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**EXHIBIT 1
ORDINANCE 2021 -**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 28 "TRAFFIC, MOTOR VEHICLES AND BOATS", SECTIONS 28-11 THROUGH 28-15, AND 28-131 TO 28-242 TO EXPAND THE CITY'S PAID PARKING PROGRAM, CREATE PARKING ZONES, PROVIDE FOR ELECTRONIC PAYMENT OF FEES, PROVIDE FOR ELECTRIC VEHICLE CHARGING, AND CREATE A RESIDENTIAL PARKING PASS PROGRAM; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

17 **WHEREAS**, a review of the City's existing parking enforcement program revealed that
18 there is limited parking spots in neighborhoods available due to a lack of turnover and limited off
19 street parking; and

20 **WHEREAS**, Parking Industry Experts rely on the International Parking Institute for
21 research, which indicates each space costs at least \$400 annually to maintain. A lack of parking
22 enforcement results in limited revenue to maintain the rights of way and accessible parking; and

23 **WHEREAS**, Staff has noted that there are numerous abandoned vehicles, including non-
24 operable vehicles, boats, trailers, and rigs, parked in residential neighborhoods, a situation that
25 could be alleviated through increased parking enforcement; and

26 **WHEREAS**, Staff has retained a parking consultant, reviewed various options and
27 recommends adoption of the instant Ordinance to institute an expanded parking enforcement
28 program, while providing on-street parking for residents in their zone through a new Residential
29 Pass program and discounted parking rates to residents throughout the city; and

30 **WHEREAS**, the Mayor and the City Commission have determined that it is in the best
31 interest of the residents of the City of Hallandale Beach to amend Chapter 28 as recommended.

32 **NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF**
33 **HALLANDALE BEACH, FLORIDA:**
34

35 **SECTION 1.** The foregoing “Whereas” clauses are confirmed as true and incorporated
36 herein.

37
38 **SECTION 2.** Chapter 28, Article I, “In General”, Section 28-11 is amended as follows:
39

40 **Sec. 28-11. - Parking of vehicles and equipment in residential areas and districts.**

41 (a) Definitions. The following words, terms and phrases, when used in this section, shall have
42 the meanings ascribed to them in this subsection, except where the context clearly indicates a
43 different meaning:

44 (i) *Commercial lettering.* Any letters, pictures, numbers, logos, symbols or combinations
45 thereof which advertise or identify a trade, business, industry, or other activity for a profit,
46 or a product, commodity or service. The term shall not include bumper stickers affixed to
47 bumpers only, the brand name or the decal or plate commonly applied by a motor
48 vehicle dealer or manufacturer.

49 (ii) *Commercial vehicle.* Any bus, step van, truck, trailer, utility trailer, truck trailer, tow truck
50 or wrecker, agricultural, construction or industrial equipment which has any one of the
51 following:

- 52 (1) Scale weight (vehicle only) in excess of 5,000 pounds.
53 (2) A height of more than eight feet to the top of the vehicle, including ladders or
54 other attachments.
55 (3) A width of more than nine feet, excluding mirrors.
56 (4) An overall length in excess of 22 feet.
57 (5) Having more than two axles.

58 (iii) *Passenger vehicle.* Those vehicles designed, used or maintained primarily to transport
59 private passengers and which are currently licensed for travel on the public highways
60 and are capable of and equipped to be lawfully operated in such fashion under their own
61 power.

62 (iv) *Recreational vehicle* means any vehicle or portable structure designed primarily to
63 provide temporary living quarters for recreation, camping or travel use; either a vehicular
64 structure mounted on wheels, self-powered or designed to be pulled by another vehicle,
65 or a structure designed to be mounted upon and carried by another vehicle. This
66 definition is intended to include travel trailer, camping-trailer, camp-bus or house-bus,
67 and truck-camper unit of walk-in capacity.

68 (v) *Residential district* means any zoning use district bearing the prefix RS, RD or RM.

69 (vi) *Special-purpose vehicle* means a vehicle especially designed primarily for unusual
70 terrain and conditions and which is not usually licensed for or used on the public roads,
71 such as swamp buggies and track layers (caterpillar-track drive).

72 (vii) *Trailer* means a vehicular structure mounted on wheels designed to be pulled by
73 another vehicle.

74 (viii) *Utility trailer* means a trailer designed to transport materials, goods or equipment. This
75 includes boat trailers.

76 (b) General restrictions on parking or storage of vehicles. All vehicles permitted in this section
77 to be parked or stored in residential districts, residential areas or on residential property:

- 78 (1) Must be on property occupied for a permitted principal use.
- 79 (2) Must have a currently valid license tag, if required by state law.
- 80 (3) Must be parked or stored with wheels and tires mounted and maintained in a
81 movable, roadworthy condition.
- 82 (4) May not be used for storage, as an accessory building, occupied in any manner,
83 or connected to utility or electrical service except as necessary to maintain or
84 repair such vehicle.

85 (c) Numerical restrictions on special items. No more than a maximum of two listed in this
86 section shall be parked or stored per dwelling unit: utility trailers, recreational vehicles, boats
87 exceeding 12 feet in length or having a cabin or roof structure, and special-purpose vehicles,
88 vehicles not meeting any of the dimension requirements for commercial vehicles but having
89 commercial lettering attached. Similar items in excess of these restrictions may be stored or
90 parked in a completely enclosed building. For the purposes of this restriction, a boat stored
91 upon a boat trailer shall be deemed to be one item.

92 (d) General provisions.

93 (1) Commercial vehicles shall not be parked or stored in a residential district,
94 residential area or on residential property between the hours of 9:00 p.m. and
95 6:00 a.m. unless parked or stored within a completely enclosed building.

96 (2) Items other than commercial vehicles may be parked or stored outside a
97 completely enclosed building within residential districts, residential areas or on
98 residential property only as permitted as follows:

99 a. Automobiles may be parked in the public road right-of-way, on a
100 driveway, an area constructed and permitted by the city for parking of
101 vehicles, and in the corner street side yard. However, vans and pickup
102 trucks used for commercial activities and/or which have signage attached
103 shall not be parked on the public road right-of-way. Notwithstanding the
104 provisions of paragraph (c), a resident may park only one taxi on his
105 property if the taxi is owned or operated by the resident.

106 b. Automobiles, boats, trailers, utility trailers, special-purpose vehicles and
107 recreational vehicles may be parked in the side yard and the rear yard
108 and may not exceed ten feet in height. Items parked in the side yard and
109 rear yard must be screened by a fence, wall or hedge conforming to
110 applicable height restrictions.

111 c. These provisions do not permit parking or storage of junked, wrecked or
112 inoperable vehicles. Items other than those specifically permitted in this
113 subsection are not permitted to be parked or stored in a residential
114 district, residential area or on residential property except within a
115 completely enclosed building.

116 (e) No access to side or rear yard. Where it is physically impossible to gain access to side or
117 rear yards, a permitted vehicle may be parked in the front yard on a hard-paved surface at least
118 five feet from the lot line.

119 ~~(f) Temporary waivers. The city manager may, upon application grant a temporary waiver
120 from the requirements of this section based on the finding of a hardship or other reasons in
121 accord with its intent. Such temporary waiver may be granted administratively and does not
122 require city commission action. An administrative fee, which is established and on file in the city
123 clerk's office, shall be due at the time an application for a temporary waiver is submitted. The
124 city may terminate the temporary waiver upon presentation of evidence that the hardship no
125 longer exists.~~

126 ~~(g)~~ (f) Exceptions enumerated. Nothing in this section is to prohibit the reasonable parking and
127 use of any vehicle or equipment at a location while performing lawful and authorized work,
128 public or private, at the location, including:

129 (1) Tradesmen performing service work or making deliveries of merchandise.

130 (2) Public utility service work.

131 (3) Temporary uses permitted by the city commission.

132 (4) Temporary uses accessory to valid construction permits, under supervision of the
133 city.

134 ~~(h)~~ (g) Violation; penalty. It is declared unlawful and a violation of this Code, punishable as
135 provided in city's fee schedule, to park, store or permit or allow to be parked or stored any
136 vehicle, equipment, boat or trailer in violation of the provisions of this section.

137 **SECTION 3.** Chapter 28, Article I, "In General", Section 28-15, "Stopping and parking
138 prohibitions and restrictions" is amended as follows:

139 **Sec. 28-15. - Stopping and parking prohibitions and restrictions.**

140 (a) Definitions. The following words, terms and phrases, when used in this section, shall have
141 the meanings ascribed to them in this subsection, except where the context clearly indicates a
142 different meaning:

143 (i) *Electric vehicle* means any vehicle that operates, either partially or exclusively, on
144 electrical energy from an off-board source, that is stored on-board for motive purpose.
145 "Electric vehicle" includes:

146 (1) Any "battery electric vehicle," defined as any vehicle that operates exclusively on
147 electrical energy from an off-board source that is stored in the vehicle's batteries,
148 and produces zero tailpipe emissions or pollution when stationary or operating;

149 (2) Any “plug-in hybrid electric vehicle (PHEV),” defined as an electric vehicle that a)
150 contains an internal combustion engine and also allows power to be delivered to
151 drive wheels by an electric motor; b) charges its battery primarily by connecting
152 to the grid or other off-board electrical source; c) may additionally be able to
153 sustain battery charge using an on-board internal-combustion-driven generator;
154 and 4) has the ability to travel powered by electricity;

155 (ii) Non-electric vehicle means any motor vehicle that does not meet the definition of
156 “electric vehicle”.

157 ~~(a)~~ (b) *Generally.*

158 (1) Except when necessary to avoid conflict with other traffic, or in compliance with law or
159 the directions of a police officer or official traffic control device, no person shall:

160 a. Stop, stand or park a vehicle:

161 1. On the roadway side of any vehicle stopped or parked at the edge or curb of a
162 street.

163 2. On a sidewalk.

164 3. Within an intersection.

165 4. On a crosswalk.

166 5. Between a safety zone and the adjacent curb or within 30 feet of points on the
167 curb immediately opposite the ends of a safety zone, unless the state division
168 of road operations of the department of transportation or the county department
169 of transportation indicates a different length by signs or markings.

170 6. Upon any public street, road, highway or way upon which the public has a right
171 to travel by motor vehicle so as to impede, hinder, stifle, retard or restrain traffic
172 or passage on such place or so as to endanger the safe movement of vehicles
173 or pedestrians traveling on such place.

174 7. Upon any bridge or ramp.

175 8. On any railroad tracks.

176 9. At any place where official signs prohibit stopping.

177 10. Within any parking space specifically designated and marked for the exclusive
178 use of physically disabled persons, unless such vehicle displays a parking
179 permit issued for such purpose by the state department of highway safety and
180 motor vehicles and/or is transporting a person eligible for such parking permit.
181 Any person who is chauffeuring a disabled person shall be allowed, without
182 need for an identification parking permit, to momentarily park in any such

183 parking space for the purpose of loading or unloading a disabled person, and
184 no penalty shall be imposed upon the driver for such parking.

185 11. In any fire lane or fire zone.

186
187 12. Parking a non-electric vehicle within any parking space specifically designated
188 for charging an electric vehicle.
189

190 b. Stand or park a vehicle, whether or not occupied, except momentarily to pick up or
191 discharge a passenger or passengers:

192 1. In front of a public or private driveway.

193 2. Within 15 feet of a fire hydrant.

194 3. Within 20 feet of a crosswalk in an intersection.

195 4. Within 30 feet upon the approach of any flashing signal, stop sign or traffic
196 control signal located at the side of a roadway.

197 5. Within 20 feet of the driveway entrance to any fire station and on the side of a
198 street opposite the entrance to any fire station within 75 feet of the entrance
199 (when property signposted).

200 6. At any place where official signs prohibit standing.

201 c. Park a vehicle, whether or not occupied, except temporarily for the purpose of and
202 while actually engaged in loading or unloading passengers:

203 1. Within 50 feet of the nearest rail of a railroad crossing.

204 2. At any place where official signs prohibit parking.

205 ~~Except as otherwise provided in this subsection, every vehicle stopped or parked upon~~
206 ~~a two-way roadway shall be so stopped or parked with the right hand wheels parallel to~~
207 ~~and within 12 inches of the right hand curb or edge of the roadway.~~

208 ~~Every vehicle stopped or parked upon a one-way roadway shall be so stopped or~~
209 ~~parked parallel to the curb or edge of the roadway, in the direction of authorized traffic~~
210 ~~movement, with its right hand wheels within 12 inches of the right hand curb or edge of~~
211 ~~the roadway, or its left hand wheels within 12 inches of the left hand curb or edge of~~
212 ~~the roadway.~~

213 (d) d. On vacant, unimproved property.

- 214 (1) It shall be unlawful for any person to occupy any motor vehicle, trailer,
215 motor home, camper, truck or other vehicle, whether or not self-propelled,
216 on any vacant unimproved property in the city.
- 217 (2) It shall be unlawful for any person to park, stop or leave standing any motor
218 vehicle, or other vehicle, on any vacant unimproved real property in the
219 city.
- 220 (3) For the purpose of this section, the term "vacant unimproved real property"
221 shall be construed to mean a tract of land which is unpaved and does not
222 contain a structure which is certified for occupancy by human beings.

223 e. Except as otherwise provided in this subsection, every vehicle stopped or
224 parked upon a two-way roadway shall be so stopped or parked with the right hand
225 wheels parallel to and within 12 inches of the right hand curb or edge of the roadway.

226 f. Every vehicle stopped or parked upon a one-way roadway shall be so
227 stopped or parked parallel to the curb or edge of the roadway, in the direction of
228 authorized traffic movement, with its right-hand wheels within 12 inches of the right-
229 hand curb or edge of the roadway, or its left-hand wheels within 12 inches of the left-
230 hand curb or edge of the roadway.

231 **SECTION 4.** Chapter 28, Article IV, "Parking Meters", Sections 28-131 through 28-141 are
232 amended as follows:

233 **Sec. 28-131. Definitions.**

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

236 (i) *Parking lot* means any area owned by the city and designated as municipal parking
237 lots.

238 (ii) *Parking meter* means any type of mechanical or electronic timing device or any
239 online mobile phone application used to electronically pay for parking authorized
240 under this division to be utilized for the purpose of regulating or controlling parking,
241 that is installed in a location to serve multiple parking spaces, with appropriate
242 signage notifying the Vehicle operator which defined parking spaces are served by
243 the parking meter, and that provides a receipt or otherwise confirms legal parking
244 upon the deposit of authorized legal tender by manual or electronic means, for a
245 period of time in accordance with any such prescribed parking time limit.

246 (iii) *Parking space.* Any individual area or space within any Pay Parking Zone that is
247 designated for the parking of a single Vehicle by lines painted or otherwise durably
248 marked on the curb or on the surface of the road.

249 (iv) *Pay Parking Zone.* Any city street or roads designated by the City where Parking
250 Payment requirements have been designated by signage.

251 (v) *Parking meter zone* means a certain designated and marked off section of the
252 public street or parking lot within the marked boundaries where the vehicle may be

- 253 temporarily parked and allowed to remain for such period of time as the parking
- 254 meter attached thereto may indicate.
- 255 (vi) *Roadway* means that portion of a street between the regularly established
- 256 curblines.
- 257 (vii) *Sidewalk* means that portion of a street between the curblines and the adjacent
- 258 property lines.
- 259 (viii) *Street* means every way set apart for public travel, except alleyways, bridle paths
- 260 and footpaths.
- 261 (ix) *Vehicle* means any device by which any person or property may be transported
- 262 upon a public highway, except those operated upon rails and permanent tracks.

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265 **Sec. 28-132. Parking Zones described.**

266 ~~Parking meter zones are created on the following streets of the city: that part of Block 16 of~~
 267 ~~Seminole Beach which is within the city; that part of Surf Road which is within the city; and from~~
 268 ~~time to time, if traffic conditions require, on such other streets or such other locations as~~
 269 ~~selected by resolution of the city commission for the location of such parking zones.~~

270 The City Manager shall:

271 (a) Establish Pay Parking Zones and Parking Meter Zones within City parking areas where
 272 fees must be paid for parking, and designate the manner in which fees are to be collected,
 273 which may include, without limitation, Parking Pay Stations, Pay Parking Mobile Applications,
 274 and License Plate Recognition Technology. Parking Zones shall be indicated by sufficient
 275 signage and street markings, as necessary, to advise the public.

276 (b) Designate time limits, where appropriate, for parking in Pay Parking Zones within the
 277 Pay Parking Zones where such pay stations are placed, and to designate the fee to be paid for
 278 the purpose of obtaining legal parking for such time so designated.

279

280 **Sec. 28-133. Residential Parking Passes.**

281 (a) Definitions. The following words, terms and phrases, when used in this section, shall have the
 282 meanings ascribed to them in this subsection, except where the context clearly indicates a
 283 different meaning:

284 (i) A qualified residential owner or renter means a person who meets one of the following
 285 criteria:

- 286 1. A person who owns and occupies a residential property located within the City;
- 287 2. A person who rents residential property under an annual lease and resides at that
 288 property in the City;
- 289 4. A person who rents residential property with less than an annual lease who
 290 provides documentation that he or she resides in the City at the same address at
 291 the time of applying for a resident parking permit; or
- 292 5. A person who owns or rents property in the City seasonally.

- 293 (ii) A qualified vehicle means a vehicle that is eligible based on one of the following
 294 criteria:
- 295 1. A vehicle that is owned or leased by a qualified residential owner or renter and is
 296 registered at the address used to qualify for a residential parking pass;
 - 297 2. A vehicle that is not registered at the address but is owned by a qualified owner
 298 or renter of residential property who occupies his or her residence for all or part
 299 of the year.
- 300 (b) Residential parking pass. The City Manager shall develop and implement policies and
 301 procedures for a Residential Parking Pass Program. Qualified owners or renters of residential
 302 or commercial property in the City may purchase a parking pass for qualified vehicles as
 303 provided herein, and in accordance with the policies and procedures implemented by the City
 304 Manager.
- 305 (1) Number available. A qualified residential owner or renter may purchase and use a
 306 resident parking pass for up to 3 of his or her qualified vehicles. No more than 3 passes
 307 shall be issued for any individual household.
 - 308 (2) Paid metered parking. If the driver of a vehicle possessing a parking pass pays the
 309 regular meter charge for a metered parking space, such parking shall not be restricted
 310 in any way by the parking pass program.

311

312 **Sec. 28-433.134 Installing meters; prescribing times.**

313 In parking meter zones, the city manager shall cause parking meters to be installed in such
 314 numbers and at such places as in his judgment may be necessary to the regulation, control and
 315 inspection of the parking of vehicles, including the reservation of loading zones for commercial
 316 vehicles and shall cause parking meter spaces to be designated. The city manager shall fix the
 317 time limitations for legal parking in such zones and the hours during the day when the parking
 318 meters must be used and when the time limitations shall be effective, in compliance with the
 319 provisions of this article, and shall indicate the time limitations by designating the limitations on
 320 the parking meters or by appropriate signs posted in proximity to the meters in the zones.

321

322 **~~Sec. 28-134. Location of meters; legend; mechanism.~~**

323 ~~The parking meters installed in the parking meter zones shall be placed upon the curb~~
 324 ~~immediately adjacent to the individual parking places. Each parking meter shall be placed or set~~
 325 ~~in such manner as to show or display by a signal that the parking space adjacent to such meter~~
 326 ~~is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal~~
 327 ~~parking time established by the city and when operated shall indicate on and by its dial and~~
 328 ~~pointer the duration of the period of legal parking, and on the expiration of such period shall~~
 329 ~~indicate illegal parking or overparking.~~

330

331 **Sec. 28-135. Marking spaces; parking within lines.**

332 The city manager shall have markings painted or placed upon the curb and/or upon the street,
 333 or in parking lots, adjacent to each parking meter for the purpose of designating the parking

334 space for which the meter is to be used; and each vehicle parking adjacent or next to any
335 parking meter shall park within the lines or markings so established. It shall be unlawful to park
336 any vehicle across any such line or marking or to park a vehicle in such position that the vehicle
337 shall not be entirely within the area so designated by such lines or markings.

338

339 **Sec. 28-136. - Placing meter in operation.**

340 When any vehicle shall be parked in any space adjacent to which a parking meter is located in
341 accordance with the provisions of this article, the operator of the vehicle shall, upon entering the
342 parking space, immediately ~~deposit or cause to be deposited a coin of the United States of the~~
343 ~~denomination~~ pay for parking, utilizing authorized legal tender by manual or electronic means,
344 required in such parking meter and put such meter in operation; and failure to ~~deposit such coin~~
345 ~~and put the meter in operation~~ pay using legal tender by manual or electronic means shall
346 constitute an infraction and shall subject such person to the prescribed penalty.

347

348 **Sec. 28-137. - Period of parking; parking overtime.**

349 Upon placing a parking meter in operation, the parking space may be lawfully occupied by such
350 vehicle for a period as prescribed and indicated ~~for each coin~~. If any such vehicle shall remain
351 parked in any such parking space beyond the parking time limit ~~as fixed for the coins deposited~~
352 ~~in such meter~~ for such parking space, ~~the parking meter shall by its dial and pointer indicate~~
353 ~~such illegal parking; and in that event,~~ such vehicle shall be considered parked overtime and
354 beyond the period of legal parking time and shall constitute an infraction; and the owner or
355 operator shall be subject to the prescribed penalty.

356

357 **Sec. 28-138. Defacing meters.**

358 It shall be unlawful for any person to deface, injure, tamper with, open or willfully break, destroy
359 or impair the usefulness of any parking meter installed under the provisions of this article.

360

361 **Sec. 28-139. Illegal deposit.**

362 It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device,
363 metallic substitute, or any other substitute for a coin of the United States.

364

365 **Sec. 28-140. - Purpose of charges.**

366 ~~The coins required to be deposited in parking meters are levied and assessed as fees to~~
367 ~~provide for the proper regulation and control of traffic upon the public streets, and also the cost~~
368 ~~of supervision and regulation of the parking of vehicles in the parking meter zones created in~~
369 ~~this article and to cover the cost of the purchasing, leasing, acquiring, installation, operation,~~
370 ~~maintenance, supervision, regulation and control of the parking meters described in this article.~~

371

372 **Sec. 28-141 140. Exemptions for veterans.**

373 The Hallandale Beach City Commission recognizes the sacrifices U.S. veterans have made to
374 protect the freedom of the United States and wishes to show their appreciation to those
375 veterans of the United States who have been recognized for specified distinguished and
376 meritorious service. Veterans whose cars properly display a Florida National Guard, U.S.
377 Reserve, Ex-Prisoner of War, Pearl Harbor Survivor or Purple Heart license plate or other
378 verifiable license plates from the State of Florida validly obtained from the State of Florida, shall
379 be exempt from having to pay parking meter fees. Such exemption shall only be applicable to
380 metered parking and shall not be applicable to the city's permitted parking program within
381 residential neighborhoods.

