

**CITY OF ATLANTIC BEACH
CITY COMMISSION MEETING
STAFF REPORT**

AGENDA ITEM: Ordinance No. 75-21-25
SUBMITTED BY: Amanda Askew, Director of Planning and Community Development
TODAY'S DATE: December 23, 2020
MEETING DATE: January 11, 2021

BACKGROUND: The City of Neptune Beach has asked the City of Atlantic Beach to mirror their recently updated pay for parking ordinance. The proposed request will help better define how (which direction) vehicles should park in the pay for parking area in the Beaches Town Center (BTC). In order to help make a cohesive parking program both cities have very similar parking ordinances and one enforcement entity.

Parking enforcement is performed via an electronic tag reader. This is mounted to a low speed vehicle and/or they have the option for a hand held electronic tag reader. As part of a way to increase efficiency, they would like to better define that all vehicles to be pulled head first into a parking space (not backed in) or in the event of parallel parking they would like the vehicle parked with the direction of traffic. By better defining requiring these ways to park the electronic tag reading process will be more efficient.

The proposed ordinance change is at the request of the City of Neptune Beach and will help clarify the direction vehicles are required to be parked.

BUDGET: None
RECOMMENDATION: Commission review and vote on Ordinance 75-21-25
ATTACHMENTS: Ordinance 75-21-25

REVIEWED BY CITY MANAGER: _____



ORDINANCE NO. 75-21-25

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, AMENDING CHAPTER 21, TRAFFIC AND MOTOR VEHICLES, ARTICLE II, STOPPING, STANDING AND PARKING ON PUBLIC PROPERTY, DIVISION 3 – CONTROLLED AND METERED PARKING, SECTION 21-43, GENERAL PROVISIONS; PROVIDING FOR CONFLICT, FOR SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Atlantic Beach, adopted Ordinance No. 75-19-21, establishing controlled and metered parking within certain designated zones within the City; and

WHEREAS, Ordinance No. 75-19-21 established Section 21-43, which authorizes the marking of parking spaces and regulates the manner of parking in parking spaces within the designated zones within the City; and

WHEREAS, Section 21-43(e) regulates parking in parallel and diagonal spaces, but fails to regulate parking in perpendicular spaces; and

WHEREAS, in enforcing the provisions of the Code regarding controlled and metered parking, the district parking operator utilizes equipment to read vehicle license plates from the traffic lane; and

WHEREAS, without regulation of parking in perpendicular spaces, the district parking operator is unable to properly implement the parking program described in the Code as the equipment is unable to read plates as intended; and

WHEREAS, parking requirements in parallel spaces are currently ambiguous in Section 21-43(e) and the City Commission of the City of Atlantic Beach also desires to clarify such requirements; and

WHEREAS, the City Commission of the City of Atlantic Beach finds that these revisions to the City of Atlantic Beach's Code will preserve, promote, and protect the health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA that:

SECTION 1. Regulation Amended. Section 21-43(e), Marking of parking spaces, of the Code of Ordinances of the City of Atlantic Beach, Florida is hereby amended as follows:

- (e) Marking of parking spaces; manner of parking
 - (1) If the city manager deems it necessary or appropriate in the interest of the proper regulation of traffic and parking, the city manager is authorized to clearly mark designated parking spaces by placing painted lines upon the city curbs and streets within metered parking zones. It shall be unlawful

to park a vehicle across a line or marking so that the vehicle is not entirely within the area for parking designated by lines or markings.

- (2) When a vehicle, with the exception of motorcycles, is parked within a designated parking space located within a metered parking zone, whether marked by lines or not, the manner of parking shall be as follows:
 - (i) When such space is parallel with or diagonal to the adjacent traffic lane adjacent curb, sidewalk or edge of pavement, a the vehicle, with the exception of motoreycles, shall be parked such that the right-hand wheels are parallel to the right-hand curb, sidewalk, or edge of pavement.
 - (ii) When such space is diagonal or perpendicular to the adjacent traffic lane, the vehicle shall be parked head-in or, if there is a parking meter in the space so that the front of the vehicle is nearest to the adjacent curb, sidewalk, parking meter, or edge of pavement and furthest from the traffic lane. parking meter and facing in the same direction as the traffic flow on the applicable side of the street.
 - (iii) It shall be unlawful to park a vehicle in a designated parking space in any other manner.

SECTION 2. Conflict. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are repealed to the extent inconsistent herewith.

SECTION 3. Severability. If a court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and effect.

SECTION 4. Effective Date. This Ordinance shall take effect upon final reading and approval.

PASSED by the City Commission on first reading this ____ day of January, 2021.

PASSED by the City Commission on second and final reading this ___ day of _____, 2021.

CITY OF ATLANTIC BEACH

Ellen Glasser, Mayor

Attest:

Donna L. Bartle, City Clerk

Approved as to form and correctness:

Brenna M. Durden, City Attorney