

Code
change

ORDINANCE NO. 2014- 16

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AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 15, PARKING; AMENDING SECTION 15-42 RELATED TO PARKING WITHIN DESIGNATED SPACES; AMENDING SECTION 15-82 AND 15-121 RELATING TO ACTUATING A PARKING METER; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Tampa Code of Ordinances, Chapter 15, Parking provides for the regulation of parking throughout the corporate limits of the City of Tampa; and

WHEREAS, the City Council of the City of Tampa desires to revise certain provisions of Chapter 15 to reflect developments in the regulation of parking; and

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact Ordinances in furtherance thereof; and

WHEREAS, pursuant to Chapter 316, Florida Statutes, the City of Tampa may regulate parking within its jurisdiction; and

WHEREAS, the City Council of the City of Tampa has determined that the following amendments promote and protect the safety, health, convenience and general welfare of the residents of the City of Tampa.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That **Section 15-42. Parking within designated spaces.** is hereby amended by adding the underlined language and deleting the stricken language as follows:

"Sec. 15-42. Parking within designated spaces.

Any vehicle stopped, standing or parked in or alongside a parking space as designated pursuant to this chapter shall park within the lines or markings designating such parking space. It is unlawful to park any vehicle in any such way that the same shall not be within the area so designated by such lines, ~~or markings,~~ or sign post that corresponds with the parking space. The front bumper of the vehicle must be even with the lines, markings, or sign post that corresponds with the parking space or in close proximity thereto without parking beyond the established post or sign.

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1 **Section 2. That Section 15-82. Duty of operators of vehicles to actuate by payment of**
2 **authorized legal tender; parking beyond time fixed for such vehicle.** is hereby amended by
3 adding the underlined language and deleting the stricken language as follows:
4

5 **“Sec. 15-82. Duty of operators of vehicles to actuate the parking meter; by**
6 **~~payment of authorized legal tender; parking beyond time fixed for such vehicle.~~**
7

- 8
- 9 (a) When any vehicle shall be parked in any time regulated parking space as
10 designated pursuant to this chapter, where controlled by a parking meter
11 ~~space controlled by a parking meter~~, the owner or operator of such vehicle
12 shall, upon entering the parking space, immediately actuate the parking
13 meter ~~in proximity to such parking space.~~ The parking meter may be
14 actuated by manual or electronic means and/or by payment of authorized
15 legal tender by manual or electronic means, and the parking space may
16 then be used by such vehicle during the parking time limit prescribed by
17 the director for that part of the street in which such parking is located or
18 by state law. If the vehicle shall remain parked in any such parking space
19 beyond the parking limit allowed, the parking meter, except for a pay
20 station, shall display a sign showing illegal parking and, in that event, such
21 vehicle shall be considered as parked overtime.
22
- 23 (b) It is unlawful for any person to permit a vehicle to remain or be placed in
24 any parking space when the parking meter indicates or displays a signal
25 showing that such vehicle is parked overtime or when the pay station
26 receipt indicates that parking time limits have expired.
27
- 28 (c) It is unlawful for any person to permit a vehicle to remain in any parking
29 space for more than two (2) hours after a citation has been issued for
30 violation of subsection (b) of this section.
31
- 32 (d) For any continuous parking in the same parking space, no more than one
33 (1) offense under subsection (b) of this section and one (1) offense under
34 subsection (c) of this section shall be deemed to have occurred on any one
35 (1) date. In the case of any continuous parking in violation of subsection
36 (b) or subsection (c) hereof covering parts of two (2) or more dates, one
37 (1) offense under subsection (b) and one (1) offense under subsection (c)
38 shall be deemed to have occurred on each of such dates.
39
- 40 (e) When signs are erected giving notice of time limits, no person shall park a
41 vehicle in any parking meter space and/or zone for a continuous period of
42 time longer than that period of time designated by such signs. In order to
43 enforce this provision no person shall roll the tires of a vehicle or attempt
44 to remove the markings made by a parking enforcement specialist prior to
45 removing the vehicle from the parking space.”
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47 **Section 3. That Section 15-121. Penalties for parking violations; ticket cancellation**
48 **privileges.** is hereby amended by adding the underlined language and deleting the stricken
49 language as follows:
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1 **“Sec. 15-121. Penalties for parking violations; ticket cancellation privileges.**
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4 (a) Unless otherwise specifically provided in this section, the violation of any
5 provision of this chapter relating to parking shall be punishable by a penalty
6 of twenty-nine dollars (\$29.00) if paid to the city within fourteen (14)
7 calendar days of the date of the infraction.
8

9
10 (b) A violation of section 15-82, Duty of operators of vehicles to actuate the
11 parking meter by payment of authorized legal tender by manual or electronic
12 means; parking beyond time fixed for such vehicle, shall be punishable by a
13 penalty of twenty-four dollars (\$24.00) if paid to the city within fourteen
14 (14) calendar days of the date of the infraction. A violation of F.S. §
15 316.1955, Enforcement of parking requirements for persons who have
16 disabilities, shall be punishable by a penalty of two hundred fifty dollars
17 (\$250.00) if paid to the city within fourteen (14) calendar days of the date of
18 the infraction. A violation of F.S. § 316.1945(1)(b)2. Stopping, standing, or
19 parking prohibited within fifteen (15) feet of a fire hydrant or F.S. §
20 316.1945(1)(b)5., Stopping, standing or parking prohibited within twenty
21 (20) feet of the driveway entrance to any fire station and on the side of a
22 street opposite the entrance to any fire station within seventy-five (75) feet
23 of such entrance (when properly signposted) shall be punishable by a
24 penalty of thirty dollars (\$30.00) plus a three dollars (\$3.00) excess fine. All
25 excess fines collected shall be used by the city for the purpose of funding a
26 firefighter education program. A violation of section 15-54, Illegal use of
27 license plates, exemption parking permits, or temporary exemption parking
28 permits issued to person with disabilities or any subsection thereof, shall be
29 punishable by a penalty of two hundred fifty dollars (\$250.00) if paid to the
30 city within fourteen (14) calendar days of the date of the infraction.
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34 (c) Any penalty provided in this section which is less than twenty-nine dollars
35 (\$29.00) shall increase to twenty-nine dollars (\$29.00) and any penalty
36 provided in this section which is twenty-nine dollars (\$29.00) shall increase
37 to thirty-nine (\$39.00) if not paid to the city without fourteen (14) calendar
38 days of the infraction or result in a fine not to exceed one hundred dollars
39 (\$100.00) plus court costs pursuant to F.S. § 316.1967(4) should any person
40 fail to satisfy the court's directive or elect to appear before a designated
41 official to contest the parking infraction.
42

43
44 (d) The director will establish and maintain a parking ticket cancellation
45 program. All requests for parking ticket cancellation privileges shall be
46 made in writing to the director who shall have the authority to grant, deny or
47 revoke such privileges. This program shall be restricted to unmarked law
48 enforcement vehicles engaged in official business and to vehicles owned or
49 leased by a federal, state, county or city government agency and to private
50 vehicles used on official governmental business. A list shall be maintained

1 for public inspection of those agencies which have been granted cancellation
2 privileges. Other tickets may be cancelled in lieu of court appearance and
3 dismissal by the director when the complainant has a valid complaint. A
4 valid complaint may include but not be limited to an improperly written
5 ticket, a malfunctioning meter or a vehicle which has been sold or stolen and
6 is no longer the property of the registered owner of the license tag affixed to
7 the vehicle when the ticket was written. The burden shall be on the person
8 challenging the validity of the complaint to the satisfaction of the director.
9 The director may reduce a delinquent ticket to the face amount when, in his
10 best judgment, it would be advantageous to the city or the judicial county
11 court system to so dispose of the ticket in that manner.
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- 14 (e) In addition to the penalties and excess fines provided in this section, a
15 surcharge on parking fines of one dollars (\$1.00), or such amount as may
16 hereafter be set by city council resolution, for each violation shall be
17 imposed for the sole purpose of funding school crossing guard programs.
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20 In addition, for each citation that results in a court summons to be issued for a violation of
21 any provision of this chapter relating to parking, an administrative fee of four dollars (\$4.00)
22 on top of the two dollars (\$2.00) currently provided for in Administrative Order No. 92-11
23 of the Chief Judge of the 13th Judicial Circuit Court, shall be assessed, collected, and
24 retained by the city for administrative cost. No such fee shall be assessed when the case is
25 dismissed or when the person is adjudicated not guilty.”
26

27 **Section 4.** That all ordinances and conflicts herewith are appealed to the extent of any
28 conflict.
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30 **Section 5.** That if any part of this ordinance shall be declared unconstitutional or invalid
31 by a court of competent jurisdiction, the remaining provisions at the City of Tampa's election
32 shall remain in full force and effect.
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34 **Section 6.** That this ordinance shall take effect within thirty (30) days upon becoming a
35 law.
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1 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA,
2 FLORIDA, ON MAR 0 6 2014.

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6 ATTEST:

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9 CHAIRMAN/CHAIRMAN PRO-TEM
10 CITY COUNCIL

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12 CITY CLERK/DEPUTY CITY CLERK

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17 APPROVED BY ME ON MAR 0 7 2014

18 
19 BOB BUCKHORN, MAYOR

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23 PREPARED BY AND APPROVED
24 AS TO LEGAL SUFFICIENCY BY:

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28 E/S JULIE HARDY
29 ASSISTANT CITY ATTORNEY
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