

ORDINANCE 1558

AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA; AMENDING CHAPTER 20 OF THE TEMPLE TERRACE CODE OF ORDINANCES ENTITLED, "TRAFFIC AND VEHICLES" BY REVISING ARTICLE I, SECTION 20-3 (3) ENTITLED, "PARKING" TO ADD THE DEFINITION OF "ELECTRIC VEHICLE" AND REGULATIONS REGARDING PARKING FOR ELECTRIC VEHICLES FOR CHARGING ONLY; PROVIDING FOR THE AUTHORITY TO CODIFY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 20, Article I, Section 20-3, of the City of Temple Terrace Code of Ordinances ("Code") cited as the "Temple Terrace Parking Ordinance" does not currently contain provisions for electric vehicle parking; and

WHEREAS, according to the U.S. Department of Energy, the benefits of electric vehicles include improved air quality, reduction of carbon emissions, quieter and more livable streets, and decreased dependency on fossil fuels; and

WHEREAS, electric vehicles generate reduced greenhouse gas emissions as compared to gasoline and diesel-powered vehicles; and

WHEREAS, Florida ranks within the top five states nationally for sales of electric vehicles; and

WHEREAS, the City would like to continue its support of electric vehicles by providing electric vehicle parking spaces and charging stations; and

WHEREAS, the amendment to the City's Parking Ordinance, set forth below, will help accomplish the City's objectives to encourage the use of electric vehicles and improve access to charging stations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE TERRACE, THAT:

Section 1: Chapter 20, Article I, Section 20-3 is hereby amended as follows:

Sec. 20-3. - Parking.

(2) *Definitions.* The following words and phrases, when used in this section, shall have the following meanings, except where the context otherwise requires:

Access aisle means an area beside or adjacent to a designated disabled parking space, which is striped diagonally to designate it as a no-parking zone, and which is reserved for the temporary exclusive use of persons who have disabled parking permits

or license plates and who require extra space to deploy a mobility device, lift, or ramp in order to exit from or enter a vehicle parked in an adjacent designated disabled parking space.

Authorized vehicle means a vehicle which has been designated by a city, county, state, or other government as authorized to park within a reserved parking space tow-away zone.

Civil penalty means an amount of money imposed by this chapter for a violation which is deemed to be a parking infraction.

Clerk means the police patrol division secretary or other person designated by the chief of police as the clerk of parking court and all parking issues.

Designated disabled parking space means any parking space prominently outlined with blue paint and posted with a permanent above-grade sign of a color and design approved by the state department of transportation, which is placed on or at a distance of eighty-four (84) inches above the ground to the bottom of the sign, and which bears the international symbol of accessibility and the caption "Parking by Disabled Permit Only." Signs erected after October 1, 1996 shall have the penalty for illegal use of the space, as defined in F.S. § 553.5041(6).

Designated official means a civil traffic infraction hearing officer, or other official authorized by law to preside over a court or hearing adjudicating traffic infractions.

Disabled person means any person who is currently certified:

- a. To have any of the disabilities listed in F.S. § 320.0848 that render the person unable to walk two hundred (200) feet without stopping to rest; or
- b. As being legally blind pursuant to F.S. § 320.0848; and who has been issued a disabled parking permit or license plate pursuant to F.S. § 316.1958, 320.084, 320.0842, 320.0843, 320.0845 or 320.848.

Electric Vehicle (EV) means a vehicle that is powered by one or more electric motors, or a hybrid combination of electric and internal combustion motors, and is capable of utilizing external vehicle charging equipment to recharge onboard batteries.

Hearing officer means the person designated by the city council to preside over hearing on municipal parking violation tickets that are not adjudicated in a court.

Parking enforcement officer means law enforcement officer or volunteer working for the city who is authorized to enforce parking regulations who has successfully completed a training program for parking enforcement specialists as set forth in F.S. § 316.640(3)(c).

Parking ticket means an official form used by the chief of police, his or her designee, or a parking enforcement officer to notify the owner of a vehicle that said vehicle is parked, stopped, or standing in violation of the provisions of this chapter, or the laws of the State of Florida as authorized by F.S. § 316.1945(3).

Stand or standing means the halting of a vehicle, whether occupied or not occupied, for the purpose of, and while actually engaged in, receiving or discharging passengers.

(3) *Stopping, standing and parking in specified locations.* Within the city, except when necessary to avoid conflict with other traffic, or in compliance with law or the directions, of a police officer or official traffic control device:

- a. No person shall stop, stand or park a vehicle:
 1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 2. On a sidewalk;
 3. Within an intersection;
 4. On a crosswalk;
 5. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone unless the department of transportation indicates a different length by signs or markings;
 6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 7. Upon any bridge or other elevated structure on a highway;
 8. On a bicycle path;
 9. At any place where an official traffic control device prohibits stopping;
 10. On the roadway or shoulder of a limited access facility, except as provided by regulation of the department of transportation, or on the paved portion of a connecting ramp; except that a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or crash may be parked on such shoulder for a period not to exceed six (6) hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a law enforcement officer or to a person stopping a vehicle in compliance with applicable traffic laws; or

11. For the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.
12. Within any parking space or stall designated by signage and pavement markings for "Electric Vehicle Charging Only," unless the vehicle is capable of using the electric vehicle charging station and is actively using the charging station to recharge the electric vehicle. The electric vehicle must be removed from the designated space or stall within thirty (30) minutes following the completion of the charging cycle.

Section 2: The provisions of this ordinance shall become and be made a part of the Temple Terrace Code of Ordinances, and the sections of this ordinance may be renumbered to accomplish this end.

Section 3: If any clause, section, or other part or application of this Ordinance shall be held in any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

Section 4: All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: This ordinance shall become effective immediately upon adoption.

Passed and ordained by the City Council of the City of Temple Terrace, Florida, this 19th day of December 2023.

Approved by the Mayor this 19th day of December 2023.

(Corporate Seal)



X

Andrew Ross, Mayor
Chair of the City Council

Attest:

X

Cheryl A. Mooney
City Clerk

Approved As To Form & Content:

X

Pamela Cichon
City Attorney