side streets in Pass-a-Grille) may purchase a decal. This is an increase from the informal procedure of only issuing (2) permits per household, as is the maximum for the “B” decals.

Finally, per request of the Mayor, a new annual parking permit was added—the new “C” parking decal will replace the “D” parking decal in the area generally described as the portion of the Don CeSar Place subdivision east of Gulf Boulevard. This permit will restrict parking on one side of the street, and will be valid in the above-stated area only.

PUBLIC NOTICE:

Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, one written comment has been received in opposition to the Ordinance as written. Oral and written comments may be presented at the public hearing.

COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE:

The proposed Ordinance is consistent with the City of St. Pete Beach’s Comprehensive Plan, which does not regulate parking or give any guidance as to how parking regulations should be formulated.

The proposed Ordinance is also consistent with the Land Development Code, which regulates the form and location of parking spaces, lots, and structures. Specifically, Division 23 (Off-Street Parking and Loading) provides dimensional standards for parking areas, as well as dictates the number of parking spaces required for each type of use. The “A” parking permit study which resulted in the attached table was predicated on earlier regulations, prior to establishment of Division 23. However, the goal of the “A” permits as well as the others is still to provide enough parking spaces for both businesses and residences. For example, each residence (house, condo, apartment, etc.) must have (2) parking spaces per unit, and each transient accommodation unit (timeshare, hotel, motel, etc.) must have (1) space per unit, plus (1) additional for every (10) units.

The goal of Chapter 82 of the Code of Ordinances is to work with the regulations provided in Division 23 of the Land Development Code to make sure that business, residences, and visitors all have a place to park without conflict.

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 2016-04.

Attachments

- (1) Exhibit A** – Proposed Ordinance 2016-04
- (2) Exhibit B** – Proposed Chapter 82, Code of Ordinances

	(3) Exhibit C – Amended Table Establishing “A” Permits
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Chapter 82 - TRAFFIC AND VEHICLES¹¹

Footnotes:

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Cross reference— Consumption or possession of open containers of alcoholic beverages in public places prohibited, § 6-5; identification of commercial vehicles required, § 26-2; emergency procedures during hurricanes, § 34-1; distribution of handbills restricted, § 46-1; noise regulations, § 46-131 et seq.; motor vehicle noise restrictions, § 46-147; skateboards and motorized vehicles restrictions in parks and recreation areas, § 58-6; streets and sidewalks, ch. 74; skateboarding prohibited, § 74-1; vehicles for hire, ch. 90; permits required for vehicles on the beach, § 94-73.

State Law reference— Municipal Home Rule Powers Act, F.S. ch. 166; Florida Uniform Traffic Control Law, F.S. ch. 316; restrictions on power of municipality to regulate traffic, F.S. §§ 316.006—316.008.

ARTICLE I. - IN GENERAL

Sec. 82-1. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Commuter vehicle" means a motor vehicle parked in a residential area by a person who is not a resident of the designated residential area.

"Controlled parking residential area" means a contiguous or nearly contiguous area containing streets or parts thereof primarily abutted by property which has a specific residential zone designation on the official zoning map and which is designated for restricted residential parking by the city manager, pursuant to criteria and procedures established in this division.

"Dwelling" means a room or group of rooms forming a single independent habitable unit used for or intended to be used for living, sleeping, sanitation, cooking, and eating purposes by one family only; for owner occupancy or for lease; and containing independent kitchen, sanitary and sleeping facilities. A dwelling does not include motels, hotels, and other transient accommodation uses.

"Resident" means a person who owns or leases real property within the city, as evidenced by a form listed in Sec. 82-2.

"Residential parking permit" means a special permit issued under this division for the privilege of parking on a street designated as a "controlled parking residential area."

Cross reference— Definitions generally, § 1-2.

Sec. 82-2. Requirements for issuance of parking permits.

The following shall be required at the time of issuance:

(a) A valid driver's license.

(b) Proof of residency in one of the following forms shall be required for all annual parking permits:

(1) Voter Registration Card;

(2) Real Estate Tax Bill;

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- (3) Lease Agreement for a period of at least 6 consecutive months within the year of issuance;
- (4) Driver's License with current address;
- (5) Utility Bill with current address; or
- (6) Three pieces of mail with current address.

(c) Proof of employment in one of the following forms shall be required for all annual parking permits for employees and owners of businesses in accordance with Sec. 82-202:

(1) A current paycheck stub with the applicant's name.

(2) A letter signed by the owner of the business stating the applicant is currently employed at that location.

(3) A current business tax license issued by the City of St. Pete Beach that contains the applicant's name.

(d) In the event that a resident cannot produce any of the above documents, the resident will immediately be referred to a supervisor who will assist the resident by looking for other possible ways to provide satisfactory proof of residency that may be approved by the Community Development Director.

(e) Current vehicle registration shall also be required for issuance of all annual parking permits. Hang tags shall be exempt from this requirement.

(f) Payment in accordance with Appendix A of this Code.

Sec. 82-~~13~~ - Penalty.

Except as otherwise provided, anyone violating the provisions of this chapter shall be punished according to the penalties set out in F.S. § 316.655.

(Code 1960, § 24-1; Ord. No. 216, § 10; Code 1983, § 21-4)

Sec. 82-~~24~~ - Unattended motor vehicles.

No person driving or in charge of any motor vehicle, except a licensed delivery truck or other delivery vehicle making deliveries, shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key. No vehicle shall be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon.

(Code 1960, § 24-28(a); Ord. No. 216, § 4; Ord. No. 275, § 1; Ord. No. 399, § 2; Code 1983, § 21-22)

State Law reference— Similar provisions, F.S. § 316.1975.

Secs. 82-~~35~~—82-29. - Reserved.

ARTICLE II. - SPECIFIC STREET REGULATIONS^[2]

Footnotes:

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Cross reference— Streets and sidewalks, ch. 74.

DIVISION 1. - GENERALLY

Sec. 82-30. - Traffic control devices.

All traffic control devices erected and in place on all city streets within the city as of April 1, 2006 shall be deemed valid for all purposes in the location where the same have been erected, and the violation of any such device by any person shall be deemed a violation of the applicable state control law pertaining to such device.

(Ord. No. 06-14, § 1, 4-25-06)

Sec. 82-31. - One way streets.

The following streets, roadways and avenues shall be designated as one way.

- (1) East Maritana Drive between 35th Avenue and 36th Avenue.
- (2) 22nd Avenue west bound between Gulf Way and Pass-A-Grille Way.
- (3) 16th Avenue west bound between Gulf Way and Pass-A-Grille Way.
- (4) 15th Avenue east bound between Gulf Way and Pass-A-Grille Way.
- (5) 9th Avenue east bound between Gulf Way and Pass-A-Grille Way.
- (6) El Centro south bound between 37th Avenue and 35th Avenue.
- (7) 10th Avenue westbound between Pass-A-Grille Way and Gulf Way.
- (8) Alley between 16th Avenue and 17th Avenue.

(Ord. No. 98-76, § 1, 12-15-98; Ord. No. 99-40, § 1, 8-3-99; Ord. No. 06-16, § 1, 5-9-06; Ord. No. 10-06, § 1, 5-25-10; Ord. No. 10-30, § 1, 9-28-10)

Secs. 82-32—82-60. - Reserved.

DIVISION 2. - SPEED LIMITS^[3]

Footnotes:

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Editor's note—Ord. No. 02-08, § 1, adopted Feb. 19, 2002, repealed former §§ 82-61—82-65, which pertained to posting; fifteen miles per hour; twenty miles per hour; twenty-five miles per hour; thirty-five miles per hour. Section 2 of said ordinance enacted provisions designated as § 82-61 to read as herein set out. See the Code Comparative Table.

State Law reference— Speed limits generally, F.S. §§ 316.183—316.1906; municipal authority as to speed limits, F.S. §§ 316.007, 316.008(1)(j), 316.189.

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Sec. 82-61. - Speed limits.

- (a) The applicable speed limit for all city streets within the city shall be 30 miles per hour for all commercial areas and 25 miles per hour for all residential areas, unless otherwise provided by ordinance.
- (b) Notwithstanding subsection (a) hereof, the following speed limits shall be applicable on the following city streets:

20 mph:	
Gulf Way	From 1st Avenue to 22nd Avenue
44th Avenue	From Gulf Boulevard to Poinsettia Drive
41st Avenue	From Belle Vista Drive to Poinsettia Drive
Belle Vista Drive	From 39th Avenue to Oleander Way

- (c) The city manager shall post appropriate speed limit signs that meet the requirements of state law for all speed limits established in this section. All speed limits in effect at the time of adoption of this section shall remain effective unless amended hereby or hereafter by ordinance. It shall be unlawful for any person to exceed any speed limit established under this section.

(Ord. No. 02-08, § 2, 2-19-02; Ord. No. 06-14, § 2, 4-25-06)

Secs. 82-62—82-94. - Reserved.

DIVISION 3. - WEIGHT LIMITS

Sec. 82-95. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bus means any vehicle designed or operated for the transportation of persons, other than an ordinary automobile, station wagon, camper, motor home, truck as defined in this section or van with a capacity of carrying persons, rather than property, provided, further, that the carrying of luggage is not consistent with this definition.

Bus route means certain streets, as designated in this division, over and along which buses shall operate within the city during designated hours.

Deviating truck means any truck in the restricted vehicle classification which travels over a street other than a designated truck route.

Truck means any vehicle designed for the transportation of property in the following classifications:

- (1) Unrestricted vehicles (light/medium trucks) means pickups, vans and panels with a maximum length of 21 feet and a maximum gross vehicle weight (GVW) of 8,000 pounds and single-unit, single-rear-axle trucks with a maximum length of 35 feet and a maximum GVW of 35,000 pounds.
- (2) Restricted vehicles (heavy trucks) means single-unit, multi-rear-axle trucks with a maximum length of 40 feet and a maximum GVW of 60,000 pounds, including dumptrucks and concrete mixers, and all tractor-trailer and semitrailer combinations with a maximum length of 55 feet and a maximum GVW of 80,000 pounds.

Truck route means certain streets, as designated in this division, over and along which trucks in the restricted vehicle classification shall operate within the city during designated hours.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(a))

Cross reference— Definitions generally, § 1-2.

Sec. 82-96. - Truck routes and bus routes established; map.

There is established within the city a system of truck routes and bus routes as shown on a map on file in the office of the city clerk. Streets indicated as truck routes on the map, and no others, shall be used for truck traffic. The streets indicated as bus routes on the map, and no others, shall be used for bus traffic.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(b))

Sec. 82-97. - Posting of truck and bus routes; signs.

For the purpose of this division, the city manager shall cause truck routes to be clearly posted and shall cause bus routes to be clearly posted. The city manager is authorized to install appropriate signs along designated roadways to control truck operations and to control bus operations, in accordance with this division. Signs will conform to those shown in the Manual of Uniform Traffic Control Devices, and their use shall be as designated therein.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(f))

Sec. 82-98. - Enforcement; penalties.

Any person who shall violate this division shall be subject, upon conviction, to fine or imprisonment as provided in section 1-14. Such moneys, excluding those previously committed, shall be held in trust by the city for use in signing and for physical improvements to the city and to maintain facilities on the truck route system and on the bus route system.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(g))

Sec. 82-99. - Observance of truck routes and bus routes; exceptions.

- (a) All buses and all trucks in the restricted vehicles classification within the city shall be operated only over and along the bus routes and truck routes established pursuant to section 82-96.
- (b) This division shall not prohibit operation on streets of destination if authorized truck routes and bus routes are used until reaching the intersection nearest the destination point and such destination is proven upon request through possession of a valid and current delivery ticket or other dispatch order.
- (c) Authorized emergency vehicles are exempt from this division.
- (d) Detoured trucks on an officially established detour, if such trucks could lawfully be operated upon the street for which the detour is established, are exempted from this division.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(c))

Sec. 82-100. - Manner of utilization of bus routes and truck routes.

- (a) Bus traffic and truck traffic of outside origin. Bus traffic and truck traffic of outside origin shall be subject to the following:
 - (1) Inside destination point. All restricted buses and trucks entering the city for a destination point in the city shall proceed only over an established bus or truck route and shall deviate only at the intersection with the street upon which the traffic is permitted, nearest the destination point. Upon leaving the destination point, a deviating truck or bus shall return to the truck route by the shortest permissible route.
 - (2) Multiple inside destination points. All restricted buses and restricted trucks entering the city for multiple destination points shall proceed only over established bus routes or truck routes and shall deviate only at the intersection with the street upon which bus traffic or truck traffic is permitted, nearest the first destination point. Upon leaving the first destination point, a deviating truck or deviating bus shall proceed to other destination points by the shortest direction and only over truck routes or bus routes. Upon leaving the last destination point, a deviating truck or deviating bus shall return to the truck route or the bus route by the shortest permissible route.
- (b) Truck traffic or bus traffic of inside origin. Truck traffic or bus traffic of inside origin shall be subject to the following:
 - (1) Outside destination point. All restricted trucks or restricted buses on a trip originating in the city and travelling in the city for a destination point outside the city shall proceed to the nearest intersection of a designated bus route or a designated truck route and travel from that point to the city limits only over designated truck routes or designated bus routes.
 - (2) Inside designated points. All restricted buses or restricted trucks on a trip originating in the city and traveling in the city for destination points in the city shall proceed only over designated truck routes or designated bus routes.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(d))

Sec. 82-101. - Hours of operation; time of day restrictions.

Trucks and buses shall be able to travel upon truck routes or bus routes at all hours of the day unless duly authorized signs are installed limiting the hours of use on a particular street or portion of a street for either buses or trucks. Those streets which are designated as partially restricted bus routes or

truck routes shall be off limits to trucks or buses in the restricted classification during the hours of 6:00 p.m. to 6:00 a.m. Any restricted truck or restricted bus attempting to utilize a partially restricted truck route or partially restricted bus route during a restricted time period shall be regarded as a deviating truck or as a deviating bus.

(Code 1960, § 24-7; Ord. No. 273, §§ 1—4; Ord. No. 294, § 1; Ord. No. 313, §§ 1—3; Ord. No. 82-49, § 1; Code 1983, § 21-3(e))

Secs. 82-102—82-130. - Reserved.

ARTICLE III. - STOPPING, STANDING AND PARKING⁽⁴⁾

Footnotes:

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Cross reference— Streets and sidewalks, ch. 74.

State Law reference— Municipal authority relative to stopping, standing and parking, F.S. §§ 316.007, 316.008(1)(a); stopping, standing and parking generally, F.S. §§ 316.1945—316.1967.

DIVISION 1. - GENERALLY

Sec. 82-131. - Parking at Don Vista Community Center.

- (a) The parking lot at the Don Vista Community Center shall be used for parking only by permit issued to persons who are using the community center. Persons not having a permit and using the community center are prohibited from parking in the center's parking lot.
- (b) The city shall post signs which provide, in some manner or form, that the parking lot at the Don Vista Community Center is reserved for parking for a vehicle whose operator has a permit and is using the community center. The signs may also provide for no parking for persons not using the community center.

(Code 1960, § 24-35; Ord. No. 341, §§ 1—3; Code 1983, § 21-21)

Sec. 82-132. - Special restrictions for buses and taxicabs.

The operator of a bus, including a tour bus of any kind, nature or description, wherein passengers are carried through the city or a taxicab shall not stop, stand or park upon any street in any district at any place or at any time other than at a bus stop or taxicab stand, respectively. However, this section shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping, standing or parking regulations at any place for the purpose of and while engaging in the expeditious unloading or loading of passengers.

(Code 1960, § 24-28(b); Ord. No. 216, § 4; Ord. No. 275, § 1; Ord. No. 399, § 2; Code 1983, § 21-23)

Sec. 82-133. - Parking on unimproved property.

- (a) It shall be unlawful for any person to park any motor vehicle on the unimproved property of another person where such property has been posted with a notice prohibiting parking. Any person who parks any motor vehicle on the unimproved property of another person shall have the burden of proving that permission or consent therefor has been granted, either by the owner of the property or by the city manager.
- (b) Penalties for violation of subsection (a) of this section shall be assessed in accordance with section 1-14.

(Code 1983, § 21-29; Ord. No. 84-35, §§ 1, 2, 7-17-84)

Sec. 82-134. - Parking within marked parking stalls.

- (a) Parking restrictions. The following shall apply wherever the city has provided marked parking stalls, either upon city streets or upon city-maintained parking areas, except as provided in subsection (b) of this section:
 - (1) All vehicles shall only be permitted to park within the marked stalls which have been provided on such streets or parking areas.
 - (2) No vehicle shall be entitled to be parked in more than one stall at any one time, unless its overall length is greater than the length of one stall.
 - (3) A vehicle must be parked with all of its wheels inside the parked stall unless, due to overall length as provided in subsection (a)(2) of this section, the vehicle's overall length is greater than the overall length of the provided stall.
 - (4) Only two vehicles shall be parked within a single stall at any one time.
 - a. When the stall is metered parking, only a single meter fee is required; however, both occupants shall be responsible to ensure that the meter fee is paid.
 - b. This subsection shall apply to both parallel and diagonal parking stalls.
 - (5) The city manager may waive the restrictions of this section in order to allow permitted special events or under such other circumstances as are deemed appropriate in the sole discretion of the city manager.
- (b) Exceptions. The city maintains a municipal boatramp situated at West Maritana and Casablanca, in the area between 30th and 35th Avenues, where the city has marked single vehicle parking stalls and installed metered parking. The restrictions provided in subsection (a) of this section shall not be applicable to metered stalls situated in this area for vehicles towing an attached boat trailer. One vehicle with attached boat trailer may occupy two marked parking stalls and pay only a single meter fee subject to the following:
 - (1) The vehicle and trailer are physically connected in the manner normally used for towing.
 - (2) The vehicle and the trailer occupy no more than two adjacent parking stalls.
 - (3) The regular meter fee shall be paid into the meter installed where the motor vehicle is parked. When the owner or operator of a motor vehicle with a boat trailer in tow complies with subsections (b)(1) and (2) of this section, no additional simultaneous meter fee would be required for the meter serving the stall occupied by the boat trailer.
 - (4) This exception shall apply only to parallel parking stalls.

(Code 1983, § 21-30; Ord. No. 84-60, §§ 1, 2, 12-18-84; Ord. No. 90-11, § 1, 6-19-90)

Sec. 82-135. - Parking in commercial district.

- (a) For the purpose of this section, the commercial business area is defined as Eighth Avenue in its entirety, east to west.
- (b) It shall be unlawful to park any vehicle between the hours of 8:00 a.m. and ~~68~~:00 p.m. on any day in any commercial business area for a period of longer than two hours where signs are officially posted. However, the city manager shall be authorized to further limit, restrict or prohibit parking within this area by the posting of official signs. The changing of the parked position of a vehicle from one parking space directly to another parking space within either side of the same street or roadway shall be deemed one continuous parking period. Vehicles displaying a valid "D" pursuant to section 82-239 of this chapter, city code permits are exempt from the limit of two hours.
- (c) The parking of any vehicle longer than the legal period of time as posted on official signs shall be unlawful and a violation of this section. No person shall cause, allow, permit or suffer any motor vehicle to be parked beyond the lawful or legal period of time permitted by subsection (a) of this section.

(Code 1983, § 21-31; Ord. No. 87-25, § 1, 7-21-87; Ord. No. 12-08, § 1, 5-22-12)

Sec. 82-136. - Parking of boats, campers and recreational and commercial vehicles on city rights-of-way.

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 may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.

(Code 1983, § 21-31; Ord. No. 95-34, § 1, 8-15-95; Ord. No. 03-14, § 1, 8-19-03)

Sec. 82-137. - Posted restricted parking zones.

- (a) The following city streets shall require a "D" permit for parking from ~~98~~:00 a.m. to ~~58~~:00 p.m. every day on one side of the street, as designated on the city parking maps:
 - 1st Avenue between Gulf Way and Pass A Grille Way;
 - 12th Avenue thru 14th Avenue between Gulf Way and Pass A Grille Way;
 - 17th Avenue thru 20th Avenue between Gulf way and Pass A Grille Way;
 - 22nd Avenue between Gulf Way and Pass A Grille Way;
 - 25th Avenue between Sunset Way and Pass A Grille Way;
 - 27th Avenue thru 30th Avenue between Sunset way and Pass A Grille Way;
 - 37th Avenue between Gulf Blvd. and El Centro;
 - Sunset Way between 23rd Avenue and 24th Avenue;
 - Sunset Way between 28th Avenue and 30th Avenue;
 - 1st Avenue West between 31st Avenue and 32nd Avenue;
 - 32nd Avenue between Sunset Way and the beach;

~~Casablanca Avenue at Cabrillo Avenue;~~

~~West Maritana Drive between Alahambra Street and South Maritana Drive;~~

~~South Maritana Drive between West Maritana Drive and Granada Street;~~

~~Alahambra Street between West Maritana and West Debazan Avenue;~~

~~West Debazen Avenue between East Debazen and South Maritana;~~

~~Debazen Avenue between Casablanca and Alahambra Street;~~

~~East Debazen between Alahambra Street and South Debazen Avenue;~~

~~Alfanzo Street between West Maritana Drive and West Debazen Avenue;~~

~~Granada Street between East Debazen Avenue and East Maritana Drive;~~

~~Barcelona Street between Debazen Avenue and East Maritana Drive;~~

Beach Plaza between 70th Avenue and 71st Avenue; and

Pass-A-Grille Way between 7th Avenue and 3rd Avenue;

18 parking spaces on the west side of Beach Plaza between 70th Avenue and 71st Avenue.

- (b) The following city streets shall require a "D" permit for parking from ~~98~~⁵⁸:00 a.m. to ~~58~~⁵⁸:00 p.m. every day on each side of the street, as designated on the city parking maps:

2nd Avenue to 5th Avenue;

Sunset Way between 24th Avenue and 25th Avenue;

Sunset Way between 22nd Avenue and 23rd Avenue;

32nd Avenue between 1st Street West and the beach; and

One parking space on the west side of Casablanca Avenue at Cabrillo Avenue.

- (c) The following city streets shall require a "D" permit for parking at any time every day on one side of the street, as designated on the city parking maps:

~~10th Avenue between Gulf Way and the alley before Pass-A-Grille Way;~~

11th Avenue between Gulf Way and Pass-A-Grille Way;

21st Avenue between Gulf Way and Pass-A-Grille Way;

23rd Avenue between Sunset Way and Pass-A-Grille Way; ~~and~~

4 parking spaces on the south side of West Maritana Drive east of Casablanca Avenue;

36th Avenue between Gulf Boulevard and East Maritana Drive;

~~Casablanca Avenue between 37th Avenue and Pinellas Bayway; and~~

~~East Maritana Drive between 37th Avenue and Pinellas Bayway.~~

- (d) The following city streets shall require a "D" permit for parking at any time every day on each side of the street, as designated on the city parking maps:

6th Avenue between Gulf Way and Pass-A-Grille Way; and

7th Avenue between Gulf Way and Pass-A-Grille Way.

- | (e) The following city streets shall require a "B" permit for parking at any time every day on each side of the street, as designated on the city parking maps:

42nd Avenue between Belle Vista Drive and Poinsettia Drive; and

43rd Avenue between Belle Vista Drive and Moody Street.

- | (f) The following city streets shall require a "B" permit for parking from 8:00 a.m. to 5:00 p.m. every day on one side of the street, as designated on the city parking maps:

18 parking spaces on the west side of Beach Plaza between 70th Avenue and 71st Avenue.

- | (g) The following city streets shall require an "E" permit for parking from 9:00 a.m. to 5:00 p.m. every day on one side of the street, as designated on the city parking maps:

67th Avenue between Beach Plaza and Sunset Way; and

18 parking spaces on the west side of Beach Plaza between 70th Avenue and 71st Avenue.

- | (h) The following city streets shall require an "E" permit for parking from 9:00 a.m. to 5:00 p.m. every day on each side of the street, as designated on the city parking maps:

68th Avenue to 70th Avenue between Beach Plaza and Sunset Way.

Beach Plaza between 70th Avenue and 71st Avenue

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- | (i) Parking in the locations designated on the following city streets shall be limited to thirty (30) minutes, as designated on the city parking maps:

3 parking spaces on the west side Pass-A-Grille Way south from 9th Avenue;

3 parking spaces on the north side of 10th Avenue west from Pass-A-Grille Way;

1 parking space on the east side of the 800 block of Gulf Way;

1 parking space on the east side of 1300 block of Gulf Way;

1 parking space on the south side of 26th Avenue west of Pass-A-Grille Way;

3 parking spaces on the north side of 32nd Avenue west of Pass-A-Grille Way; and

the north side of the Don Vista Center.

- | (j) Parking on each side of the following city street shall be limited to two (2) hours, between the hours of 8:00 a.m. and 6:00 p.m. every day, as designated on the city parking maps:

8th Avenue between Gulf Way and Pass-A-Grille Way. Vehicles displaying a valid "D" Permit are exempt from the limit of two hours.

- | (k) Parking in the main Don Vista Center parking lot shall be prohibited unless an event is scheduled by the City at the Don Vista Center.

- | (l) Parking on the west side of Gulf Way between 9th Avenue and 10th Avenue shall be limited to employees of the public concession stand at the beach.

- | (m) Parking on one side of the following city streets shall be prohibited at any time, as designated on the city parking maps:

1st Avenue between Gulf Way and Pass-A-Grille Way;

10th Avenue to 22nd Avenue between Gulf Way and Pass-A-Grille Way;

23rd Avenue to 30th Avenue between Sunset Way and Pass-A-Grille Way;

32nd Avenue between 1st Street West and Pass-A-Grille Way;

El Centro at the Don Vista Center;

West Maritana Drive between ~~Alahambra~~Alhambra Street and South Maritana Drive;

South Maritana Drive between West Maritana Drive and Granada Street;

~~Alahambra~~Alhambra Street between West Maritana and West ~~Debazen~~Debazan Avenue;

West ~~Debazen~~Debazan Avenue between East ~~Debazen~~Debazan and South Maritana;

~~Debazen~~Debazan Avenue between Casablanca and ~~Alahambra~~Alhambra Street;

East ~~Debazen~~Debazan between ~~Alahambra~~Alhambra Street and South ~~Debazen~~Debazan Avenue;

Alfonzo Street between West Maritana Drive and West ~~Debazen~~Debazan Avenue;

Granada Street between East ~~Debazen~~Debazan Avenue and East Maritana Drive;

Barcelona Street between ~~Debazen~~Debazan Avenue and East Maritana Drive;

Casablanca Avenue between 37th Avenue and Pinellas Bayway;

East Maritana Drive between 37th Avenue and Pinellas Bayway;

Belle Vista Drive between 41st Avenue and Belle Vista Drive East;

Lido Drive between 1st Street East and Plaza Way;

36th Avenue between El Centro and East Maritana Drive;

41st Avenue between Belle Vista Drive and Poinsettia Drive;

46th Avenue between Gulf Boulevard and the east end of Lido Park;

49th Avenue;

51st Avenue between Gulf Boulevard and the beach;

51st Avenue between Gulf Boulevard and the east end;

55th Avenue between Aloha Drive and Leilani Drive;

Boca Ciega Isle Drive at the entrance;

58th Avenue between Gulf Boulevard and 2nd Street East;

64th Avenue between Gulf Winds Drive and 430 64th Avenue;

Gulf Winds Drive between 2nd St. East and 71st Avenue;

64th Avenue to 73rd Avenue between Sunset Way and Gulf Boulevard;

Sunset Way between 23rd Avenue and 24th Avenue;

Sunset Way between 25th Avenue and 26th Avenue;

Sunset Way between 29th Avenue and 30th Avenue;

Sunset Way between 64th Avenue and 67th Avenue;

1st Street West between 31st Avenue and 32nd Avenue;

Casablanca Avenue between 37th Avenue and Cabrillo Avenue; [and](#)

78th Avenue to 87th Avenue between Blind Pass Road and Boca Ciega Drive; and Corey Circle.

- (n) Parking on each side of the following city streets shall be prohibited at any time, as designated on the city parking maps:

Pass-A-Grille Way between 13th Avenue and 32nd Avenue;

14th Avenue to 20th Avenue between Pass-A-Grille Way and the east end;

30th Avenue between Sunset Way and the beach;

31st Avenue between Sunset Way and Pass-A-Grille Way;

2nd Street West;

Cabrillo Avenue;

West Maritana Drive between Casablanca Avenue and ~~Alahambra~~[Alhambra](#) Street;

Belle Vista Drive between 44th Avenue and 41st Avenue;

37th Avenue between Gulf Blvd. and east Maritana;

44th Avenue between Gulf Boulevard and Moody Street;

45th Avenue between Gulf Boulevard and 2nd Street East;

Punta Vista Drive;

Boca Ciega Isle Drive between Plaza Way and 520 Boca Ciega Isle Drive;

52nd Avenue between Gulf Boulevard and the beach;

55th Avenue between Gulf Boulevard and Aloha Drive;

Aloha Drive;

59th Avenue between Gulf Boulevard and Bimini Way;

Gulf Winds Drive between 2nd St. East and Gulf Blvd.;

64th Avenue between 1st Palm Point Street and 425 64th Avenue;

64th Avenue between Gulf Blvd. and Gulf Winds Drive;

67th Avenue between Gulf Blvd. and Gulf Winds Drive;

Sunset Way between 70th Avenue and 71st Avenue;

1st Street East between Lido Drive and 45th Avenue;

2nd St. East between Lido Drive and 45th Avenue; and

2nd St. East between 60th Avenue and Gulf Winds Drive.

- (o) Parking on one side of the following city streets shall be limited to the time for which payment of the parking fee has been made, between the hours of 8:00 a.m. and 8:00 p.m. every day, as designated on the city parking maps:

Pass-A-Grille Way between 1st Avenue and 7th Avenue;

Casablanca Avenue between Pinellas Bayway and Cabrillo Avenue;

51st Avenue between Gulf Boulevard and the beach;

67th Avenue between Beach Plaza and Sunset Way;

Sunset Way between 68th Avenue and 70th Avenue;

Gulf Winds Drive between 64th Avenue and 2nd St. East;

64th Avenue between Gulf Blvd. and Sunset Way;

Sunset Way between 64th Avenue and 66th Avenue; and

66th Avenue between Gulf Blvd. and Sunset Way.

- (p) Parking on each side of the following city streets shall be limited to the time for which payment of the parking fee has been made, between the hours of 8:00 a.m. and 8:00 p.m. every day, as designated on the city parking maps:

Gulf Way;

Pass-A-Grille Way between 7th Avenue and 12th Avenue unless otherwise posted; and

Beach Plaza between 67th Avenue and 70th Avenue.

- (q) Parking on the north side of 10th Avenue between Gulf Way and Pass-A-Grille Way shall require a "D" permit for parking at any time every day, or shall be limited to patrons of the museum, unless otherwise posted, as designated on the city parking maps.

- (r) Parking on the following city streets and parking lots shall be limited as hereafter designated, as shown on the city parking maps:

Lazarillo Park-Parking shall be for park users only;

Lido Park-45th Avenue Lot-Parking shall be for park users only;

Lido Park-46th Avenue Lot-Parking shall be for park users only, with the exception of four parking spaces designated "B" Permit Required from ~~89~~:00 a.m. to ~~58~~:00 p.m.;

Don Boat Ramp-"D" Permit or "B" Permit required with attached boat trailer, or any vehicle with attached boat trailer subject to payment of designated parking fee from 8:00 a.m. to 8:00 p.m.;

County Park-Parking is subject to payment of designated parking fee at any time;

44th Avenue Parking Lot-Five parking spaces designated "B", "D", or "E" Permit required; Two parking spaces designated "B" Permit Required "3" hour limit; One parking space designated "3" hour limit;

Ron McKenney Park-Parking shall be for park users only;

Sunset Park - "B" Permit required from ~~89~~9:00 a.m. to ~~58~~8:00 p.m. on the waterfront side;

Egan Park/Captiva Circle:

North side: No parking

East side: Two waterfront parking spaces designated "Car parking only ~~24-hour~~24-hour limit"; 16 waterfront parking spaces designated "Vehicle with attached boat trailer only" and subject to payment of designated parking fee at anytime. Parking fee and vehicle with boat trailer attached restriction waived during adult softball games for the six southernmost waterfront spaces.

South Side-East end of Captiva Circle: Four parking spaces designated "No vehicle with boat trailer attached parking at anytime." South Side of Captiva Circle-Designated "No Parking Anytime."

Egan Park gravel parking lot-"B" permit required for Vehicle with attached boat trailer."

Don Vista Parking Lot:

South side: Don Vista parking only, and

North side: 15 spaces, Don Vista parking only.

- (s) Parking in the locations designated on the following city streets shall be limited to 15 minutes, as designated on the city parking maps:

Corey Avenue parking spaces directly in front of the Post Office.

- (t) The following city streets shall require a "B" permit for parking from 9:00 a.m. to 5:00 p.m. Saturdays, Sundays and holidays on one side of the street, as designated on the city parking maps:

Gulf Winds Drive between 64th Avenue and Bay St; and

64th Avenue between Gulf Winds Drive and First Palm Point.

- (u) The following city streets shall require a "B" permit for parking from 9:00 a.m. to 9:00 p.m. Saturdays, Sundays and holidays on each side of the street, as designated on the city parking maps:

64th Avenue between 425 64th Avenue and the east end of 64th Avenue;

67th Avenue between Gulf Winds Drive and Bay St;

Bay St. between Gulf Winds Drive and 64th Avenue; and

First through Fourth Palm Points Streets.

- (v) The following city streets shall require a "C" permit for parking at any time every day on one side of the street, as designated on the city parking maps:

East Maritana Drive between 37th Avenue and Pinellas Bayway;

Casablanca Avenue between 37th Avenue and Pinellas Bayway;

36th Avenue between Gulf Blvd and East Maritana Drive;

East Debazan Avenue in its entirety;

West Maritana Drive from Casablanca Avenue to South Maritana Drive;

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Casablanca Avenue at Cabrillo Avenue;

West Maritana Drive between Alhambra Street and South Maritana Drive;

South Maritana Drive between West Maritana Drive and Granada Street;

Alhambra Street between West Maritana and West Debazan Avenue;

West Debazan Avenue between East DebazanDebazan and South Maritana;

Debazan Avenue between Casablanca and Alhambra Street;

East Debazan between Alhambra Street and South Debazan Avenue;

Alfonzo Street between West Maritana Drive and West Debazan Avenue;

Granada Street between East Debazan Avenue and East Maritana Drive;

Barcelona Street between Debazan Avenue and East Maritana Drive; and

Don Jose Street between South Debazan Avenue and South Maritana Drive.

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(Ord. No. 07-18, § 1, 6-12-07; Ord. No. 07-35, §§ 1—8, 10-23-07; Ord. No. 08-43, §§ 1—3, 12-16-08; Ord. No. 09-08, §§ 1, 2, 5-26-09; Ord. No. 10-07, §§ 1—5, 5-25-10; Ord. No. 10-19, §§ 1—3, 7-27-10; Ord. No. 11-02, § 1, 1-25-11; Ord. No. 11-11, § 1, 4-26-11; Ord. No. 12-07, §§ 1—7, 5-22-12; Ord. No. 12-09, § 1, 6-26-12; Ord. No. 14-03, § 1, 4-22-14; Ord. 14-07, §§ 1—4, 9-10-14; Ord. No. 15-03, § 11, 5-26-15)

Secs. 82-138—82-165. - Reserved.

DIVISION 2. - ENFORCEMENT

Sec. 82-166. - Separate offenses for overtime or prohibited parking.

Any overtime parking or parking prohibited violation shall constitute a separate offense for every two hours that the motor vehicle remains in violation of such parking regulation. Any officer may ticket a motor vehicle parked in violation of this article or other city parking ordinances for each successive two-hour violation.

(Code 1960, § 24-28(d); Ord. No. 216, § 4; Ord. No. 275, § 1; Ord. No. 399, § 2; Code 1983, § 21-24)

Sec. 82-167. - Notice on illegally parked vehicle.

- (a) Whenever any motor vehicle without driver is found parked, stopped or standing in violation of any of the restrictions imposed by ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user. The officer shall conspicuously affix to such vehicle a traffic citation or notice in writing for the driver to answer the charge within such time specified on the traffic citation or notice and at such place as designated on the traffic citation or notice.

- (b) Any person issued a parking ticket by an officer shall be deemed to be charged with a noncriminal violation and shall comply with the directions on the ticket. A civil penalty in the amount set forth in section 82-171 of this chapter shall be imposed against the person issued the ticket. If payment is not received or a response to the ticket is not made within the time period specified on the ticket, the city shall notify the registered owner of the vehicle which was cited, by mail to the address given on the motor vehicle registration, of the ticket. Mailing the notice to this address shall constitute notification. Upon notification, the registered owner shall comply with the city's directive. Any person who fails to satisfy the city's directive shall be deemed to waive the right to pay the applicable civil penalty. Notwithstanding the foregoing, the city may take any action deemed necessary to collect any outstanding civil penalties against any person, in any manner allowed by law. The city manager or his/her designee may dismiss parking citations under certain extenuating circumstances. These circumstances may include, but are not limited to, an improperly displayed permit or meter receipt when a valid permit or receipt is later produced, disabled vehicle, verified official city business, ambulance transport, ~~police~~ Sheriff's department undercover vehicles, utility service providers, or verified meter malfunction.
- (c) Any person who elects to appear before a designated official to present evidence shall be deemed to have waived his right to pay the civil penalty provisions of the ticket. The official, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a civil penalty not to exceed \$100.00 plus court costs. Any person who fails to pay the civil penalty within the time allowed by the court shall be deemed to have been convicted of a parking ticket violation, and the court shall take appropriate measures to enforce collection of the fine.

(Code 1960, §§ 24-28(c), 24-29; Ord. No. 216, §§ 4, 5; Ord. No. 275, § 1; Ord. No. 399, § 2; Ord. No. 80-35, § 1; Code 1983, § 21-25; Ord. No. 85-25, § 1, 5-7-85; Ord. No. 2004-27, § 1, 11-23-04)

State Law reference— Parking tickets, F.S. §§ 316.1967, 316.650.

Sec. 82-168. - Evidentiary presumption.

- (a) In any prosecution charging a violation of any section of this article or any ordinance governing the stopping, standing, parking or operating of a vehicle, proof that the particular vehicle described in the complaint was parked or operated in violation of any such ordinance or regulation, together with proof that the defendant named in the complaint was at the time of such parking or operating the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who stopped, stood, parked or operated such vehicle at the point where and for the time during which such violation occurred.
- (b) The owner of a vehicle is responsible and liable for payment of any parking ticket violation unless the owner can furnish evidence that the vehicle was, at the time of the parking violation, in the care, custody, or control of another person. In such instances, the owner of the vehicle is required, within a reasonable time after notification of the parking violation, to furnish to the city an affidavit setting forth the name, address, and driver's license number of the person who leased, rented or otherwise had the care, custody or control of the vehicle. The affidavit submitted pursuant to this subsection shall be admissible in a proceeding charging a parking ticket violation and shall raise the rebuttable presumption that the person identified in the affidavit is responsible for payment of the parking ticket violation. The owner of a vehicle is not responsible for a parking ticket violation if the vehicle involved was, at the time, stolen or in the care, custody or control of some person who did not have permission of the owner to use the vehicle.

(Code 1960, § 24-30; Ord. No. 216, § 6; Code 1983, § 21-26)

State Law reference— Similar provisions, F.S. § 316.1967(1).

Sec. 82-169. - Parking violation hearings.

- (a) A hearing may be requested by the person receiving a citation under this division of the cited vehicle's registered owner for the purpose of presenting evidence before a traffic hearing officer concerning an alleged parking violation. Any person requesting a hearing shall execute a statement on a form prepared by the city indicating his or her willingness to appear at such hearing at a time and place specified thereon. If a hearing is not requested, in writing, within 15 days of the issuance of the citation, the right to a hearing shall be deemed waived and no further hearing on the violation shall be required. The city commission shall designate one or more hearing officers from time to time to conduct hearings as provided herein. Said hearing officers shall be attorneys, members in good standing of the Florida Bar and shall have been practicing law in the State of Florida for at least five years.
- (b) All hearings under this section shall be conducted insofar as practical in accordance with the Florida Evidence Code. However, the general nature of the hearing shall be conducted in an informal manner. All irrelevant, immaterial or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonable and prudent persons in the conduct of their affairs shall be admissible whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form and all testimony of parties and witnesses shall be made under oath. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding, unless it would be admissible over objection in civil actions. Any interested party or person may make application and upon good cause shown may be allowed by the hearing officer, in the reasonable exercise of such officer's discretion, to intervene in a pending proceeding. At the conclusion of the hearing, the hearing officer may dismiss the citation or issue an appropriate fine in accordance with this division. All orders shall be in writing and shall be signed and dated by the hearing officer. Such fine may be collected by the city in any manner allowable by law. An order of the hearing officer may be appealed by any party receiving an adverse ruling by filing a petition for writ of certiorari in the circuit court within 30 calendar days from the date the order was issued.

(Code 1960, § 24-31; Ord. No. 216, § 7; Code 1983, § 21-28; Ord. No. 04-27, § 2, 11-23-04)

Sec. 82-170. - Notice of excessive parking violations to state.

The clerk of the court or the traffic violations bureau shall supply the state department of highway safety and motor vehicles with a magnetically encoded computer tape reel or cartridge or send by other electronic means data which is machine readable by the installed computer system at the department, listing persons who have three or more outstanding parking violations, including violations of F.S. § 316.1955 or F.S. § 316.1956. The state department of highway safety and motor vehicles shall mark the appropriate registration records of persons so reported. The provisions of F.S. § 320.03(8) shall apply to each person whose name appears on such list.

State Law reference— Authority to adopt, F.S. § 316.1967(6).

Sec. 82-171. - Fines for violations.

The following fines shall be charged for certain parking violations:

		After 15 days
(1) Overtime parking	\$30.00	\$45.00

(2) Improper parking	\$30.00	\$45.00
(3) Double parking	\$40.00	\$55.00
(4) No parking zone	\$30.00	\$45.00
(5) Motor running, unattended	\$30.00	\$45.00
(6) Keys in ignition	\$30.00	\$45.00
(7) Other	\$30.00	\$45.00
(8) Parking for space reserved for disabled persons:	\$255.00	\$270.00
(9) Parking in front of fire hydrant:	\$100.00	\$115.00
(10) Parking on streets or lots restricted to specific permit parking:	\$40.00	\$55.00

(Code 1960, § 24-28.1; Ord. No. 409, § 1; Ord. No. 82-43, § 1; Code 1983, § 21-27; Ord. No. 84-41, § 1, 9-5-84; Ord. No. 84-59, § 1, 12-4-84; Ord. No. 85-35, § 1, 8-6-85; Ord. No. 86-14, § 1, 6-3-86; Ord. No. 86-49, § 1, 10-21-86; Ord. No. 99-45, § 1, 8-17-99; Ord. No. 01-40, § 1, 11-20-01; Ord. No. 09-27, § 1, 10-27-09; Ord. No. 11-27, § 1, 9-27-11)

State Law reference— Parking in space reserved for disabled person, F.S. §§ 316.1955, 316.1956.

Secs. 82-172—82-200. - Reserved.

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 the deposit of a coin of United States currency of the designated denomination.

(Code 1960, § 24-27; Ord. No. 216, § 3; Code 1983, § 21-41(a); Ord. No. 85-47, § 1, 9-17-85)

Sec. 82-202. — ~~“B”~~ Parking decals.

- (a) ~~"B"~~ Parking decals, exempting the holder from parking meter fees, may be issued to the following persons:
- (1) Any resident of the city as defined in Sec. 82-1, or nonresident owning property within the city may purchase a parking decal for a fee established by resolution of the city commission and listed in appendix A to this Code.
 - (2) Any nonresident of the city may purchase a parking decal for a fee established by resolution of the city commission and listed in appendix A to this Code.
 - (3) City employees, board members and volunteers shall be provided with one free parking decal for their personal use by the city manager. Non-resident city employees may purchase one additional decal at the resident rate.
- (b) Not more than two parking decals shall be issued per dwelling as defined in Sec. 82-1, for any class of persons described in subsection (a) of this section. Decals shall not be transferrable.
- (c) Parking decals shall be valid from January 1 through December 31 of each year. The purchase price of a parking decal shall not be prorated or reduced if the parking decal is purchased after January 1.
- (d) The city manager shall establish rules and regulations regarding the use of parking decals.

(Ord. No. 82-32, §§ 1—4; Ord. No. 83-15; Code 1983, § 21-43; Ord. No. 85-60, § 1, 12-3-85; Ord. No. 95-42, § 1, 10-17-95; Ord. No. 03-05, § 1, 2-18-03)

State Law reference— User fee authorized, F.S. § 166.201.

Sec. 82-203. - Parking permits.

- (a) Gulf Way and Eighth Avenue. "A" Parkinghang tag permits may be issued for Gulf Way and Eighth Avenue as follows:
- (1) Each owner of real property legally used as a residence or lodging in Pass-a-Grille, which abuts a street upon which the city has installed parking meters along the frontage of that real property or Eighth Avenue is entitled to purchase a permit exempting the holder thereof from the payment of parking meter fees anywhere within the Pass-a-Grille area.
 - (2) Incorporated by reference in this subsection is exhibit B to this section, which was first adopted by Ordinance 2009-28. It is on file in the city clerk's office, ~~and -which~~ is a survey of "decals permits needed" for houses and apartments having street addresses on Gulf Way from First Avenue to 22nd Avenue and Eighth Avenue. Each owner of real property as set forth in exhibit B shall be entitled to purchase, at a cost established by resolution of the city and listed in appendix A to this Code, the following:
 - a. A number of decals-permits equal to one-half of the number of the indicated "decals permits needed" per house or apartment.
 - b. Additional decals-permits up to the total number of units.
 - c. If a street address has only one unit, a decal-permit may be purchased for that unit.
 - d. Notwithstanding the provisions of exhibit B as cited above, each property on Gulf Way is entitled to a minimum of two decalspermits.
 - ~~(3) Each property that qualifies under this subsection shall be authorized to receive as many permits as are necessary to meet the off-street parking requirements as provided in division 9 of article VI of chapter 134. The purpose of this restriction is to see that each property has available off-street and on-street parking together to meet the requirements of division 9 of article VI of chapter 134.~~

(43) These permits shall be controlled in such a way to restrict their use only to the property owners and bona fide guests residing on the property subject to receipt of the permits.

(54) Permits shall be valid for the period from January 1 through December 31 of each year or any part thereof. Permits shall be renewed annually, and the city official administering this subsection shall maintain books and records on the collection of fees and issuance of permits.

(65) Only vehicles displaying a permit obtained under this subsection shall be exempt from parking meter fees in the areas designated by this subsection. Vehicles displaying the permits issued under this subsection shall be entitled to park without payment of meter fees at parking metered spaces within Pass-a-Grille only.

(76) The city may adopt reasonable rules and regulations necessary for the administration and enforcement of this subsection and may amend the survey referred to in subsection (a)(2) of this section from time to time as may be necessary or appropriate.

(b) (4) Vehicles utilized by persons attending services at the Pass-a-Grille Community Church shall be exempt from parking meter fees on 16th Avenue in Pass-a-Grille on Sundays between the hours of 7:00 a.m. and 1:00 p.m., and at such other times as specifically authorized by the city manager.

The Pass-a-Grille Community Church may also purchase temporary "B" hang tag -at the cost of \$2.00 per permit. These permits shall exempt persons attending services at the Pass-a-Grille Community Church from parking fees at meters on Sundays between the hours of 7:00 a.m. and 1:00 p.m.

Permits shall be valid for the period from January 1 through December 31 of each year or any part thereof. Only vehicles displaying a permit obtained under this subsection shall be exempt from parking meter fees at metered spaces and shall be valid at parking meters between First Avenue and Twenty-First Avenue.

(c) (b) "B" Hang Tag Permits for Employees permits for of on-premises businesses in Pass-a-Grille. Employee permits for on-premises businesses in Pass-a-Grille shall be issued as follows:

- (1) The owner or his agents of any business operated on premises located only in the Pass-a-Grille area and south of 31st Avenue or the owner or his agents of any business operated on premises having frontage on Beach Plaza shall be entitled to purchase parking permits for full-time or part-time employees per calendar month for each permit purchased. The cost of the permit shall be established by resolution of the city commission and is listed in appendix A to this Code.
- (2) Permits shall be valid from the date of purchase to the same date of the next succeeding month. They shall not be prorated. The date of purchase shall be plainly stamped on each permit.
- (3) Permits shall be displayed in accord with regulations adopted by the city, and when so displayed shall exempt the holder thereof from parking meter fees only during those hours when the holder is actively engaged in his employment on the eligible premises.
- (4) The city shall adopt such reasonable rules and regulations as may be necessary to administer and to enforce this subsection.
- (5) To be eligible to obtain a parking permit in accord with this subsection, the owner or his agent shall furnish a valid city occupational license showing the existence of an on-premises business located within the areas designated in this subsection.
- (6) Any owner or his agent who permits use of the parking permits authorized in this subsection in violation of this subsection or in violation of any administrative rules or regulations shall be denied eligibility to purchase such permits for a period of one year following a finding of such violation, after hearing before the city manager.

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(ed) "M" Hang Tag Permits for ~~W~~watersport businesses at Merry Pier. Operators of commercial watersports business, who possess a current and valid occupational license for such business at the Merry Pier, may purchase one-day parking permits from the city for resale at the same price to their legitimate customers. The cost of the permits shall be established by resolution of the city commission and is listed in appendix A to this Code. Proper display of such permit will only exempt the permit holder from payment of parking meter fees in Pass-a-Grille when engaged in a commercial watersport through a vendor at the Merry Pier for the date which appears on the face of the permit. The parking permit must be properly displayed.

(de) "E" Hang Tag Permits for Gulfwinds Condominium, Friendly Native Condominium and Ramar Apartments and Starlight Towers Condominium. Parking permits for Gulfwinds Condominium, Friendly Native Condominium, ~~and~~ Ramar Apartments and Starlight Towers Condominium shall be obtained as follows:

(1) Issuance of permits shall be subject to the following:

a. The record title owner of a condominium unit at the Gulfwinds Condominium or Friendly Native Condominium or the lessee under written lease with a term of not less than one year for a unit at the Gulfwinds Condominium, Friendly Native Condominium, ~~or~~ Ramar Apartments, ~~or Starlite Towers Condominium~~ may purchase one permit per each bedroom of the unit exempting the holder thereof from the payment of parking meter fees within the Upham Beach Area and shall allow the holder to park within spaces marked "B permit parking only" anywhere within the Upham Beach area, defined as the following: 6700-6900 Sunset Way; 6700-7000 Beach Plaza; 67th, 68th, 69th & 70th Avenues. ~~The permit issued to the record title owner of a unit at the Gulfwinds Condominium shall allow the holder thereof to park within spaces marked "permit parking only" which are contiguous to the Gulfwinds Condominium.~~

b. ~~The permit issued to the record title owner of a unit at the Friendly Native Condominium shall permit the holder to park within the spaces marked "permit parking only" which are contiguous to the Friendly Native Condominium.~~

c. ~~The permit issued the lessee of the Ramar Apartments, located at 6951 Beach Plaza, shall exempt the holder of such permit from the payment of parking meter fees within the southern boundary of 67th Avenue, the west boundary of Beach Plaza, the southern side of 70th Avenue between Beach Plaza and Sunset Way and both the northern and southern sides of 69th Avenue and 68th Avenue between Beach Plaza and Sunset Avenue.~~

d. ~~The Starlight Towers Condominium, located at 7000 Beach Plaza, is entitled to purchase permits exempting the holders of such permits from the payment of parking meter fees within the west boundary of Beach Plaza between 70th Avenue and 71st Avenue. The city shall decide how many parking decals are to be provided to Starlight Towers Condominium.~~

(2) The record title owner of a unit entitled to issuance of permits under this subsection may purchase permits at a cost established by resolution of the city commission and listed in appendix A to this Code.

(3) The holder of a permit shall allow it to be used only by himself or by his bona fide guests.

(4) Permits shall be valid for the period from January 1 through December 31 of each year. The purchase price shall not be prorated.

(5) The city may adopt reasonable rules and regulations deemed necessary for the administration and the enforcement of this subsection.

(6) The parking spaces which are contiguous to the Gulfwinds and the parking spaces which are contiguous to the Friendly Native Condominiums located on 67th, 68th and 69th Avenues marked "B permit parking only" shall be restricted to the use by appropriate holders of the permits issued under this subsection between the hours of 98:00 a.m. and 58:00 p.m. every day.

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(7) Any person who violates this subsection shall be penalized pursuant to section 1-14 relating to violations of city ordinances and relating to violations of persons illegally parked. Additionally, vehicles improperly parked may be towed and stored at the expense of the owner.

(ef) "B" Hang Tag Permits for Pass-a-Grille businesses: Business owners with valid occupational licenses in the Pass-a-Grille area will be permitted to purchase two ~~hanging-hang tag~~ permits per year. These permits will be used by patrons of the businesses only during actual business hours. ~~(Fees for such permits are provided for in Appendix A Fee Schedule.)~~

(Code 1960, § 2-27.1; Ord. No. 427, §§ 1—4; Code 1983, § 21-44; Ord. No. 84-38, §§ 1—3, 9-18-84; Ord. No. 85-3, §§ 1—3, 2-5-85; Ord. No. 85-18, §§ 1—3, 4-16-85; Ord. No. 85-41, § 1, 8-20-85; Ord. No. 85-58, § 1, 12-3-85; Ord. No. 86-3, § 1, 3-4-86; Ord. No. 86-17, § 1, 6-17-86; Ord. No. 86-32, § 1, 8-19-86; Ord. No. 87-6, § 1, 3-3-87; Ord. No. 88-28, § 1, 7-19-88; Ord. No. 90-23, § 1, 9-18-90; Ord. No. 91-14, § 1, 6-4-91; Ord. No. 94-36, § 1, 9-6-94; Ord. No. 97-24, § 1, 9-16-97; Ord. No. 03-05, § 2, 2-18-03; Ord. No. 09-28, § 1, 10-27-09)

State Law reference— User fees authorized, F.S. § 166.201.

Sec. 82-204. - Waiver on Gulf Way and west side of Beach Plaza.

The city manager is authorized to waive the prohibition against parking at meters between 9:00 p.m. and 7:00 a.m. along Gulf Way and the west side of Beach Plaza when the city manager determines that such waiver is necessary to carry out a nonprofit civic or charitable event.

(Code 1983, § 21-45; Ord. No. 85-38, § 1, 8-20-85)

Sec. 82-205. - Rates generally.

Parking meter rates charged at all city parking meters shall be established by resolution of the city commission and are listed in appendix A to this Code.

(Code 1960, § 24-26; Ord. No. 80-36, § 2; Code 1983, § 21-42; Ord. No. 85-19, § 1, 5-7-85; Ord. No. 90-23, § 1, 9-18-90)

State Law reference— User fees authorized. F.S. § 166.201; exemption for certain vehicles transporting handicapped persons, F.S. § 316.1964.

Sec. 82-206. - Use of U.S. coins; damaging meters.

It is unlawful for any person to deposit or attempt to deposit in any parking meter anything other than a lawful coin of the United States or any coin that is bent, cut, torn, battered or otherwise misshaped. It is unlawful for any unauthorized person to remove, deface, tamper with, open, willfully break, destroy or damage any parking meter, and no person shall willfully manipulate any parking meter in such a manner that the indicator will fail to show the correct amount of unexpired time before a violation.

(Code 1960, § 24-27; Ord. No. 216, § 3; Code 1983, § 21-41(c); Ord. No. 85-47, § 1, 9-17-85)

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

Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted and with the front end of such vehicle immediately opposite the parking meter for such space.

(Code 1960, § 24-27; Ord. No. 216, § 3; Code 1983, § 21-41(b); Ord. No. 85-47, § 1, 9-17-85)

Sec. 82-208. - Free parking for special events.

The city commission may, by resolution, allow free parking at any or all of the metered parking spaces during special events or special occasions. The allowing of free parking for one special event or special occasion shall not constitute precedence for allowing free parking at any other time or for any other reason.

(Code 1960, § 24-27; Ord. No. 216, § 3; Code 1983, § 21-41(d); Ord. No. 85-47, § 1, 9-17-85)

Secs. 82-209—82-235. - Reserved.

DIVISION 4. - RESIDENTIAL PARKING PERMITS

~~Sec. 82-236.—Definitions.~~

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:-~~

~~Commuter vehicle means a motor vehicle parked in a residential area by a person who is not a resident of the designated residential area.~~

~~Controlled parking residential area means a contiguous or nearly contiguous area containing streets or parts thereof primarily abutted by property which has a specific residential zone designation on the official zoning map and which is designated for restricted residential parking by the city manager, pursuant to criteria and procedures established in this division.~~

~~Dwelling means a room or group of rooms forming a single independent habitable unit used for or intended to be used for living, sleeping, sanitation, cooking, and eating purposes by one family only; for owner occupancy or for rental, lease, or other occupancy other than tourist lodging; and containing independent kitchen, sanitary and sleeping facilities. A dwelling does not include motels, hotels and mobile homes, whether mobile or located in a stationary fashion as when on blocks or other foundations.~~

~~Resident means a person who owns or leases real property within a residential area and who maintains either a voting residence or bona fide occupancy or both at that address, as evidenced by a voter's registration card, real estate tax bill, lease agreement, or other proof of residency satisfactory to the city.~~

~~Residential parking permit means a special permit issued under this division for the privilege of parking on a street designated as a "controlled parking residential area."~~

(Code 1983, § 21-47; Ord. No. 84-44, § 2, 9-5-84; Ord. No. 95-41, § 1, 10-17-95)

~~Cross reference — Definitions generally, § 1-2.~~

Sec. 82-237. - Findings of fact; declaration of public interest.

The city commission finds and declares that:

- (1) It is in the best interests of the residents of the city to reduce vehicular congestion on residential streets and to facilitate the efficient movement of traffic by providing for residential parking preference during certain hours of the day, within certain areas of the city which meet the criteria set forth in this division;
- (2) Residential permit parking regulation is necessary to promote the health, safety and welfare of the residents of the city by providing adequate parking spaces adjacent to or close by the places of residence of such residents;
- (3) It is in the public interest to:
 - a. Reduce hazardous traffic conditions resulting from the use of streets located within congested residential areas for the parking of vehicles by persons using such residential areas to gain access primarily to the sand beaches, but also to other places;
 - b. Protect those areas from excessive noise;
 - c. Protect the residents of those areas from unreasonable burdens in gaining access to their residences;
 - d. Preserve the character of those areas as residential districts;
 - e. Promote efficiency in the maintenance of these streets in a clean and safe condition;
 - f. Preserve the value of the property in those areas;
 - g. Preserve the safety of children and other pedestrians; and
 - h. Promote traffic safety, clean air and the comfort, health, convenience and welfare of the inhabitants of the city.

(Code 1983, § 21-46; Ord. No. 84-44, § 1, 9-5-84)

Sec. 82-238. - Penalties.

Whoever violates this division shall be penalized pursuant to section 1-14 relating to violation of city ordinances, and persons illegally parked pursuant this division shall be fined in the manner provided in this chapter for illegal parking and their vehicles may be towed and stored at the owner's expense.

(Code 1983, § 21-53; Ord. No. 84-44, § 8, 9-5-84)

Sec. 82-239. - Designation of controlled parking residential areas.

The city manager, ~~through his authorized representative in the police department,~~ is authorized to designate "controlled parking residential areas" by appropriate signs and the recording thereof on an appropriate city map or plat in which the parking of vehicles may be restricted on public streets at certain times during the day only to vehicles bearing a valid residential parking permit issued pursuant to this division. This authority shall be in addition to any other authority of the city to regulate the times and conditions of motor vehicles parking on public streets.

(Code 1983, § 21-48; Ord. No. 84-44, § 3, 9-5-84)

Sec. 82-240. - Eligibility and criteria for establishment of controlled parking residential areas.

- (a) A residentially zoned area shall be deemed eligible for designation as a controlled parking residential area for residential permit parking if parking therein is impacted by commuter vehicles during any hours of any day.
- (b) The following objective criteria are established to be used in evaluating the need for restricted parking in a residentially zoned area in accordance with this section. For an area, however big or small, to be eligible for residential permit parking, that area must meet the following criteria:
 - (1) During any period of the day, the number of vehicles legally or illegally parked or standing on the streets in the area is equal to 50 percent or more of the legal on-street parking capacity of the area. For purposes of this criterion, a legal parking space shall be 20 linear feet, measured parallel to the curb or pavement edge.
 - (2) During the same period as in subsection (b)(1) of this section, 25 percent or more of the vehicles parking or standing on the streets in the area are not registered in the name of persons residing in the area. For purposes of this criterion, the latest available information from the state department of highway safety and motor vehicles regarding registration of motor vehicles shall be used.
 - (3) In determining whether an area identified as impacted and eligible for residential permit parking shall be designated as a controlled parking residential area, the following factors shall be considered:
 - a. The local needs with respect to clean air and environment in residential areas.
 - b. The possibility of a reduction in total vehicle miles driven in the city.
 - c. The likelihood of alleviating traffic congestion, illegal parking and related health and safety hazards.
 - d. The proximity of public transportation to the residential area.
 - e. The desire and need of the residents for residential permit parking.
 - f. The need for parking regulation to maintain the residential character of the neighborhoods.

(Code 1983, § 21-49; Ord. No. 84-44, § 4, 9-5-84; Ord. No. 91-10, § 1, 5-7-91)

Sec. 82-241. - Procedure for determining controlled parking residential areas.

- (a) In order to determine whether a particular area should be designated as a controlled parking residential area, the city commission can request or the city manager may conduct, upon his own initiative or upon a petition of a majority of the households on a proposed residential block addressed to the city manager, a study to determine if the proposed area meets the criteria set forth in section 82-240. Following the study, the city manager shall determine whether to designate the proposed area under consideration as a controlled parking residential area or to remove the designation of a previously established controlled parking residential area. The city commission may also request the city manager to designate an area as a controlled parking residential area based upon a study previously conducted, if the criteria set forth in section 82-240 are met.
- (b) If the city manager finds the criteria to designate have been met in a controlled parking residential area during the hours between 9:00 a.m. and 5:00 p.m., he shall cause the regulation to be recorded upon an appropriate map of the city and retained permanently in the office of the city clerk. If the city manager finds the criteria to designate have been met in a controlled parking residential area between the hours of 5:00 p.m. and 9:00 a.m., the findings shall be submitted to the city commission for approval by resolution, and the city manager shall then cause the regulation to be recorded upon an appropriate map of the city and retained permanently in the office of the city clerk. In addition, the city manager shall cause parking signs to be erected upon public streets in the area, indicating the times, locations and conditions upon which parking shall be by permit only. When an area has been approved, designated and posted as a controlled parking residential area, it shall be unlawful and a

violation of this section to park a vehicle in an area restricted to decal parking only, without having a valid residential parking permit displayed according to the administrative regulations.

(Code 1983, § 21-50; Ord. No. 84-44, § 5, 9-5-84; Ord. No. 85-59, § 1, 12-3-85; Ord. No. 91-10, § 1, 5-7-91)

Sec. 82-242. - Special parking permits.

- (a) Following the official designation of a controlled parking residential area, the city, through the ~~police~~Sheriff's department, shall issue appropriate residential parking permits. ~~Upon application, a~~ permit shall be issued only to the owner or operator of a motor vehicle who resides in the controlled parking residential area ~~in which he resides.~~
- ~~(b) The application for a permit shall contain the name of the owner or operator of the motor vehicle; the residential address; and the motor vehicle's make, model and registration number. The motor vehicle's registration may, at the discretion of the police department, be required at the time of making application in order to verify the contents. If the vehicle is registered at an address other than the local residence, the applicant shall provide other sufficient proof, acceptable to the police department, showing residency within the controlled residential parking area. The permit shall be valid for a calendar year and shall be renewed for each successive calendar year. A fee established by resolution of the city commission and listed in appendix A to this Code, payable at the office designated by the city, shall be charged for the annual permit. Permits shall expire on December 31. After the initial permit has been issued, any renewal thereof shall be affixed to the vehicle no later than January 1 of the calendar year for which the renewal permit is issued.~~

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(Code 1983, § 21-51; Ord. No. 84-44, § 6, 9-5-84; Ord. No. 87-23, § 1, 7-7-87)

Sec. 82-243. - Privileges and restrictions on permits.

- (a) The holder of a residential parking permit shall be permitted to stand or park a motor vehicle displaying the permit and operated by him in any designated residential controlled parking area during such times and places as the parking of motor vehicles therein is permitted. While a vehicle for which a residential parking permit has been issued is so parked, such permit shall be permanently affixed on the left rear bumper of the vehicle. A residential parking permit shall not guarantee or reserve to the holder of the permit a parking space within a designated controlled parking residential area.
- (b) A residential parking permit shall not authorize the holder to stand or park a motor vehicle in such places or during such times as the stopping, standing or parking of a motor vehicle is prohibited or set aside for specified types of vehicles, nor shall it exempt the holder from the observance of any traffic regulation within the controlled parking residential area.
- (c) No person, other than the permittee named on the permit, shall use the residential parking permit or display it on a vehicle operated or parked, and any such use or display by a person other than the permittee shall constitute a violation of this division by the permittee and by the person who so used or displayed such parking permit.
- (d) It shall constitute a violation of this division for any person to falsely represent himself as eligible for a residential parking permit or to furnish any false information ~~in an application~~ to obtain a residential parking permit.
- (e) The city, ~~through the police department,~~ is authorized to revoke the residential parking permit of any permittee found to be in violation of this division and, upon written notification thereof, the permittee

shall surrender such permit to the ~~police department~~city. Failure, when so requested, to surrender a residential parking permit so revoked shall constitute a violation of this division.

(f) Any permit issued under this division is nontransferable to another person or another vehicle.

(g) The city, ~~through the police department~~, is authorized to adopt rules for the issuance of temporary parking permits to bona fide visitors and commercial service vehicles of residents of a designated controlled parking residential area. The fee for a temporary parking permit shall be established by resolution of the city commission and is listed in appendix A to this Code.

(h) The city shall be authorized to adopt all reasonable rules and regulations necessary for the enforcement and administration of this division, including rules and regulations providing for specific time and day parking restrictions.

(Code 1983, § 21-52; Ord. No. 84-44, § 7, 9-5-84)

Sec. 82-244. – “D” residential parking permits.

(a) A controlled parking residential area is hereby established, to include the streets listed in Sec. 82-137(a-d), generally described as the residential side streets in Pass-a-Grille and the surrounding area.

(1) Any resident of the city, as defined in Sec. 82-1, who resides on and who has a vehicle registered to a “D” street as defined in Sec. 82-137(a-d) shall be allowed to purchase a “D” parking permit, in the form of a decal, for a fee established by resolution of the city commission and listed in appendix A to this Code.

(2) Each dwelling shall also be allowed to purchase two temporary “D” hang tags per month for their visitors, not to exceed 3 consecutive months.

(3) “D” hang tags shall be valid from the date of purchase to the same date of the next succeeding month, and shall not be purchased more than three months in advance. The date of purchase shall be plainly stamped on each permit.

(4) “D” parking decals shall be valid from January 1 through December 31 of each year. The purchase price of a parking decal shall not be prorated or reduced if the parking decal is purchased after January 1.

Sec. 82-245. – “C” residential parking permits.

(a) A controlled parking residential area is hereby established, to include the streets listed in Sec. 82-137(v), generally described as the residential side streets on East Maritana Drive and Casablanca Avenue between 37th Avenue and Pinellas Bayway.

(b) Any resident of the city, as defined in Sec. 82-1, who resides on and who has a vehicle registered to a “C” street as defined in Sec. 82-137(v) shall be allowed to purchase a “C” parking permit, in the form of a decal, for a fee established by resolution of the city commission and listed in appendix A to this Code.

(c) “C” parking decals shall be valid from January 1 through December 31 of each year. The purchase price of a parking decal shall not be prorated or reduced if the parking decal is purchased after January 1.

Secs. 82-244—82-259. - Reserved.

DIVISION 5. - GENERAL PARKING PERMITS

Sec. 82-260. - Metered and non metered parking space permits.

The city manager shall be authorized to issue daily or monthly parking permits, which shall authorize the parking of a motor vehicle without the payment of meter fees at any city metered parking space except the "county beach access lot" or any non metered city parking space requiring the display of a "B" permit on the date(s) indicated on the permit. A "metered parking space" means any parking space for which payment is required by a parking meter or parking pay station. In order for the permit to be valid, it must be displayed prominently in the driver-side front window and be visible to the city enforcement officer. The fee for said permit shall be as provided in appendix A to this Code.

(Ord. No. 99-48, § 1, 9-7-99; Ord. No. 12-11, § 1, 7-24-12)

Editor's note— Ord. No. 12-11, § 1, adopted July 24, 2012, changed the title of § 82-260 from day parking permits to Metered and non metered parking space permits.

Secs. 82-261—82-270. - Reserved.

ARTICLE IV. - IMPOUNDMENT OF CERTAIN VEHICLES

Sec. 82-271. - Authorized.

- | (a) Members of the ~~police~~-Sheriff's department are authorized to remove a vehicle from the public property or a right-of-way to a place of impoundment maintained or contracted by the city when:
 - (1) Any illegally parked vehicle is left unattended and constitutes an obstruction to traffic or a hazard to the public.
 - (2) Any illegally parked vehicle constitutes an obstruction to traffic or a hazard to the public and the person in charge of the vehicle, being present, refuses or fails to reasonably correct the situation by safely moving or having the vehicle safely moved.
 - (3) Any vehicle is illegally parked in an area clearly posted "tow away zone" in such a way that it is clear that the penalty for illegal parking is towing and impoundment of the vehicle.
 - (4) A vehicle is found in unsafe condition or without current registration tag or license plate.
 - (5) Removal is necessary in the interest of public safety because of fire, flood, storm or other emergency.
- | (6) The operator of any vehicle is taken into custody by the ~~police~~Sheriff's department and such vehicle would thereby be left unattended.
- (7) The person in charge of any vehicle is incapacitated to such an extent as to be unable to provide for its custody or removal.
- (8) Any vehicle is wrecked, dismantled, or inoperative.
- | (b) When any vehicle has been left continuously parked and unmoved for a period of seven days, it may be presumed that such vehicle is being stored on public property, provided that such vehicle does not bear a current vehicle registration and valid city parking permit, showing an address immediately adjacent to the location where the vehicle is parked. Such storage is prohibited, and the vehicle may be impounded. The ~~police~~-Sheriff's department shall place a parking citation charging "vehicle stored on public property—will be impounded after 24 hours," on the vehicle for a period of 24 hours prior to actual impoundment.

(Code 1960, § 24-32(a); Ord. No. 216, § 8; Ord. No. 276, § 1; Ord. No. 398, § 1; Ord. No. 80-14, § 1; Ord. No. 83-37, § 1; Code 1983, § 21-56; Ord. No. 88-2, 2-2-88; Ord. No. 91-44, § 1, 1-7-92)

State Law reference— Similar provisions, F.S. § 316.194.

Sec. 82-272. - Notice.

- (a) Whenever an officer removes a vehicle as authorized in this article and the officer knows or is able to ascertain the name and address of the owner of the vehicle, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. If any such vehicle is stored in an authorized garage, a copy of such notice shall be given to the proprietor of such garage.
- (b) Whenever an officer removes a vehicle under this article, the officer shall within 24 hours send or cause to be sent a report of such removal by electronic communication to the department of highway safety and motor vehicles and shall notify the proprietor of any authorized garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored.

(Code 1960, § 24-33; Ord. No. 216, § 9; Code 1983, § 21-57)

Cross reference— Streets and sidewalks, ch. 74.

State Law reference— Reporting of unclaimed vehicles, F.S. § 715.05.

Sec. 82-273. - Fees.

There shall be levied a storage charge upon all motor vehicles impounded by the city and stored by the city on city-owned property. The fee shall be in an amount established by resolution of the city commission and listed in appendix A to this Code. In addition, a towing charge shall be levied on such vehicle.

(Code 1960, § 24-34(a); Ord. No. 268, § 1; Code 1983, § 21-58)

Sec. 82-274. - Release.

No vehicle impounded in an authorized garage as provided in this article shall be released therefrom until the charges for towing such vehicle into the garage and storage charges have been paid. The charge for towing or removal of any such vehicle and storage charges shall be fixed by the city commission. Such charges shall be based upon a computation of all actual expenses entering into the current cost of such services. Such charges shall be posted for public inspection in the traffic violations bureau and in any authorized garage.

(Code 1960, § 24-32(b); Ord. No. 216, § 8; Ord. No. 276, § 1; Ord. No. 398, § 1; Ord. No. 80-14, § 1; Code 1983, § 21-59)

Editor's note— The towing charge is established pursuant to a contract between the city and a private wrecker company.

Sec. 82-275. - Sale of impounded vehicles.

- (a) If the owner of a motor vehicle impounded pursuant to this article fails or refuses to pay the towing or storage charge within 30 days of making claim to such property, title to such property shall vest in the city. The city may, after giving public notice, hold an auction in front of a municipal building. The city shall sell the motor vehicle to the highest bidder and thereafter shall apply the proceeds of the sale toward the indebtedness due to the city.
- (b) The city shall be entitled to hold a public auction in order to sell the motor vehicle at any time after 90 days has passed from the date that the motor vehicle was first impounded and stored on city-owned property as provided in F.S. § 705.104.

(Code 1960, § 24-34; Ord. No. 268, §§ 2, 3; Code 1983, § 21-60; Ord. No. 85-23, § 1, 5-7-85)

State Law reference— Procedure for abandoned or lost property, F.S. §§ 705.103, 705.104.

Address	Off Street Parking	Number of Units	A Permits Existing Ord.84-38	A Permits Amended Ord 2009-
101 Gulf Way	2	Single House	0	2
105 Gulf Way	2	Single House	0	2
106 Gulf Way	2	Single House	0	2
201 Gulf Way	2	House/Apt.	1	2
203 Gulf Way	2	House/Apt.	1	2
205 Gulf Way	3	House/Apt.	0	2
207 Gulf Way	2	Single House	0	2
209 Gulf Way	0	Single House	2	2
301 Gulf Way	0	House/Apt.	3	3
303 Gulf Way	1	Single House	1	2
305 Gulf Way	2	Two Apts.	2	2
309 Gulf Way	1	Single House	1	2
401 Gulf Way	0	2Apts. 12 Rms.	14	14
403 Gulf Way	32	22 Apts.	0	2
555 Gulf Way	20	14 Apts.	0	2
601 Gulf Way	0	Single House	0	2
603 Gulf Way	4	6Apts./House	4	4
605 Gulf Way	2	1Apt./House	2	2
609 Gulf Way	2	Single House	0	2
611 Gulf Way	0	Single House	0	2
701 Gulf Way	0	11Apts.	11	11
709 Gulf Way	0	3Apts. 32 Rooms	35	35
801 Gulf way	0	2 Apts. 38 Rooms	40	40
1001 Gulf Way	2	Single House	0	2
1003 Gulf Way	1	Single House	1	2
1005 Gulf way	1	House/Apt.	2	2
1007 Gulf Way	2	6 Apts.	4	4
1009 Gulf Way	2	2 Apts.	2	2
1103 Gulf way	0	House/3 Apts.	5	5
1105 Gulf Way	4	4 Apts.	0	2
1107 Gulf Way	2	2Apts. 4 Rms.	4	4
1109 Gulf Way	0	Single House	0	2
1205 Gulf Way	2	2 Apts.	0	2
1207 Gulf Way	2	Single House	0	2
1301 Gulf Way	7	9 Apts.	2	2
1307 Gulf Way	12	14 Apts.	2	2

1401 Gulf Way	9	12 Apts.	3	3
1405 Gulf Way	2	Single House/Apt.	1	2
110 15th Face GW	0	Single House	0	2
1605 Gulf Way	5	4 Apts.	0	2
1615 Gulf Way	0	Single House	0	2
1701 Gulf Way	6	6 Apts.	0	2
1705 Gulf Way	6	4 Apts.	0	2
1801 Gulf Way	20	24 Apts	0	24
1901 Gulf Way	1	Single House	0	2
1903 Gulf Way	5	5 Apts.	0	2
1905 Gulf Way	5	4 Apts.	0	2
1907 Gulf Way	5	4 Apts.	0	2
2001 Gulf Way	2	Single House	0	2
2003 Gulf Way	2	Single House	0	2
2005 Gulf Way	0	Single House	0	2
110 21st. Face GW	0	Single House	0	2
2101 Gulf Way	12	5 Apts.	0	2
2103 Gulf Way	0	Single House	0	2
2105 Gulf Way	2	Single House	0	2
2107 Gulf Way	0	Single House	0	2
TOTAL			143	215