

ORDINANCE NO. 2006- 255

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING THE CITY OF TAMPA CODE, CHAPTER 15, PARKING, SECTION 15-3, DEFINITIONS; AMENDING SECTION 15-27, TYPES ENUMERATED; RENUMBERING SECTION 15-104, DENIAL, HONORING AND REVOCATION OF PERMITS TO SECTION 15-105; ENACTING A NEW SECTION 15-104 TO PROVIDE FOR RESIDENTIAL PARKING PERMIT ONLY AREAS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, within certain residential areas of the City, there is a heavy concentration of vehicles during certain times of the day which prevents residents within those areas from having reasonable access to their homes; and

WHEREAS, the presence of these vehicles causes vehicular congestion on residential streets, impedes the movement of traffic and unduly restricts travel of residents within the area; and

WHEREAS, to help alleviate these conditions the City will, when it deems advisable to do so, establish "Residential Parking Permit Only Areas" as that term is hereinafter defined, within these areas; and

WHEREAS, the establishment of residential parking permit only areas will help alleviate the hardship for those residents who own vehicles and do not have the ability to secure off street parking, will aid in the preservation of the character of these areas as residential neighborhoods and the preservation of property values; and

WHEREAS, the creation of residential parking permit only areas serves a public purpose and is necessary to promote the health, safety and welfare of the inhabitants of the City; and

WHEREAS, duly noticed public hearings as required by law were held by the City Council of the City of Tampa, Florida; and

WHEREAS, all parties in interest and citizens were afforded notice and an opportunity to be heard at said hearings.

NOW, THEREFORE,

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

E2006-8CH15

1           **Section 1.** That Chapter 15, Parking, Section 15-3, shall be amended by adding  
2 the underlined language and deleting the stricken language, as follows:  
3

4           **“Sec. 15-3 Definitions.**

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6 For the purpose of this chapter, certain abbreviations, terms, phrases, words and their  
7 derivatives shall have the following meanings:  
8

9           *Calendar days* mean and include Saturdays, Sundays, and legal holidays. Thus, in  
10 computing any period of time prescribed or allowed by this chapter, the day of the act,  
11 event or default from which the designated period of time begins to run shall not be  
12 included; however, the last day of the period so computed shall be included, even if it is a  
13 Saturday, Sunday or legal holiday, any provision of this Code to the contrary  
14 notwithstanding. If any period of time under this chapter is sought to be complied with by  
15 means of mailing, the date of actual receipt of the mail by the parking division, not the  
16 date of posting, shall be deemed the date of compliance.  
17

18           *Coin* means any coin, authorized for currency by the United States Government, required  
19 to be inserted in parking meters by city resolution or ordinance.  
20

21           *Director* means the director of the city department of public works or his designee.  
22

23           *Park or parking* means the standing of a vehicle, whether occupied or not, otherwise than  
24 temporarily for the purpose of and while actually engaged in loading or unloading  
25 merchandise or passengers.  
26

27           *Parking division* means the city department of public works, parking division.  
28

29           *Parking meter* means a mechanical or electronic timing device authorized by ordinance  
30 of this municipality to be used for the purpose of regulating parking and which is  
31 actuated by the insertion of a coin, or key card and the operation of a lever or cranking  
32 device for a mechanical meter, the automatic timing display, or reading of an electronic  
33 device.  
34

35           *Residential parking permit only areas* shall mean those areas where the residential  
36 parking permit system is in effect. Such areas are designated in section 15-104(b).  
37

38           *Resident vehicle* shall mean a motor vehicle owned or leased by a person residing in the  
39 residential parking permit only area.  
40

41           *Residential parking permit* shall mean an identification pass affixed to a vehicle issued to  
42 a resident or business located within the residential parking permit only area by the City  
43 in accordance with the provisions of this section.  
44

1 *Stand or standing* means the halting of a vehicle, whether occupied or not, otherwise than  
2 temporarily for the purpose of and while actually engaged in receiving or discharging  
3 passengers.  
4

5 *Stop or stopping*, when prohibited, means any halting, even momentarily, of a vehicle,  
6 whether occupied or not, except when necessary to avoid conflict with other traffic or to  
7 comply with the direction of a law enforcement officer or traffic-control sign or signal.  
8

9 *Residential Guest Parking Permit* means an identification pass affixed to a vehicle  
10 issued, temporarily, to a resident located within the residential parking permit only area  
11 by the City in accordance with the provisions of this section.  
12

13 *Vehicle* means every device in, upon or by which any person or property is or may be  
14 transported or drawn upon any public street within the city, excepting devices moved by  
15 human power or used exclusively upon stationary rails or tracks.”  
16

17 **Section 2.** That Chapter 15, Parking, Section 15-27 be amended by adding the  
18 underlined language and deleting the stricken language as follows:  
19

20 **“Sec. 15-27. Same--Types enumerated.**

21 Fees may be charged for the following:

- 22 (1) Use of a city owned or operated parking meter zone or space or other parking  
23 facility or property;  
24 (2) Late payments of fees for monthly parking in a city owned or operated parking  
25 facility or property;  
26 (3) Special parking permits;  
27 (4) Business parking permits ~~and deals~~;  
28 (5) Residential parking permits;  
29 (6) Guest Residential parking permits;  
30 ~~(57) Replacement of special parking permits, and business parking permits and deals~~  
31 residential parking permits and guest residential parking permits;  
32 ~~(68) Adjustments to special parking permits, and business parking permits and deals,~~  
33 residential parking permits and guest residential parking permits and such as adjustments  
34 required by vehicle tag number changes;  
35 ~~(79) Granted requests to reserve parking meter spaces or to remove parking meters or~~  
36 ~~parking signs and reinstallation thereof;~~  
37 ~~(810) Immobilization and impoundment of vehicles as provided for in this chapter;~~  
38 (911) Shuttle service to and from city-owned or -operated parking facility or property.”  
39

40 **Section 3.** That Chapter 15, Parking, Section 15-104 be amended by adding the  
41 underlined language and deleting the stricken language as follows:  
42

43 **“Sec. 15-104. ~~Denial, honoring and revocation of permits.~~ Residential Parking**  
44 **Permit Only Area.**  
45

1 (a) ~~Permits provided for in this division may be denied for the following~~  
2 ~~nonexhaustive reasons:~~

- 3  
4 (1) ~~The vehicle does not comply with a requirement stated in this chapter;~~  
5 (2) ~~The applicant has failed to appear in court when summoned for a parking~~  
6 ~~violation or failed to pay a fine or charge for a parking violation;~~  
7 (3) ~~As to a special parking permit, the number of stops made each day for~~  
8 ~~loading and unloading and freight purposes are sufficiently low enough to~~  
9 ~~warrant use of spaces specifically prescribed for such use in other sections~~  
10 ~~of this Code.~~

11 (b) ~~Permits provided for in this division shall not be honored and may be revoked if~~  
12 ~~any of the following nonexhaustive regulations are not observed:~~

- 13  
14 (1) ~~The permit must be current and properly displayed on the front dash in~~  
15 ~~front of the driver and be fully visible from the outside of the vehicle. It is~~  
16 ~~unlawful for the operator of a vehicle to improperly display or display an~~  
17 ~~expired or altered permit as authorization to park in a metered space~~  
18 ~~without depositing coins in the meter.~~  
19  
20 (2) ~~It is unlawful to display a permit in such a manner that the pertinent~~  
21 ~~information is obscured.~~  
22  
23 (3) ~~It is unlawful to display a permit in a vehicle other than the one for which~~  
24 ~~it was issued.~~  
25  
26 (4) ~~It is unlawful to exceed the parking time limit authorized by the permit.~~  
27  
28 (5) ~~It is unlawful to use or attempt to use such permit for other than its~~  
29 ~~purpose allowed in this chapter.~~  
30  
31 (6) ~~A vehicle displaying a permit must be parked in a legal manner and in a~~  
32 ~~parking meter space.~~

33  
34 (a) Application

35  
36 (1) A residential parking permit shall be issued to resident or business of a residential  
37 parking permit only area upon meeting the following requirements:

- 38  
39 (i) Proof of residency in a single-family or multifamily dwelling within the  
40 residential parking permit only area; or  
41 (ii) Proof of operation of a business within the residential parking permit only  
42 area.

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44 (2) If a resident provides proof of residency within a residential parking permit only  
45 area, then a resident shall be entitled to the following:  
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- (i) A minimum of one (1) residential parking permit per residence issued at no charge.
  - (ii) If a residence does not contain any off-street parking, then a minimum of two (2) residential parking permits issued at no charge.
  - (iii) Residents may purchase a third residential parking permit if needed.
- (3) If a business provides proof of operation within a residential parking permit only area, then a business shall be entitled to the following:
- (i) A minimum of four (4) residential parking permits per business issued at no charge which are valid from 4:00 a.m. to 9:00 p.m. During said hours the business' employees and their customers may park at designated spaces.
  - (ii) The residential parking permits may be used interchangeably between the business' employees and their customers.
- (4) Guest residential parking permits may be requested from the Parking Division on an as-needed basis and are entitled to the following:
- (i) A maximum one (1) twenty-four (24) hour Guest Residential Parking Permit per month issued at no charge, but shall not exceed twelve (12) Guest Residential Parking Permits, issued at no charge, during a rolling calendar year.
  - (ii) Additional twenty-four (24) hour Guest Residential Parking Permits may purchased from the Parking Division.
  - (iii) Additional seven (7) day Guest Residential Parking Permits may purchased from the Parking Division.
- (5) Permits shall be effective for six (6) months from date of issuance and must be renewed for each subsequent six (6) month period.
- (6) Unless City signs clearly indicate to the contrary, a vehicle parked in a designated residential parking permit only area which has a valid residential parking permit for that residential parking permit only area affixed to the vehicle in accordance with the regulations of the residential parking permit only system shall not be in violation for overtime parking by virtue of parking for a period of time in excess of those allowed.
- (b) The following residential parking permit only areas and their boundaries are hereby established as follows:

1  
2 6<sup>th</sup> Avenue by the North

3  
4 Adamo Drive by the South

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6 Nick Nuccio Parkway and North 13<sup>th</sup> Street by the West

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8 North 21<sup>st</sup> Street to the East

9  
10 From 3<sup>rd</sup> Avenue up to 6<sup>th</sup> Avenue, Between 15<sup>th</sup> Street and 21<sup>st</sup> Street

11  
12 When determining a residential parking permit only area, the area shall include both sides  
13 of the street, drive or avenue listed as a boundary unless the area description clearly  
14 indicates to the contrary.”

15  
16 **Section 4.** That Chapter 15, Parking, Section 15-105 be enacted as follows:

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18 **“Sec. 15-105. Denial, honoring and revocation of permits.**

19  
20 (a) Permits provided for in this division may be denied for the following nonexhaustive  
21 reasons:

- 22  
23 (1) The vehicle does not comply with a requirement stated in this chapter;  
24 (2) The applicant has failed to appear in court when summoned for a parking  
25 violation or failed to pay a fine or charge for a parking violation;  
26 (3) As to a special parking permit, the number of stops made each day for  
27 loading and unloading and freight purposes are sufficiently low enough to  
28 warrant use of spaces specifically prescribed for such use in other sections  
29 of this Code.

30  
31 (b) Permits provided for in this division shall not be honored and may be revoked if any  
32 of the following nonexhaustive regulations are not observed:

- 33  
34 (1) The permit must be current and properly displayed on the front dash in  
35 front of the driver, by hang tag on the vehicles rear-view mirror or  
36 displayed on the rear window and be fully visible from the outside of the  
37 vehicle. It is unlawful for the operator of a vehicle to improperly display  
38 or display an expired or altered permit as authorization to park in a  
39 metered space without depositing coins in the meter.  
40  
41 (2) It is unlawful to display a permit in such a manner that the pertinent  
42 information is obscured.  
43  
44 (3) It is unlawful to display a permit in a vehicle other than the one for which  
45 it was issued.  
46

1           (4) It is unlawful to exceed the parking time limit authorized by the permit.

2  
3           (5) It is unlawful to use or attempt to use such permit for other than its  
4           purpose allowed in this chapter.

5  
6           (6) A vehicle displaying a permit must be parked in a legal manner and in a  
7           designated parking space.

8  
9           (c) Revocation of a Residential Parking Permit. For any of the following reasons, a  
10          residential parking permit may be revoked by the Parking Division after providing notice  
11          to the holder of permit of the reasons for such revocation and providing an opportunity  
12          for the pass holder to respond to the Parking Division:

13  
14           (1) Providing false information when applying for the residential parking permit.

15  
16           (2) If a residential parking permit is affixed to a vehicle for which it was not  
17           issued, it may be immediately revoked by order of the Parking Division. Such  
18           revocation immediately voids the permit.

19  
20           (3) If a residential parking permit issued to an individual for a resident vehicle is  
21           revoked to this section, then that individual or anyone residing in the same  
22           residence with that individual shall not be permitted to apply for a residential  
23           parking permit for a two-year period unless good cause can be shown that the  
24           act resulting in the revocation was unintentional.

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26           **Section 5.** That should a court of competent jurisdiction declare any part of  
27 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by  
28 such determination as to the invalid part.

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30           **Section 6.** That all ordinances or parts of ordinances in conflict herewith are  
31 hereby repealed to the extent of any conflict.

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33           **Section 7.** That this Ordinance shall take effect immediately upon becoming a  
34 law.

35  
36 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
37 TAMPA, FLORIDA, ON OCT 19 2006.

38  
39 ATTEST:

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42 CITY CLERK/DEPUTY CITY  
43 CLERK

44   
45 CHAIRMAN/CHAIRMAN PRO-TEM,  
46 CITY COUNCIL

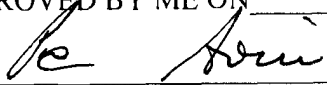
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PREPARED AND APPROVED BY:

\_\_\_\_\_  
JUSTIN R. VASKE  
ASSISTANT CITY ATTORNEY

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APPROVED BY ME ON OCT 23 2006

  
PAM IORIO, MAYOR