

ORDINANCE NO. 2025- 43

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, DELETING, IN ITS ENTIRETY, THE CITY OF TAMPA CODE OF ORDINANCES, CHAPTER 15, PARKING; ADOPTING A REVISED CHAPTER 15, PARKING; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, Municipalities, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, under Chapter 316, Florida Statutes, the City of Tampa has the authority to regulate parking; and

WHEREAS, the City Council of the City of Tampa has determined that it is in the public interest to amend Chapter 15, Parking, to promote efficient administration and update the provisions to reflect current practices; and

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

WHEREAS, duly noticed public hearings as required by law were held by the City Council of the City of Tampa, at which public hearings all residents and interested persons were given an opportunity to be heard.

NOW, THEREFORE,

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

Section 1. RECITALS. That the recitals set forth above are hereby incorporated as if fully set forth herein.

Section 2. AMENDMENT. That Chapter 15 of the City of Tampa Code of Ordinances be deleted in its entirety and is hereby repealed and replaced with Exhibit "A" attached hereto and incorporated by reference.

Section 3. INCLUSION INTO THE CODE OF ORDINANCES. It is the intent of the City Council of the City of Tampa that the provisions of this ordinance shall become and be made a part of the City of Tampa's Code of Ordinances.

1 **Section 4. SEVERABILITY.** That should a court of competent jurisdiction declare any
2 part of this Ordinance invalid, the remaining parts hereof shall not, in any way, be affected
3 by such determination as to the invalid part.
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5 **Section 5. REPEAL.** That all ordinances or parts of ordinances in conflict herewith
6 are hereby repealed to the extent of any conflict.
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8 **Section 6. EFFECTIVE DATE.** That this ordinance shall take effect immediately upon
9 becoming a law.
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11 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA,
12 ON APR 17 2025.
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17 _____
18 CHAIRMAN/CHAIRMAN PRO-TEM
19 CITY COUNCIL

20 ATTEST:

21 _____
22 CITY CLERK/DEPUTY CITY CLERK
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25 APPROVED BY ME ON, 4/23/25

26 _____
27 Jane Castor, MAYOR
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31 PREPARED AND APPROVED
32 AS TO LEGAL SUFFICIENCY BY:

33 /es/
34 _____
35 Emma C. Gregory
36 Assistant City Attorney
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Exhibit A

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Chapter 15 PARKING

ARTICLE I. ADMINISTRATIVE PROVISIONS

DIVISION 1. GENERAL PROVISIONS; ADMINISTRATIVE AUTHORITY; DEFINITIONS

Sec. 15-1. Title.

This chapter shall be known and may be cited as the "City of Tampa Parking Ordinance."

Sec. 15-2. Applicability.

- (1) The provisions of this chapter shall apply throughout the corporate limits of the city and to the use of parking-related property owned or operated by the city.
- (2) The provisions of this chapter shall apply to the operation of vehicles upon all public streets, highways and alleys within the city.
- (3) It is unlawful for any person to do any act forbidden, or to fail to perform any act required, in this chapter. It is unlawful for the owner, or any person employing or otherwise directing the driver of any vehicle, to require or knowingly permit the operation of such vehicle in any manner contrary to the provisions of this chapter.

Sec. 15-3. Definitions.

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

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

Camera enforced parking means a technological method of enforcement of public parking and may be beneficial due to the limited resources of city staff's ability to monitor all public parking lots and garages. Unauthorized parking reduces spaces for legitimate paying customers. Camera enforced parking shall be permitted in public paid parking lots or garages after a study has determined locations where the costs of operating camera enforced parking is preferred to solely enforcement through the direct issuance of parking tickets with personal observation. The Director shall determine the location of the camera enforced parking locations.

Coin means any legal tender, authorized for currency by the United States Government, required to be inserted in pay stations or collected electronically via digital payment platforms by city resolution or ordinance.

Delineated space means any on-street space that is defined through the use of pavement markings.

Delinquent status means the status of a ticket where payment is past due and includes the status of tickets that have not been paid, or for which a request for a parking violation hearing has not been made. A ticket which has been found to be in violation after a hearing shall be in delinquent status if not paid within the time period set.

A violation set for a parking violation hearing which results in default shall immediately be in delinquent status. A ticket will remain in delinquent status until paid in full unless dismissed or found not to be a violation.

Director means the director, or their designee, of the department referred to as the City of Tampa Mobility Department but shall include any department which may subsequently assume such duties.

Digital payment platform means any City of Tampa approved and partnered mobile phone application or digital technology that allows for customers to pay the required parking fees either on-street or in a garage.

Duly certified code enforcement officer for purposes of this chapter means any designated employee or agent of the city whose duty it is to enforce codes and ordinances enacted by the city and has been trained and certified to issue parking tickets pursuant to Florida law.

Habitual parking status means the status of any vehicle bearing a license plate that has been issued five (5) or more parking tickets for any violation of this chapter within the past three hundred sixty-five (365) calendar days.

Hearing officer means the code enforcement special magistrate assigned to hear parking violation hearings and challenges to parking ticket violations and immobilization of vehicles in accordance with the provisions of this chapter.

Metered space means any on-street space that requires a payment of authorized legal tender by manual or electronic means for the purposes of regulating or controlling parking.

Motor vehicle means any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, electric bicycle, motorized scooter, electric personal assistive mobility device, mobile carrier, personal delivery device, swamp buggy, or moped.

Operator means either the owner or driver of a vehicle.

Owner means any person, firm, corporation, or association controlling any motor vehicle or mobile home by right of purchase, gift, lease, or otherwise as defined under F.S. § 320.01, as of the date of the violation. The owner of a vehicle bearing a license plate that has been issued a ticket shall be liable for payment of all penalties and costs.

Park or parking means the standing of a vehicle, whether occupied or not, except for the temporary purpose of and while engaged in loading or unloading merchandise or passengers.

Parking Division means the division referred to as the City of Tampa Mobility Department Parking Division but shall include any division which may subsequently assume such duties.

Parking enforcement specialist means a person designated as a parking enforcement officer who has successfully completed a training program established and approved by the Florida Criminal Justice Standards and Training Commission.

Permit parking only zones mean those areas where the permit parking permit system is in effect. Such areas are designated by the Director or their designee and are identifiable to the public with proper signage.

Parking violation hearing means a hearing by a hearing officer in which a operator or owner of a vehicle bearing a license plate that has been issued a ticket or an owner of a vehicle who was issued a notice of default status may contest the issuance of a parking ticket or notice of default status. Parking violation hearings shall provide the opportunity for testimony and evidence to be presented, and the rules of evidence shall be liberally construed to allow for the presentation of testimony and evidence. Parking violation hearings shall also be used by a person wishing to challenge the immobilization of a vehicle in a post-immobilization hearing.

Pay station means a type of parking meter which is electronic and which parking time limits are designated on a receipt issued from the pay station.

Residential guest parking permit means a temporary parking pass issued digitally or physically to a resident located within a designated residential parking permit only area approved by the city in accordance with the provisions of this section.

Residential parking permit shall mean a parking pass issued digitally or physically to a resident or business located within a designated residential parking permit only area approved by the city in accordance with the provisions of this section.

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

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

Trailer means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that no part of its weight or that of its load rests upon the towing vehicle.

Ticket means a citation issued for a violation of the Code as described in this chapter.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon any public street within the city, including electric/motorized bicycles and scooters.

Sec. 15-4. Administrative authority.

The provisions of this chapter shall be administered and enforced by the Mobility Department Director, or their designee.

Sec. 15-4.5. Authority to issue citations for parking tickets.

Parking enforcement specialists and police officers are authorized to issue parking tickets for violations of this chapter and section 27-283.11(b), as it may be amended. Duly certified code enforcement officers are authorized to issue parking tickets for violations of this chapter, except for violations within the Central Business District as defined in chapter 27.

Sec. 15-5. Installation of metered parking; duty of director to maintain; operation.

Metered parking, posts, and/or signage shall be placed upon the curb in proximity to the individual parking spaces to be designated. The director, or their designee, shall provide for the installation, control, operation, and use of metered parking provided for in this chapter.

Sec. 15-6. Metered parking zones.

Certain described parts of streets, city owned and/or operated off-street lots, garages, or property and parks, beach, and recreation areas or other property within the city limits may from time to time be designated by the director, or their designee, as metered parking zones. In such zones, the director, or their designee, shall cause parking metered parking to be installed in accordance with the provisions of this chapter.

Sec. 15-7. Delineation of parking spaces.

The director, or their designee, shall select and place signage or lines/marks on the curb, property or on the street to designate a parking space for which metered parking is to be used.

Secs. 15.8 - 15-25. Reserved.

DIVISION 2. FEE AUTHORITY AND TYPES

Sec. 15-26. Fees—City council to establish.

The city council shall have the authority to set fees by resolution.

Sec. 15-27. Same—Types enumerated.

Fees may be charged for the following:

- (a) Use of a city owned or operated metered parking zone or space or other parking facility or property;
- (b) Late payments of fees owed to the city;
- (c) Special parking permits;
- (d) Business parking permits;
- (e) Permit Parking Only Zone permits; to include:
 - (a) Residential Parking Permits
 - (b) Guest residential parking permits
- (f) Replacement of special parking permits, business parking permits, permit only zone permits, residential parking permits and guest residential parking permits;
- (g) Adjustments to special parking permits, business parking permits, permit only zone permits, residential parking permits and guest residential parking permits and such as adjustments required by vehicle tag number changes;
- (h) Granted requests to reserve parking spaces or to remove parking spaces or parking signs and reinstallation thereof;
- (i) Immobilization, relocation, and impoundment of vehicles as provided for in this chapter;
- (j) Shuttle service to and from city owned or operated parking facility or property.
- (k) Administrative and convenience fees for services:
 - (l) The use of electric vehicle charging stations at city owned or operated parking facility or property;
- (m) Temporary removal of city owned or operated parking spaces, facilities, or infrastructure
- (n) Permanent removal of city owned or operated parking spaces, facilities, or infrastructure

Secs. 15-28—15-40. Reserved.

ARTICLE II. REGULATIONS; PERMITS; PENALTIES

DIVISION 1. GENERAL PARKING REGULATIONS

Sec. 15-41. Parking in city lots, garages, public streets, and other property.

- (a) Any vehicle stopped, standing, or parked in a single parking space on any city owned or operated parking lot, garage, public street, or other property shall be parked within the lines marked for such single parking space. It is unlawful to stop, stand, or park any vehicle across any such line or mark or to park such vehicle in any such way that the same shall not be within the area so designated by such lines or markings for that single parking space.
- (b) It is unlawful for any person to remove a vehicle from any city owned or operated parking lot, garage, public street, or other property after the person shall have parked thereon without first making payment of authorized legal tender by manual or electronic means or for any person to make any attempt to defraud the city.
- (c) It is unlawful to fraudulently alter, duplicate, damage, destroy, throw away or copy any control card, spitter ticket, permit, tag, decal, citation, or receipt used for parking control issued by the Parking Division or to make any attempt thereof to defraud the city.
- (d) It is unlawful to deposit or cause to be deposited in any pay station, other electronic payment collection device, mechanical equipment on any city owned or operated parking lot, garage, public street, or other property any slug, device, metallic or other substitute for a coin of the United States of America or to make any attempt thereof to defraud the city.
- (e) It is unlawful and an offense for any person to deface, injure, tamper with, open, willfully break, destroy or impair the usefulness of any equipment installed on any city owned or operated parking lot, garage, public street or other property or to make any attempt thereof.
- (f) It is unlawful for the operator of a vehicle to stop, park or leave standing a vehicle on a city owned or operated parking lot, garage, public street, or other property, using pay stations, other electronic devices, mechanical equipment, meters or gates for revenue control, for a period longer than twenty-four (24) hours without first making arrangements in advance with the Parking Division.
- (g) No vehicle shall enter a parking garage which exceeds the height restriction posted on the clearance bar at the entrance of each garage.
- (h) It is unlawful for an operator of a vehicle to stop, stand or park such a vehicle in a space not designated or designed for its size. Standard cars are vehicles Class 9 or larger, as defined in accordance with the current domestic and imported passenger car size classification.
- (i) It is unlawful to stop, stand or park in city owned or operated parking lots, garages or other properties that are reserved for monthly parking without having a valid digital credential and/or properly displaying appropriate documentation of payment for parking privileges for the current period (hangtag, decal, etc.).

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, delineations, 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 parking space, post or sign.

Sec. 15-43. Parking in front of residences or public or private driveways.

- (a) All taxicabs, buses and motor vehicles for hire are prohibited from stopping, standing or parking at any time in front of any residence without permission from the owner or the occupant of such residence.

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- (b) It is unlawful for any operator to stop, stand or park a vehicle, whether occupied or not, within ten (10) feet from the edge of a public or private driveway except in metered spaces or otherwise marked spaces available for parking or to momentarily pick up or discharge a passenger.
 - (c) It is unlawful for any operator to stop, stand or park a vehicle across the street from a driveway if the street width is twenty-five (25) feet or less except in metered spaces or otherwise marked spaces available for parking or to momentarily pick up or discharge a passenger.
 - (d) It is unlawful for any operator to stop, stand, or park a vehicle within ten (10) feet of a residential mailbox, or to by any means block the United States Postal Service or other delivery service from accessing an on-street mailbox.

Sec. 15-44. Ten feet of roadway to remain open for vehicular traffic.

It is unlawful for any operator to stop, stand or park any vehicle upon a street, in a traffic lane, in any alley or on other city owned or operated property in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the traffic lane or roadway for free movement of vehicular traffic, except that an operator may stop only during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.

Sec. 15-45. Vehicles other than taxicabs, buses, etc., parking in designated stands.

It is unlawful for the operator of any vehicle other than a bus, taxicab or for-hire automobile to stop, stand or park in an officially designated bus, taxicab or for-hire automobile stand, except that the operator of any passenger vehicle may temporarily stop in any such stop or stand for the purpose of and while actually engaged in the loading or unloading of passengers.

Sec. 15-46. Trucks occupying more than one parking space.

No freight vehicle, truck, tractor truck or trailer shall occupy more than one (1) parking space where designated, except while loading or unloading and while all metered spaces used have been properly utilized or activated and/or when proper parking permits have been obtained and except in cases of emergency.

Sec. 15-47. Parking motor vehicles of eighty-six inches or more in width on certain streets prohibited.

No motor vehicle, as defined by Florida Statutes, as may be amended, of eighty-six (86) inches or more in overall width (not including mirrors) shall be parked on any street, alley, or city owned or operated property, other than for loading and unloading, if parked adjacent to property designated by Code Chapter 27 as a residential district. A written warning will be provided prior to the issuance of a ticket. After twelve (12) hours of the provision of the written warning, if the motor vehicle is parked in any prohibited location, a ticket may be issued. Failure to move the motor vehicle in violation from streets, alleys, or city owned or operated property within two (2) hours after the issuance of a ticket shall subject the motor vehicle to immobilization and/or impoundment as provided under this chapter.

Sec. 15-48. Freight, loading and unloading spaces restricted.

- (a) Spaces designated "freight zone, freight space only, freight trucks only" shall be restricted to freight trucks and other vehicles properly marked and identified pursuant to subsection (c) of this section and engaged in the loading and unloading of materials, except for cases of emergency.

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- (b) No operator shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight zone. During the hours when the provisions applicable to such zones are in effect, in no case shall the stop for loading and unloading exceed one (1) hour.
 - (c) This section is applicable only to commercial vehicles which must be identified by permanent or removable markings on both sides of the exterior of the vehicle, in letters not less than three (3) inches high, of the name of the company operating such vehicle.
 - (d) Spaces designated "load and unload, Drop-Off/Pick-Up" are restricted to the maximum time indicated on the sign while any vehicle is engaged in loading and unloading. It is unlawful for any operator to permit a vehicle to remain in any space for longer than the designated time. For any continuous parking in the same space, a violation will be deemed to have occurred for each interval of time designated that the vehicle remains in that space and/or if the required payment for use of the zone is not made.

Sec. 15-49. Parking vehicles for certain purposes prohibited; sale of motor vehicles; prohibited acts.

- (a) It is unlawful for any operator to park a motor vehicle upon a public street or highway, in a public parking lot, public garage, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is in compliance with all municipal or county licensing regulations.
- (b) Subsection (a) does not prohibit an operator from parking their own motor vehicle or their other personal property on any private real property which the operator owns or leases or on private real property which the operator does not own or lease, but for which the operator obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental.
- (c) Subsection (a) does not prohibit a licensed motor vehicle dealer from displaying for sale or offering for sale motor vehicles at locations other than the dealer's licensed location if the dealer has been issued a supplemental license for off-premises sales and has complied with the requirements in subsection (a). A vehicle displayed for sale by a licensed dealer at any location other than the dealer's licensed location is subject to immediate removal without warning.
- (d) A motor vehicle parked in violation of this section may be immediately towed upon instructions from any law enforcement agency with jurisdiction at the owner's expense when found in violation of subsection (a), except as provided in subsections (b) and (c), or in violation of subsection (e), subsection (f), subsection (g), or subsection (h), and the owner shall be assessed a \$500.00 penalty. A motor vehicle removed under this section shall not be released from an impound or towing and storage facility before a release form prescribed by the city has been completed verifying that the fine has been paid to the city or as provided under section 713.78(5), Florida Statutes.
- (e) It is unlawful to offer a vehicle for sale if the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in section 319.33(1)(d), Florida Statutes. A vehicle found in violation of this subsection is subject to immediate removal without warning.
- (f) It is unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to section 320.261, Florida Statutes. A vehicle found in violation of this subsection is subject to immediate removal without warning.
- (g) It is unlawful to display or offer for sale a vehicle that does not have a valid registration as provided in section 320.02, Florida Statutes. A vehicle found in violation of this subsection is subject to immediate removal without warning. This subsection does not apply to vehicles and recreational vehicles being offered for sale through motor vehicle auctions as defined in section 320.27(1)(c)4, Florida Statutes.
- (h) A vehicle is subject to immediate removal without warning if it bears a telephone number that has been displayed on three or more vehicles offered for sale within a twelve (12) month period.

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- (i) Any other provision of law to the contrary notwithstanding, a violation of subsection (1), subsection (5), subsection (6), subsection (7), or subsection (8) of this section shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle and a fine as required by section 318.18, Florida Statutes.
 - (j) Nothing herein shall prohibit enforcement of any other law.

Sec. 15-50. Parking vehicles for primary purpose of vending, displaying, or advertising goods, services, or place of business.

It is unlawful for any operator to stop, stand, or park on any street or city owned or operated parking lot, garage, or other property any vehicle for the purpose of vending, displaying, or advertising goods, services or any place of business.

Sec. 15-51 Parking on city right-of-way.

It is unlawful to park in the right-of-way except in designated parking spaces or parking lanes. For the purposes of this section, the term "right-of-way" shall have the definition as provided under Code Chapter 27.

Sec. 15-52. Parking vehicles with altered or expired license tags.

It is unlawful for any vehicle to be stopped, standing, or parked in any city owned or operated parking space, parking lot, or other parking facility or property if such vehicle is not licensed in accordance with the laws of the state, if it displays a license tag that is expired or altered such that a person cannot reasonably discern the complete license tag number or if it does not display a valid license tag.

Sec. 15-53. Parking on housing authority properties.

- (a) It is unlawful for an operator to stop, stand, or park a vehicle on either side of any public street in or abutting the any Tampa Housing Authority property without a valid, properly displayed residential parking permit or guest residential parking permit issued for that particular property.
- (b) Resident parking permits and three (3) day visitor parking permits shall be issued by the Tampa Housing Authority, form to be approved by the Tampa Police Department, and shall be valid only for parking on the Tampa Housing Authority property for which they were issued.
- (c) A resident parking permit must be conspicuously affixed to the inside upper left corner of the back window of the motor vehicle. A three (3) day visitor parking permit must be conspicuously displayed on the inside of the front window of the motor vehicle. A three (3) day visitor parking permit will be valid only for the vehicle for which it is issued.

Sec. 15-54. Illegal use of license plates, exemption parking permits, or temporary exemption parking permits issued to persons with disabilities.

- (a) It is prohibited for any operator to unlawfully use a license plate, an exemption parking permit, or a temporary exemption parking permit issued to persons with disabilities.

As used herein, "unlawful use" of a license plate, exemption parking permit, or a temporary exemption parking permit issued to persons with disabilities means the use or display of such license plate, exemption parking permit, or temporary exemption parking permit by an operator or other person in charge of a motor vehicle other than by the person to whom it was duly issued; provided, that, an operator who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or a special license plate, momentary parking in any "parking by disabled permit only" public or private parking

spaces, for the purpose of loading or unloading such disabled person. No penalty shall be imposed upon the operator for such momentary parking.

- (b) When investigating the possibility of a violation of this section, a law enforcement officer, a duly certified code enforcement officer, or a parking enforcement specialist has the right to demand to be shown the vehicle registration, driver's license, or any state or other forms of identification of the operator or other person in charge of the motor vehicle or of the person eligible for such license plate, exemption permit, or temporary exemption parking permit. If such a request is refused, the person refusing shall be issued a citation for a violation of this subsection. That operator shall not be found guilty of violating this subsection if, prior to or at time of his court or hearing appearance, he produces in court or to the clerk of the court in which the charge is pending a vehicle registration, driver's license, or any state or other forms of identification which confirms that he is the same person to whom was issued the license plate, exemption parking permit, or temporary exemption parking permit used or displayed at the time of citation or that he is eligible for such license plate, exemption permit, or temporary exemption parking permit.
- (c) A law enforcement officer or a parking enforcement specialist has the right to confiscate a license plate, an exemption parking permit, or a temporary exemption parking permit issued to persons with disabilities when, based upon personal investigation, the officer or specialist has reasonable cause to believe that there is a violation of this section. If the operator or other person in charge of the motor vehicle fails or refuses to surrender the license plate, exemption parking permit, or temporary exemption permit, they shall be issued a citation for a violation of this subsection.

Sec. 15-55. Continuous parking in metered and nonmetered parking spaces.

- (a) It is unlawful for any operator to permit a vehicle to remain in any parking space in violation of any posted restrictions as provided by state law or within this chapter.
- (b) It is unlawful for any operator to permit a vehicle to remain in any parking space for more than two (2) hours after a citation has been issued for violation of subsection (a) of this section.
- (c) For any continuous parking in the same parking space, no more than one (1) offense under subsection (a) of this section and one (1) offense under subsection (b) of this section shall be deemed to have occurred on any one (1) date. In the case of any continuous parking in violation of subsection (a) or subsection (b) hereof covering parts, but not the entirety of, of two (2) or more dates, one (1) offense under subsection (b) shall be deemed to have occurred on each of such dates.

Sec. 15-56. Reserved.

Sec. 15-57. Stopping, standing, or parking prohibited in specified places.

- (a) 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, no operator shall:
 - (1) Stop, stand, or park a vehicle:
 - A. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - B. On a sidewalk.
 - C. Within an intersection.
 - D. On a crosswalk.
 - E. 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 City of Tampa, Hillsborough County, or the Department of Transportation indicates a different length by signs or markings.
 - F. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
 - G. Upon any bridge or other elevated structure upon a street or highway.

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- H. On any railroad tracks.
 - I. On a bicycle or shared use path.
 - J. At any place where official traffic control devices or official signs prohibit stopping.
 - K. 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 an operator 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 operator stopping a vehicle in compliance with applicable traffic laws.
 - L. 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 an operator stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.
 - M. In any parking space specifically designated for charging an electric vehicle if the vehicle is not capable of using an electrical recharging station, consistent with section 366.94, F.S., or if the vehicle is not actively charging.
- (2) Stand or park a vehicle, whether occupied or not, except to momentarily pick up or discharge a passenger or passengers:
- A. In front of a public or private driveway.
 - B. Within fifteen (15) feet of a fire hydrant.
 - C. Within twenty (20) feet of a crosswalk.
 - D. Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway.
 - E. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when property signposted).
 - F. On an exclusive bicycle lane.
 - G. At any place where official traffic control devices or official signs prohibit standing or parking.
 - H. In a fire lane.
 - I. Blocking access to a mailbox of a business, community mailbox unit, or package delivery locker between the hours of 8:00 a.m. and 6 p.m. when said mailbox or locker is directly adjacent to the roadway.
 - J. In a tow-away zone.
 - K. In a no parking zone.
 - L. On a street designated part of a parade route, right-of-way closure, or restricted area or zone after public notice.
 - M. In a reserved parking space as indicated by signage, meter bags, or other methods.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers:
- A. Within fifty (50) feet of the nearest rail of a railroad crossing unless the Department of Transportation establishes a different distance due to unusual circumstances.
 - B. At any place where official traffic control devices or official signs prohibit parking.
- (b) No person shall move a vehicle not lawfully under their control into any such prohibited area or away from a curb such a distance as is unlawful.
- (c) A vehicle which violates this section and is determined to be a public safety or welfare concern, or which has not been moved after the issuance of a ticket may be towed upon instructions from any law enforcement agency with jurisdiction. The cost of removal includes towing, storage, and administrative fees, shall be the responsibility of the registered owner of the vehicle and will be a lien against the motor vehicle in accordance with section 713.78, Florida Statutes. The removal of the vehicle shall be reported to the Department of Highway Safety and Motor Vehicles in the appropriate database to ensure the owner can locate and recover the towed vehicle.

Sec. 15-58. - Additional parking regulations.

- (a) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve (12) inches of the right-hand curb or edge of the roadway.
- (b) Except when otherwise provided in the code, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve (12) inches of the right-hand curb or edge of the roadway, or its left wheels within twelve (12) inches of the left-hand curb or edge of the roadway.
- (c) Angle parking on any street or roadway shall be permitted where designated lines or official signs allow angle parking.

Sec. 15-59. - Enforcement of parking requirements for persons who have disabilities.

- (a) It is unlawful for any operator to stop, stand, or park a vehicle within, or to obstruct, any such specially designated and metered parking space provided in accordance with section 553.5041, Florida Statutes, unless the vehicle displays a properly issued disabled parking permit or a properly issued license plate and the vehicle is transporting the person to whom the displayed permit is issued. The violation may not be dismissed for failure of the marking on the parking space to comply with section 553.5041, Florida Statutes, if the space is in general compliance and is clearly distinguishable as a designated accessible parking space for people who have disabilities. Only a warning may be issued for unlawfully parking in a space designated for persons with disabilities if there is no above-grade sign.
 - 1. Whenever a law enforcement officer, a parking enforcement specialist, or the owner or lessee of the space finds a vehicle in violation of this subsection, that law enforcement officer, owner, or lessor shall have the vehicle in violation removed to any lawful parking space or facility or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the parking space.
 - A. Whenever any vehicle is removed under this section to a storage lot, as provided in section 15-125, the cost of the removal and parking constitutes a lien against the vehicle.
 - B. Whenever any vehicle is removed under this chapter, as provided in section 15-125, to a parking garage, or other parking space, the cost of the removal and parking constitutes an invoice against the vehicle.
 - 2. The owner of a leased vehicle is not responsible for a violation of this section if the vehicle is registered in the name of the lessee.
 - 3. A law enforcement officer or a parking enforcement specialist has the right to demand to be shown the person's disabled parking permit and driver's license or state identification card when investigating the possibility of a violation of this section. If such a request is refused, the person in charge of the vehicle may be charged with resisting an officer without violence, as provided in section 843.02, Florida Statutes.
- (b) It is unlawful for any operator to obstruct the path of travel to an accessible parking space, curb cut, or access aisle by standing or parking a vehicle within any such designated area. The violator is subject to the same penalties as are imposed for illegally parking in a space that is designated as an accessible parking space for persons who have disabilities.
- (c) Any operator who is chauffeuring a person who has a disability is allowed, without need for a disabled parking permit or a special license plate, to stand temporarily in any such parking space, for the purpose of loading or unloading the person who has a disability. A penalty may not be imposed upon the driver for such temporary standing.
- (d) (1) A vehicle that is transporting a person who has a disability and that has a properly issued permit, may be parked for a maximum of thirty (30) minutes in any parking space reserved for persons who have disabilities.

(2) Notwithstanding section (d)(1), a theme park or an entertainment complex as defined in section 509.013(9), Florida Statutes, which provides parking in designated areas for persons who have disabilities may allow any vehicle that is transporting a person who has a disability to remain parked in a space reserved for persons who have disabilities throughout the period the theme park is open to the public for that day.

- (e) This section shall be enforced on public or private property.
- (f) When a vehicle is parked in a properly delineated parking space for persons who have disabilities in violation of this section, it is prima facie evidence that the vehicle was parked and left in the space by the registered owner of the vehicle.

Sec. 15-60. - Unattended motor vehicle.

- (a) An operator driving or in charge of any motor vehicle may not permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key. A vehicle shall not be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon and turning the front wheels to the curb or side of the street.
- (b) This section does not apply to the operator of:
 - (1) An authorized emergency vehicle while in the performance of official duties that is equipped with an activated antitheft device that prohibits the vehicle from being driven;
 - (2) A licensed delivery truck or other delivery vehicle while making deliveries;
 - (3) A solid waste or recovered materials collection vehicle while collecting such items; or
 - (4) A vehicle that starts by remote control while the ignition, transmission, and doors are locked.
- (c) This section does not apply to a fully autonomous vehicle operating with the automated driving system engaged.

Secs. 15-61. Reserved.

DIVISION 2. METERED PARKING SPACE REGULATIONS

Sec. 15-62. Hours of operation for metered parking spaces and hours of enforcement.

- (a) Unless a parking meter or sign is posted with or displays specific hours of operation, the days and hours of operation are twenty-four (24) hours a day, seven (7) days a week with the following exception:
 - (1) Sunday from 8:00 a.m. to 2:00 p.m. for all metered parking located in the area bound by and excluding Kennedy Boulevard to the South, by and including Scott Street to the North, by and including Ashley Street to the West, by and including Nebraska Avenue to the East.
- (b) The days and hours of parking enforcement are twenty-four (24) hours a day, seven (7) days a week.

Sec. 15-63. Duty of operators of vehicles to actuate the pay station or use digital payment platforms; parking beyond time fixed for such vehicle.

- (a) When any vehicle shall be parked in any time or payment regulated space as designated pursuant to this chapter, where marked with paint, posts, or signage, the operator of such vehicle shall, upon entering the parking space, immediately actuate the space utilizing either a pay station or a designated digital payment platform by payment of authorized legal tender, and the parking space may then be used by such vehicle during the parking time limit prescribed by the director for that part of the street in which parking is located or by state law. If the vehicle shall remain parked in any such parking space beyond the parking time limit allowed, or paid for, such vehicle shall be considered as parked overtime.

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- (b) It is unlawful for any operator to permit a vehicle to remain in any parking space for a period of time longer than that indicated by signage or for unpaid time in non-time-restricted spaces.
 - (c) It is unlawful for any operator to park a vehicle in a metered parking space without actuating a pay station or utilizing supported digital payment platforms to pay for timed parking.
 - (c) It is unlawful for any operator to permit a vehicle to remain in any parking space for more than two (2) hours after a citation has been issued for violation of subsection (b) of this section.
 - (d) For any continuous parking in the same parking space, no more than one (1) offense under subsection (b) of this section and one (1) offense under subsection (c) of this section shall be deemed to have occurred on any one (1) date. In the case of any continuous parking in violation of subsection (b) or subsection (c) hereof covering parts of two (2) or more dates, one (1) offense under subsection (b) and one (1) offense under subsection (c) shall be deemed to have occurred on each of such dates.
 - (e) When signs are erected giving notice of time limits, no operator shall park a vehicle in any metered parking or delineated space and/or zone for a continuous period of time longer than that period of time designated by such signs. In order to enforce this provision, no person shall roll the tires of a vehicle or attempt to remove the markings made by a parking enforcement specialist prior to removing the vehicle from the parking space.

(1) A vehicle shall be considered in violation of this section if the vehicle has not been moved at least one hundred (100) feet from the original parking space within the posted time restricted area.

Sec. 15-64. Depositing slugs, etc., in parking pay stations.

It is unlawful to deposit or cause to be deposited in any parking pay station any slug, device, metallic, or other substitute for a coin of the United States of America or to make any attempt thereof to defraud the city.

Sec. 15-65. Defacing or injuring parking pay stations, delineators, and signs.

It is unlawful for any person to deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking pay station, metered parking, delineator, or sign installed under the terms of this chapter or to attach to any pay station, metered parking, delineator, sign, or post any type of object or thing which may cause damage, restrict legibility, cause concern or safety hazards.

Sec. 15-66. Taxicabs, buses, etc., parking in parking meter areas.

All taxicabs, buses, and motor vehicles for hire are hereby prohibited from parking at any place upon city owned or operated streets, lots, garages, or other property known as "metered parking spaces" and at any place in those areas in which parking is restricted as to the length of time for such parking, or spaces designated for restricted use. Taxicabs and motor vehicles for hire shall park in designated "Pick-Up/Drop-Off" spaces for the purposes of loading and unloading passengers only and shall not occupy the space longer than the indicated time restriction.

Sec. 15-67. Detached Trailer parking prohibited.

Unless otherwise authorized in this Code or in City-designated locations, it shall be unlawful to park any detached trailer upon any street, alley, or city owned or operated property, other than for loading and unloading, unless in a designated space. Failure to move a detached trailer twelve (12) hours after the issuance of a ticket shall subject the detached trailer to immobilization and/or impoundment as provided under this chapter.

Secs. 15-68—15-100. Reserved.

DIVISION 3. PERMITS, PERMIT REGULATIONS

Sec. 15-101. Special parking permits.

- (a) The director, or their designee, may grant and issue, renew, deny, or revoke special parking permits that, when properly displayed digitally and/or physically, allow parking in a metered parking space without the requirement to make payment at a pay station or using a digital payment platform. Fees shall be assessed for a special parking permit. Requests for special parking permits shall be made in writing to the Parking Division.
- (b) Special parking permits may be issued for the following:
 - (1) Vehicles owned or leased by federal, state, county, or city agencies while on official agency business and engaged in routine delivery services, repair, maintenance, and/or inspectional work activities within the city limits;
 - (2) Vehicles owned or leased by public utility companies who are actively engaged in the emergency repair of existing public utilities within the city limits. Such vehicles must be identified by permanent or removable markings on both sides of the exterior of the vehicle, in letters not less than three (3) inches high, of the name of the company operating the vehicles. A copy of the vehicle registration verifying company ownership or a copy of the "lease back employee agreement option" identifying such vehicle for company business must be submitted with the written request for such permit.
- (c) Permits issued to federal, state, county and city vehicles may be issued for up to 365 calendar days. All other permits may be issued for a maximum of six (6) months and may be subject to a close evaluation of need and usage in accordance with policies and procedures developed by the director.
- (d) The director, or their designee, may grant and issue, renew, deny or revoke special parking permits or decals to regulate, control or allow parking at a city owned or operated parking facility, property or metered parking space. Fees shall be assessed for a special parking permit or decal. Requests for special parking permits and decals shall be made in writing to the Parking Division.
- (e) The permits or decals provided for in this section may be used at any metered parking space, delineated space, or otherwise lawful on-street parking location in the city in the specified location, for the specific hours, days, and dates authorized.

Sec. 15-102. Business parking permits and decals.

- (a) The director, or their designee, in their sole discretion, may grant and issue, renew, deny, or revoke digital and/or physical business parking permits or decals to regulate, control, or allow parking at a city owned or operated parking facility, property, or metered parking space, delineated space, or otherwise lawful on-street parking location space. Fees shall be assessed for a business parking permit or decal. Requests for business parking permits and decals shall be made in writing to the Parking Division.
- (b) The permits or decals provided for in this section may be used at any metered parking space, delineated space, or otherwise lawful on-street parking space in the city in the specified location, for the specific hours, days and dates authorized.

Sec. 15-103. Reservation of metered parking spaces and removal of metered parking spaces, posts, or parking signs.

- (a) The director, or their designee, may grant or deny requests to temporarily reserve a parking space or remove a parking space, post, or parking sign. Fees shall be assessed for reserving the parking space and/or the removal of the parking spaces, posts, and parking signs, except that the fees may be waived for the purpose of creating a time-restricted pick-up/drop-off space, freight space, bus space, or parking space designated for city, county, state and federal officials. Requests shall be made to the Parking Division.
- (b) A request to temporarily reserve a parking space may be granted for a vehicle including:
 - (1) A truck or van which is actively engaged in the transportation of an excess amount of construction material, equipment, office furniture, or money. The majority of the truck or van's cargo must be loaded or unloaded from the truck or van to a work area or building which is no more than two hundred (200) feet from the reserved parking space.
 - (2) A vehicle used for or on official city business.
- (c) A request to temporarily remove a parking space, post, or parking sign may be granted for circumstances including when construction in the immediate area may cause damage to the parking space, post, or parking sign. Fees shall be assessed for the removal and subsequent replacement of a parking space, post, or parking sign.
- (d) The director, or their designee, may revoke any grant to temporarily reserve a parking space or to temporarily remove a parking space, post, or parking sign if the use of such grant violates, or conflicts with, any provision of this chapter.
- (e) A request to permanently remove a parking space, post, or sign, may be granted at the director's, or their designee's, sole discretion. Fees shall be assessed for the removal and loss of potential parking revenue from such spaces.
 - (1) Such fee is to be determined by and shall not exceed the actual revenue loss to the city.
 - (2) Such actual revenue loss shall be determined by the parking meter rate in effect on the day that the meter is removed from service and shall be equivalent to the revenue amount that the parking meter would generate if used continuously during the hours of enforcement for every meter day that the parking meter is out of service.

Sec. 15-104. Permit Parking Only Zones.

The section below shall identify the criteria for the Parking Division to begin a study to determine if an area shall be designated as a Permit Parking Only (PPO) zone:

- (a) A community location wishing to request the establishment of a PPO must meet the following minimum criteria:
 - (1). Area Size:
 - a. Total area of 1,000,000 square feet or more; or
 - b. 10,000 square feet or more of linear curb space.
 - (2) Demonstrated lack of available parking:
 - a. If more than fifty percent (50%) of homes in the requested area have a driveway or garage, then at least seventy percent (70%) of the legal on-street parking space must be occupied for four (4) days of the week.

b. If less than fifty percent (50%) of homes in the requested area have a driveway or garage, then at least fifty percent (50%) of the legal on-street parking space must be occupied for four (4) days of the week.

(3) Street width and parking infractions:

- a. The presence of vehicles causing vehicular congestion on residential streets that impedes the movement of traffic; and
- b. A residential street with frequent infractions as identified in sections 15-43(b) and 15-43(c) of this chapter result in residents being unable to exit their driveway; and
- c. The street width provides less than ten (10) feet of the width of the traffic lane or roadway for free movement of vehicular traffic.

(4) Signed community petition:

- a. At least seventy percent (70%) of the addresses within the petitioned area must respond and of the responses, sixty-five percent (65%) or more must be in favor of establishing a PPO zone in the identified area.

(b) Process for PPO Zone establishment:

(1) Residents of households in the area identified that is requested for the establishment of a PPO Zone must be petitioned by the interested party, with at seventy percent (70%) of the addressed in the affected area responding and at least sixty-five percent (65%) of the addressed responding in favor of the establishment of a PPO Zone. This petition must then be submitted to the Parking Division Manager, or their designee, for review.

- a. Addresses being petitioned shall be informed that there is an annual fee for permits allowing parking within a PPO Zone and that parking in the area shall be on a first-come, first-served basis prior to them signing the petition.

(2) If minimum petition requirements are met, city staff will conduct a parking study of the requested area to determine if the location meets the minimum requirements of sections 15-104(a)a through 15-104(a)(3).

(3) If the location meets the minimum requirements outlined in section 15-104(a) as verified and confirmed by city staff in section 15-104(b)(2), then city staff will create a concept design of the PPO Zone parking plan and hold a neighborhood public hearing to present and seek approval for the concept design.

(4) Meeting minutes shall be made available to residents and business owners regarding the proposed parking boundaries, parking regulations, and parking time frames.

(5) Following majority approval of the affected neighborhood, the PPO boundaries shall be added to the established PPO Zones on the City's website.

(6) Within forty-five (45) days of this approval, the Parking Division shall complete the required work requests and oversee the installation of the signs and necessary pavement markings.

- (c) The director, or their designee, shall designate permit parking only zone policies and procedures. The policies and procedures and the boundaries shall be made available online to the public on the City Parking Division webpage.
- (d) The director, or designee, shall have the authority to establish Permit Parking Only Zones through an administrative process.
- (e) The department director, or designee, shall have the authority to deny permit parking only zone requests for:

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- (1) Failure to meet any minimum requirement identified in Section 15-104(a).
 - (2) If the location requesting permit parking only has been denied a PPO Zone application within the past calendar year.
 - (3) The individual applying or initiating the permit parking only zone request or anyone residing in the same residence with that individual has had an issued permit revoked for any reason within the previous two years unless good cause can be shown that the act resulting in the revocation was unintentional.
 - (4) If the proposed PPO area presents a risk to public safety, traffic flow and management, or other public purpose or otherwise interferes with the performance of the city's duties and obligations.
- (f) Residential Parking Permit zones in existence prior to December 30, 2024, shall remain in effect.

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

- (a) Permits provided for in this division may be denied where:
- (1) The vehicle does not comply with a requirement stated in this chapter;
 - (2) The applicant has failed to appear in court when summoned for a parking violation or failed to pay a fine or charge for a parking violation;
 - (3) As to a special parking permit, the number of stops made each day for loading and unloading and freight purposes are sufficiently low enough to warrant use of spaces specifically prescribed for such use in other sections of this Code; and
 - (4) Granting the permit presents a risk to public safety, traffic flow and management, or other public purpose or otherwise interferes with the performance of the city's duties and obligations.
- (b) Permits provided for in this division shall not be honored and may be revoked if any of the following non-exhaustive regulations are not observed:
- (1) The permit must be current and properly displayed on the front dash in front of the driver, by hang-tag on the vehicle's rear-view mirror, or displayed on the rear window and be fully visible from the outside of the vehicle. It is unlawful for the operator of a vehicle to improperly display or display an expired or altered permit as authorization to park in a metered parking space without actuating by making payment of authorized legal tender by manual or electronic means into a pay station or via digital payment platform.
 - (2) It is unlawful to display a permit in such a manner that the pertinent information is obscured.
 - (3) It is unlawful to display a permit in a vehicle other than the one for which it was issued.
 - (4) It is unlawful to exceed the parking time limit authorized by the permit.
 - (5) It is unlawful to use or attempt to use such permit for other than its purpose allowed in this chapter.
 - (6) A vehicle displaying a permit must be parked in a legal manner and in a designated parking space.
- (c) For any of the following reasons, a permit parking only zone permit may be revoked by the Parking Division after providing notice to the holder of permit of the reasons for such revocation and providing an opportunity for the pass holder to respond to the Parking Division:
- (1) Providing false information when applying for the permit.
 - (2) If a permit is affixed to a vehicle for which it was not issued, it may be immediately revoked by order of the Parking Division. Such revocation immediately voids the permit.

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

Secs. 15-106—15-119. Reserved.

DIVISION 4. PENALTIES AND ENFORCEMENT

Sec. 15-120. Enforcement, in general.

Enforcement of parking violations, and impoundment and immobilization of vehicles as provided herein serves a municipal purpose. Article VIII, section 2(b) of the Florida Constitution along with section 166.021, Florida Statutes, gives municipalities "home rule" powers. Article V, Section 1 of the Florida Constitution along with chapter 162, Florida Statutes, empowers local governments to use local code enforcement boards or special magistrates. Chapter 316, Florida Statutes, provides the City with original jurisdiction over all streets and highways, except state roads, and allows for the placement of traffic control devices. In addition, chapter 316, Florida Statutes, provides local jurisdictions with the authority to regulate specified activities on streets and highways to include, but not be limited to, parking and restricting the use of the streets. Municipalities are expressly authorized to regulate the parking of motor vehicles for any purpose with respect to streets, highways, or other property under the jurisdiction of the municipality. It is the intent of this chapter to regulate and enforce the enumerated areas within which the city may control certain traffic movements or parking within the jurisdiction of the City of Tampa as provided under chapter 316, Florida Statutes, which shall be supplemental to any provisions of this chapter, but nothing herein shall be in conflict with chapter 316, Florida Statutes. Unless otherwise specified, the regulation and disposition of violations of this chapter shall be enforced by using a hearing officer as defined herein.

Sec. 15-121. Providing Notice of Violation; citation and invoicing; enforcement; payment options; Parking Division review; hearings.

- (a) Notice of violation under this chapter shall be provided through the issuance of a parking ticket or a parking violation invoice.
- (b) Parking tickets may be issued by a law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this chapter or chapter 316, Florida Statutes. Parking tickets are to be on a form approved by the Parking Division and issued to a vehicle as identified by the license plate number, vehicle identification number, or with other specificity to ensure the vehicle in violation can be identified. Parking tickets may be delivered to the person determined to be operating or in control of the vehicle if attended; or if the vehicle is unattended, attached to the vehicle in a conspicuous place.
- (c) Uniform traffic citations prepared by the Florida Department of Highway Safety and Motor Vehicles may not be issued by being attached to an unattended vehicle. A uniform traffic citation shall not be used for a parking violation of the Code.
- (d) Nothing herein shall be interpreted as preventing the enforcement of any violation of Florida Statutes or any Hillsborough County Ordinance through other means of enforcement or in conjunction with any other enforcement methods including City Code.
- (e) The Parking Division may establish camera enforced parking to allow the capture of parking violations within the city as authorized under this section. Camera enforced parking shall only be utilized after approval by the Director. Camera enforced parking shall be permitted as follows:

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- (1) Camera enforced parking violation penalties shall be the same as if enforced in person with the exception that administrative costs may be established by resolution and included with the penalties and included in the parking violation invoice.
 - (2) Camera enforced parking areas must allow for at least a fifteen (15) minute grace period upon entry before any parking charges may be incurred, provided that the motor vehicle does not park at that time.
 - (3) The Parking Division shall identify any area in which camera enforced parking occurs by placing signage that is legible and clearly visible to persons entering the area used for camera enforced parking. The signage must state that the property is operated by the Parking Division, list the rates for parking charges for violations, provide a working phone number and e-mail address to receive inquiries and complaints, and provide notice of the grace period and appeal process provided by this chapter.
 - (4) Camera enforced parking invoices must be placed on the motor vehicle as provided in this section or mailed by first-class mail within 5 business days of the violation. A delinquency fee may not be assessed until expiration of the payment periods under this section. The mailing of the invoice constitutes notification.
 - (5) In addition to other required information under this section, camera parking enforced invoices shall state that the registered owner has a right to review the photographic or electronic images or the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The invoice must provide instructions for viewing the evidence of the violation.
 - (6) If the registered owner or co-owner of the motor vehicle, or the person designated as having care, custody, or control of the motor vehicle at the time of the violation, or an authorized representative thereof, initiates a proceeding to challenge the violation, such person waives any challenge or dispute as to the delivery of the camera enforced parking invoice.
 - (7) The photographic or electronic image or streaming video of a camera enforced parking violation is evidence that a violation occurred and is admissible in any proceeding to enforce the violation and raises a rebuttable presumption that the motor vehicle named in the parking violation invoice or shown in the photographic or electronic image or streaming video evidence was used in violation if it shows the clear entry and exit of the vehicle and violation of the grace period along with evidence being presented that payment was not made.
 - (8) Unless placed on the vehicle, violations captured through camera enforced parking will result in the issuance of a parking violation invoice to the registered owner of the motor vehicle involved in the violation by first-class mail to the address of the registered owner. In the case of joint ownership of a motor vehicle, the invoice shall be mailed to the first person appearing on the registration, unless the first name is a business organization, in which case the second name appearing on the registration may be used. The owner of a leased vehicle is not responsible for paying the camera enforced parking invoice and is not required to submit an affidavit as provided in the chapter if the name on the registration is in the name of the lessee of such motor vehicle.
 - (9) For the issuance of tickets and citations in-person, a law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this chapter or other law may issue a parking ticket form as may be used by the Parking Division to a vehicle as identified by the license plate number, vehicle identification number, or with other specificity to ensure the vehicle in violation can be identified and deliver it to the driver; or if the vehicle is unattended, attach such ticket to the vehicle in a conspicuous place, except that a uniform traffic citation prepared by the Florida Department of Highway Safety and Motor Vehicles may not be issued by being attached to an unattended vehicle. A uniform traffic citation shall not be used for a parking violation of the Code.
 - (10) For the issuance of invoice by mail, a law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of "non-payment" of this chapter or other law may issue an invoice via mail to the vehicle owner as identified by the license plate number, vehicle identification

number, or with other specificity to ensure the vehicle in violation can be identified and deliver the invoice to the vehicle's registered owner by mail.

(11) Parking violation invoices: may be issued by a parking enforcement specialist utilizing the following procedures along with any rules adopted by the Director:

- A. Review the approved camera playback system and verify a violation;
- B. Verify the registered owner;
- C. Confirm the date, time, location and all required information is identified on a parking violation invoice; and
- D. Issue a parking violation invoice as provided under this section.

Sec. 15-122. Issuance of parking ticket, citations, or invoices; payment or contesting tickets, citations or invoices; requesting a Parking Division review.

(a) Any parking space, zone, lot or garage that captures vehicle tags by camera parking in a required payment space, zone, lot or garage Parking Division issue a parking ticket form as may be used by the Parking Division to a vehicle as identified by the license plate number, vehicle identification number, or with other specificity to ensure the vehicle in violation can be identified and deliver the ticket to the vehicle's registered owner by mail, except that a uniform traffic citation prepared by the Florida Department of Highway Safety and Motor Vehicles may not be issued by being attached to an unattended vehicle. A uniform traffic citation shall not be used for a parking violation of the Code.

(b) The parking ticket and parking violation invoice shall provide:

- (1) The date and time of the violation;
- (2) The issuance date if different than the date and time of the violation;
- (3) The name or identification number of the law, parking, or code enforcement specialist who issued the ticket or invoice;
- (4) A description of the violation;
- (5) The penalty amount;
- (6) The period of time in which it must be paid or set for a parking violation hearing before it is considered in delinquent status;
- (7) The vehicle information;
- (8) Information on how and where the ticket or invoice may be paid;
- (9) A photo of the tag captured; and
- (10) Information on how the ticket or invoice may be contested.

(c) A person who wishes to contest a ticket without being assessed additional penalties or costs for delinquency shall complete and submit a written request for a parking violation hearing which must be received by the Parking Division within fourteen (14) calendar days of the date of the violation. A request for a parking violation hearing shall be on the form prescribed by the Parking Division. Requests shall include a complete name and address of the person contesting the hearing, and if available, a phone number and e-mail address. A copy of the parking ticket must be included with the request for a hearing. Upon such request, a notice of hearing will be issued, confirming the time and date of the hearing. A copy of the person's driver's license and vehicle registration, or other document acceptable to the City Attorney's Office, will be necessary to set a parking violation hearing. All contested parking violation hearings shall be heard by a hearing officer. The Parking Division shall send a Notice of Hearing which states:

- (1) The date, time, and location of a pre-scheduled parking violation hearing; and

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- (2) That a person who elects to contest the ticket may be assessed a penalty if found in violation after a hearing by a hearing officer;
 - (3) That a person who elects to contest a violation and then fails to appear at the parking violation hearing shall be deemed to have waived his or her right to a hearing and may be found in violation by default subject to a penalty), unless otherwise authorized or prohibited by law;
 - (4) That unpaid violations will be in delinquent status and are subject to being sent to collections for payment;
 - (5) That vehicles bearing license plates which are identified as belonging to owners who have tickets in delinquent status are subject to immobilization or impoundment as provided in this chapter.
- (d) The Notice of Hearing shall be sent by mail or e-mail to the person making the request for a parking violation hearing at the physical address or e-mail address provided in the request. A certification by the Parking Division that the Notice of Hearing was mailed to the physical address or e-mail address provided on a request for a parking violation hearing constitutes prima facie evidence that the person on the Notice of Hearing was served with the notice. Upon notification, the person requesting a parking violation hearing is required to comply with the directions on the Notice of Hearing or face a finding of violation due to default. Additional penalties or costs may be imposed by a hearing officer upon finding of a violation; however, a violation which was set for a parking violation hearing upon a timely requested parking violation hearing shall not be assessed fees for delinquency if timely paid after a finding of a violation.
- (e) A person who requests a parking violation hearing waives his or her right to pay the initial civil penalty amounts set forth in this chapter. The hearing officer, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a civil penalty unless otherwise authorized or prohibited by law, plus administrative costs.
- (f) The director, or their designee, will establish a Parking Division review procedure for requesting a preliminary review by the Parking Division of a parking ticket issued by the Parking Division or an immobilization and/or impoundment of a vehicle pursuant to this chapter. Any person wishing to request a Parking Division review shall complete a written request for a Parking Division review on the prescribed form by the Parking Division. Within seven (7) calendar days of receiving a Parking Division review, the Parking Division will make a determination and mail or e-mail to the address provided in the Parking Division review a written notification of the determination to the person requesting the Parking Division review. The determination can affirm the issuance of the ticket or immobilization/impoundment, dismiss the ticket, or allow for a reduction in the penalty. For immobilization/impoundment, the determination shall either affirm the immobilization/impoundment, allow the release of the immobilization device without penalty, or complete a waiver of impoundment fees as may be appropriate. The request for a Parking Division review will not toll any time periods herein. The Parking Division review shall at a minimum allow review of an improperly written ticket, a malfunctioning pay station, a vehicle which has been sold or stolen and is no longer the property of the registered owner of the license plate affixed to the vehicle when the ticket was written, or a vehicle which was improperly immobilized and/or impounded. The director, or their designee, may establish procedures to allow affidavits to be submitted as described in F.S. § 316.1967. The burden shall be on the person challenging the validity of the parking ticket or immobilization and/or impoundment to the satisfaction of the director or designee. The director, or their designee, may dismiss or reduce a ticket.

Sec. 15-123. Vehicles parked in violation of regulations deemed nuisance; continuous parking in metered parking spaces; habitual parking status; Liability of owners; notice of delinquent status; obtaining a parking violation hearing upon a notice of delinquent status.

- (a) The owner of any vehicle shall be held responsible for any vehicle found upon a street or highway in violation of any provision of this chapter, or any ordinances(s) or executive order for emergency which regulates the stopping, standing or parking of vehicles. Nothing contained in this chapter shall limit the ability of the city to

seek other enforcement action as may be permitted in the Code nor limit the ability of the city to enjoin a nuisance.

- (b) It is unlawful for any vehicle in violation of this chapter to remain in any lawful parking space for more than two (2) hours after a ticket has been issued for violation of any provision of this chapter. For continuous parking beyond each two (2) hour period, a new offense shall be deemed to have occurred and a law enforcement officer, a duly certified code enforcement officer, or a parking enforcement specialist is authorized to issue an additional ticket for each subsequent two (2) hour period.
- (c) It is unlawful to park a vehicle in violation of this chapter which is in habitual parking status. A vehicle meeting the qualifications of habitual parking status commits an additional violation under this subsection punishable by a penalty as outlined in this Chapter and shall be immediately immobilized, and if necessary impounded, as provided for under this chapter.
- (d) Any vehicle issued a parking ticket is deemed to be charged with a noncriminal civil infraction and the owner shall be deemed responsible for complying with the directions on the ticket for paying or contesting the violation.
- (e) Except for parking tickets dismissed after a Parking Division review request and review, all tickets which have not been paid or set for a parking violation hearing as described in this chapter shall be deemed in delinquent status at the expiration of the fourteen (14) day time period, and the Parking Division shall send the owner of the vehicle that was issued a ticket a notice of delinquent status which states:
 - (1) The ticket number, date, time, description, and amount of penalties to include the original amount of the penalty, the amount of penalties for delinquency, and administrative fees;
 - (2) The options for methods of payment of the ticket;
 - (3) The due date;
 - (4) The owner may still elect to contest a ticket and delinquent status at a parking violation hearing by appearing in front of a hearing officer who will hear testimony and consider evidence;
 - (5) The date, time, and location of a pre-scheduled parking violation hearing which must be confirmed along with the method for confirming the hearing;
 - (6) A copy of the owner's driver's license and vehicle registration shall be necessary to confirm a hearing date;
 - (7) That failure to pay the ticket or confirm the parking violation hearing by the date specified will be deemed as a waiver of the owner's right to contest the ticket and a finding of violation will be entered for the amount stated in the notice of delinquent status;
 - (8) That an owner who elects to contest the ticket waives his or her right to pay the penalty amount in the notice of delinquent status and the owner may be assessed a penalty if found in violation after a hearing by a hearing officer;
 - (9) That an owner who elects to contest a violation and then fails to appear shall be deemed to have waived his or her right to a hearing and may be found in violation by default subject to a penalty.
 - (10) That unpaid violations shall remain in delinquent status and are subject to being sent to collections for payment;
 - (11) That any vehicle(s) bearing a license plate identified as belonging to owners who have tickets in delinquent status are subject to immobilization or impoundment as provided in this chapter.
- (f) The notice of delinquent status shall be sent by U.S. mail to the person and address given on the motor vehicle registration. A certification by the Parking Division that the notice of delinquent status was mailed to the address given on the motor vehicle registration constitutes prima facie evidence that the person on the notice of delinquent status was served with the notice. Mailing the notice of delinquent status to the address

listed on the motor vehicle registration constitutes notification and requires the owner to comply with the directions on the notice of delinquent status.

- (g) Any owner who fails to satisfy the directive on the notice of delinquent status may be assessed additional penalties or costs by a hearing officer.
- (h) An owner who wants to contest a ticket or notice of delinquent status without being assessed additional penalties or costs for delinquency shall confirm the parking violation hearing as instructed in the notice of delinquent status within fourteen (14) calendar days from the date of the notice of delinquent status. A copy of the owner's driver's license and vehicle registration will be necessary to confirm a hearing date. The director or their designee may establish other necessary procedures for an owner's confirmation of a parking violation hearing upon receiving a notice of delinquent status.
- (i) A finding of violation occurs when a parking ticket is paid, not contested after notice of violation, in default, or after a hearing by a hearing officer results in a finding of violation. All findings of violations are considered an adjudication on the merits.

Sec. 15-124. Cancellation or continuances of hearings; burden of proof; payment after hearing.

- (a) A scheduled parking violation hearing shall be cancelled if full payment of the pending violation(s) is received prior to the hearing date. A person wanting to continue a parking violation hearing date shall deliver a written request for continuance to the parking department at least seventy-two (72) hours prior to the hearing date and shall be granted one continuance for a scheduled parking violation hearing of a contested ticket or post-immobilization hearing. The director or their designee shall establish the procedure for delivery of a written request for a continuance and for providing notice of the rescheduled parking violation hearing time and date.
- (b) A violation shall be proven at a hearing by a preponderance of the evidence.
- (c) A finding of violation requires all penalties and costs to be paid within fourteen (14) calendar days of the finding unless additional time is granted by the hearing officer or the Parking Division.
- (d) Failure to pay outstanding penalties or costs after a finding of a violation at a hearing shall result in the ticket being in delinquent status if not paid within the time period allowed.

Sec. 15-125. Additional penalties and enforcement to include relocation, immobilization, impoundment, and use of a collection agency.

- (a) The Parking Division, Tampa Police Department, or personnel as designated by the director, or their designee, are authorized to attach a device that is capable of immobilizing a vehicle as described in this chapter when:
 - (1) It is determined that the plate number attached to a vehicle or the owner of a vehicle owes one hundred (\$100.00) dollars or more to the Parking Division as a result of tickets which are in delinquent status, according to the records of the Parking Division;
 - (2) A violation of subsection 15-123(c) exists, relating to habitual parking status;
 - (3) A violation of section 15-67 exists, relating to detached trailers;
 - (4) A violation of section 15-47, relating to motor vehicles of eighty-six (86) inches or more in overall width; and
 - (5) Otherwise authorized by Code or law to include F.S. Ch. 316, for violations of Florida's Uniform Traffic Control Laws.

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- (b) The Parking Division, Tampa Police Department, or personnel as designated by the director or their designee, are authorized to attach a "self-releasing" device that is capable of immobilizing a vehicle as described in Section 15-125(a).
- (1) "Self-Releasing" devices consist of a keypad or touch screen in which a customer is able to enter a code to release the device from the vehicle.
- (c) The Parking Division, Tampa Police Department, or personnel as designated by the director or their designee, are authorized to immediately remove and/or relocate, without warning and at the owner's expense, a vehicle from a street or city property to the nearest garage or other place of safety or to a garage designated or maintained by the City, for any of the following reasons:
- (1) The vehicle is parked in a reserved space or lot. The vehicle in violation shall also receive a citation for unpaid parking in the new space it was relocated to.
- (2) The vehicle is in violation of section 15-57. The vehicle in violation shall also receive a citation for unpaid parking in the new space it was relocated to.
- (3) The vehicle is in violation of section 15-59. The vehicle in violation shall also receive a citation for unpaid parking in the new space it was relocated to.
- (d) In order to ensure the safety of the vehicle which qualifies for immobilization, a vehicle immobilized between the hours of 8:00 a.m. and 9:00 p.m. shall be impounded if the reason for the immobilization has not been resolved and the immobilization device has not been removed by 9:00 p.m. on the day of the immobilization. A vehicle that qualifies for immobilization between of 9:00 p.m. and 8:00 a.m. may be immediately impounded. Violations of section 15-67, relating to detached trailers, may be immediately impounded, or immobilized for the purpose of immediate impoundment, and shall not be released until any immobilization and impoundment penalties and costs are paid. Nothing herein shall prohibit a vehicle from being immobilized or impounded where otherwise authorized by Code or law.
- (e) The clerk of the circuit court and the county court, or the Parking Division shall supply the Florida Department of Highway Safety and Motor Vehicles with an electronic data file listing persons who have three (3) or more outstanding parking violations or who have any outstanding violations of F.S. § 316.1955. The provisions of F.S. § 320.03(8) shall apply to each person whose name appears on such lists.
- (f) The city may send all penalties and costs owed under this chapter to collections and where authorized by law, place a lien on real or personal property, to include liens for recovering, towing, or storing vehicles as authorized under F.S. § 713.78.
- (g) Immobilization referred to in this chapter shall be by an immobilization device attached to the vehicle at the place where it is found, except that no vehicle shall be immobilized on private property or within the traveled portion of any street or on any portion of a street when immobilization at such place would create a hazard to the public or to the traffic. At the same time as the immobilizing device is attached to the vehicle, a warning notice shall be affixed to the windshield or other prominent place on the vehicle stating that the immobilizing device has been so attached, cautioning the operator not to attempt to operate the vehicle while the immobilizing device is still attached and informing the operator that the vehicle is under immobilization, the reason for the immobilization, and where the proper person must go in order to arrange for the removal of the immobilization device or request a post-immobilization hearing. Immobilization fees shall be paid to the Parking Division. A person who wishes to request a post-immobilization hearing in front of a hearing officer shall follow the procedure set out under section 15-128 of this chapter.
- (h) Impoundment of a vehicle under this chapter will require the Tampa Police Department to authorize the vehicle to be removed to a city approved impound lot. A vehicle impounded under this chapter will be subject to all liens and terms described under F.S. § 713.78, in addition to payment of all penalties and costs that are due. A person wishing to challenge the immobilization of a vehicle shall follow the procedure described under F.S. § 713.78. The Parking Division will establish a procedure for sending notice to the owner that the vehicle has been impounded along with the reason for the impoundment, location of the vehicle,

and the process for obtaining the vehicle. In order to secure a lien against the impounded vehicle for towing and storage fees, a notice as required under F.S. § 713.78 shall be sent within the time period required to the registered owner by the wrecker operator upon storage of the vehicle at the wrecker-operator's storage lot. Upon request, a person whose vehicle has been immobilized shall be provided with an itemized list of all penalties and costs owed which resulted in the immobilization. A vehicle impounded as authorized under section 15-125(a)(1), relating to delinquent status, or as authorized under section 15-125(a)(2), relating to habitual parking status, or as otherwise authorized for parking violations, shall be released upon proof of payment of penalties and costs to the Parking Division or a release from the Parking Division along with payment of all costs related to the impoundment.

- (i) Relocation of a vehicle under this chapter shall occur if there exists a legal open parking space on any adjacent block face. Should no legal open parking space exist, then the vehicle shall be impounded pursuant to section 15-125(h).
- (j) An owner may request a Parking Division review of property immobilized or impounded for parking violations by following the same procedures as provided for Parking Division review under sections 15-121 and 15-122. However, a Parking Division review for immobilization shall be made by the close of the next business day after the immobilization and the review shall be done prior to the end of the next business day following the request for a Parking Division review for immobilization. The director or their designee shall establish a procedure for the immediate removal of an immobilization device when a person pays all past due penalties and costs and an immobilization fee as established by resolution, and there are no more tickets in delinquent status.
- (k) It is unlawful for any person to attempt or to remove, damage, destroy, or tamper with an immobilizing device affixed to a vehicle by the city. A violation of this section shall be punished in accordance with Code section 1-6. Release of an immobilized vehicle will take place in accordance with section 15-127.

Sec. 15-126. Establishment of post-immobilization hearings.

- (a) The registered owner or co-owner of the motor vehicle, or the person designated as having care, custody, or control of the motor vehicle at the time of the violation, or an authorized representative thereof, wishing to challenge the immobilization of a vehicle pursuant to this chapter shall be entitled to a post-immobilization hearing before a hearing officer. Post-immobilization hearings shall be handled on the same date and time as parking violation hearings. A person who wishes to contest an immobilization without being assessed additional penalties or costs for impoundment shall post a bond for the entire amount in dispute with the Parking Division prior to impoundment and complete and submit a written request for post-immobilization hearing which must be received by the Parking Division prior to the impoundment. A request for post-immobilization after impoundment will require all parking penalties and impound fees paid in order to request a hearing. The payment of parking fees will be considered a bond pending a hearing. A bond may be posted for impound fees in accordance with F.S. § 713.78(5). A request for a post-immobilization hearing after impoundment must be received by the Parking Division at the time of the payment of the bond for the parking penalties in dispute which led to the immobilization. A request for a post-immobilization hearing shall be on the form provided by the Parking Division. Requests shall include a complete name and address of the person requesting a hearing, and if available, a phone number and e-mail address. A description of the dispute must be included with the request for a hearing. Upon such request, a notice of hearing shall be issued, confirming the time and date of the hearing. A copy of the person's driver's license and vehicle registration will be necessary to schedule a post-immobilization hearing. All contested hearings shall be heard by a hearing officer who hears parking violation hearings. The Parking Division shall send a notice of hearing which states:
 - (1) The date, time, and location of a pre-scheduled post-immobilization hearing;
 - (2) That a person who elects to contest the ticket waives his or her right to pay the initial amount due at the time of the immobilization unless a bond was posted and the person will accrue additional

penalties and costs for the impoundment of the vehicle until a hearing is held and a determination is made as to whether the vehicle was immobilized in accordance with chapter 15, Tampa Code;

- (3) That a person who elects to contest a violation and then fails to appear shall be deemed to have waived his or her right to a hearing and any bond posted with the Parking Division will be forfeited to the city; and
 - (4) That any vehicles which are impounded after immobilization are subject to liens in accordance with F.S. § 713.78.
- (b) The Notice of Hearing shall be sent by mail or e-mail to the person making the request for a post-immobilization hearing to the physical address or e-mail address provided in the request. A certification by the Parking Division that the Notice of Hearing was mailed to the physical address or e-mail address provided on a post-immobilization request constitutes prima facie evidence that the person on the Notice of Hearing was served with the notice. Upon notification, the person wanting a post-immobilization is required to comply with the directions on the Notice of Hearing or waive his or her right to challenge the immobilization.
 - (c) A person who requests a post-immobilization hearing waives his or her right to pay the initial penalty and costs due as of the date of the immobilization unless a bond was posted. After the hearing, the hearing officer shall determine whether an immobilization was done in accordance with this chapter. If the hearing officer determines that the immobilization carried out by the city pursuant to this chapter was not in accordance with the applicable ordinances, statutes and regulations, the aggrieved party shall be entitled to a reimbursement of any bond, fines, costs or penalties paid related to the contested immobilization or if the vehicle is still impounded, the vehicle shall be immediately released with the city bearing the costs for the tow fees.

Sec. 15-127. Release of immobilized or impounded vehicle.

- (a) An immobilized vehicle under this chapter may be released by the city upon: payment of all parking fines, costs, and immobilization fees; a Parking Division review determination to release the immobilization device without penalty; or upon a hearing officer finding in favor of the person challenging the immobilization.
- (b) A vehicle immobilized under this chapter with a "self-releasing" device may be released by the city upon: payment of all parking fines, costs, and immobilization fees; a Parking Division review determination to release the immobilization device without penalty; or upon a hearing officer finding in favor of the person challenging the immobilization.
 - (1) Upon approval of release, the director, or their designee, will provide the customer with a unique code to enter on the device to release it from the vehicle as well as instructions for removing said device.
 - (2) The operator of the immobilized vehicle shall then return the "self-releasing" immobilization device to one of the Parking Division's identified drop off locations.
 - (3) Failure to return the self-releasing device within 24 hours will result in additional penalties to the vehicle owner.
- (c) A vehicle impounded under this chapter may be released upon: payment of all parking penalties, costs, towing, storage, and administrative fees in accordance with F.S. § 713.78; or upon the posting of a cash or surety bond totaling all applicable amounts owed until the disposition of any hearing held in accordance with section F.S. § 713.78. A person who posts a bond under this section and fails to file a complaint within the time period required under F.S. § 713.78 shall have waived his or her right to a hearing on the impoundment and the total amount of the posted bond shall be forfeited to the city.

Sec. 15-128. Disposition of unrecovered impounded vehicles.

Vehicles impounded under this chapter which are not recovered may be disposed of in accordance with F.S. § 713.78.

Sec. 15-129. Penalties and Fees.

The penalties and fees for parking infractions and violations as set forth in this chapter are hereby established as follows:

- (a) Temporary removal or reservation of an on-street parking space:
 - (1) Fees shall be applied as set forth by resolution.
- (b) Permanent removal of an on-street parking space:
 - (1) The current meter rental rate per space removed per year not to exceed seven (7) years.
- (c) Expired Meter (Section 15-63):
 - (1) 1st offense - not to exceed \$100.
 - (2) 2nd offense within 6 months - not to exceed \$150.
 - (3) 3rd or subsequent offense within 1 year - \$250.
- (d) Non-Moving Violations (Section 15-57(a)) - \$30.
- (e) Disabled Parking without Valid Permit Displayed (Section 15-54 and Section 15-59) - \$250.
- (f) Stopping, Standing, and Parking in Fire Lanes and at Hydrants (Section 15-57) - not to exceed \$200.
- (g) Stopping, Standing, and Parking in designated bus stops (Section 15-45) - not to exceed \$200.
- (h) Late Fees - not to exceed \$75.
- (i) Immobilization Fee (Section 15-125):
 - (1) 1st offense – not to exceed \$200
 - (2) 2nd offense within 6 months - Not to exceed \$300
 - (3) 3rd or subsequent offense within 1 year - not to exceed \$500
- (j) Immobilization Device Deposit – not to exceed \$500 (Refundable when the device is returned on time and in working condition)
- (k) Immobilization Device Replacement – not to exceed \$3,500.
- (l) Firefighter Education Program excess fine - \$5.
- (m) Illegal Use of License Plates, exemption parking permits, or temporary parking permits issued to persons with disabilities (Section 15-54) - \$250.
- (n) Unlawfully displaying a vehicle for sale, hire, or rental (F.S.S. 318.18(22)) - \$500.
- (o) Administrative Fee (F.S.S. 318.18(19)) - \$12.50.
- (p) Found to be in violation after contesting a citation, ticket or invoice – not to exceed \$100.
- (q) Failure to appear after requesting a hearing – not to exceed \$100.
- (r) School Crossing Guard program surcharge - \$2.
- (s) Issuance of notice of delinquent status for any provision of this chapter – not to exceed \$100 (No such fee shall be assessed when a parking ticket, citation, or invoice is dismissed or is found to not be in violation.)
- (t) Failure to return the self-releasing boot within 24 hours to one of the Parking Division's identified drop-off locations – not to exceed \$3,500.

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- (u) Payment pursuant to this section may be made by authorized legal tender or other forms of payment approved by resolution upon recommendation of the mayor and approved by city council.