

ORDINANCE 2014-7

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING CHAPTER 66, TRAFFIC AND VEHICLES; AMENDING SECTION 66-1, PROVIDING FOR AMENDED DEFINITIONS; AMENDING SECTION 66-2, PROVIDING FOR ADOPTION OF FLORIDA UNIFORM TRAFFIC CONTROL LAW; AMENDING SECTION 66-31, PROVIDING FOR DUTIES OF THE POLICE DEPARTMENT; AMENDING SECTION 66-32, PROVIDING FOR AUTHORITY OF THE TRAFFIC ENGINEER AND CITY MANAGER CONCERNING PARKING; AMENDING SECTION 66-35, PROVIDING FOR IMMOBILIZED VEHICLES AND RESOLUTION OF PARKING VIOLATIONS; AMENDING SECTION 66-37, PROVIDING FOR GRAMMATICAL CORRECTION; AMENDING SECTION 66-41, PROVIDING FOR JOINT AND SEVERAL LIABILITY FOR OWNERS AND OPERATORS OF MOTOR VEHICLES FOR FEES AND FINES AND FOR HEARING REQUESTS FOR CITED VIOLATIONS, AMENDED PENALTIES AND THAT CITATIONS ISSUED BY POLICE DEPARTMENT DO NOT REQUIRE INITIAL WARNING; AMENDING SECTION 66-42, PROVIDING FOR COST REIMBURSEMENT FOR PROCESSING VEHICLE REGISTRATION BLOCK WITH STATE OF FLORIDA; AMENDING SECTION 66-67 PROVIDING FOR CITY VEHICLE EXEMPTION FROM DOWNTOWN PARKING EXEMPT ZONE; AMENDING SECTION 66-69, PROVIDING FOR UNLAWFUL PARKING IN MANNER INCONSISTENT WITH PARKING SPACE DESIGN; AMENDING SECTION 66-73, PROVIDING FOR AMENDED FREIGHT CURB LOADING ZONE PERMIT FEES; AMENDING SECTION 66-74, PROVIDING FOR UNLAWFUL PARKING OF VEHICLES WITH CAMPERS OR TOWED EQUIPMENT; AMENDING SECTION 66-76 PROVIDING FOR RESTRICTIONS ON SALE OF VEHICLES IN RESIDENTIAL DISTRICTS; AMENDING SECTION 66-77, PROVIDING FOR GRAMMATICAL CORRECTION; AMENDING SECTION 66-105, PROVIDING FOR ADDITIONAL AREAS OF ALLOWED RESERVED PARKING; AMENDING SUBSECTION 2-403(a), PROVIDING FOR JURISDICTION OF THE CODE ENFORCEMENT BOARD; PROVIDING FOR

SEVERABILITY; PROVIDING FOR THE REPEAL OF
CONFLICTING ORDINANCES; AND PROVIDING AN
EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Ocala,
Florida as follows:

Section 1. That Section 66-1 of the Code of Ordinances, City of Ocala, Florida, is
hereby amended to read as follows:

Sec. 66-1. Definitions.

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

Alley means minor ways which are used primarily for vehicular service access to the back
or the side of properties otherwise abutting on a street.

Bus stand means a fixed area in the roadway parallel and adjacent to the curb, to be
occupied exclusively by buses for layover in operating schedules or waiting for passengers.

Center and centerline means a continuous or broken line marked upon the surface of a
roadway by paint or otherwise, to indicate each portion of the roadway allocated to traffic
proceeding in the two opposite directions, and if the line is not so painted or otherwise marked, it
is an imaginary line in the roadway equally distant from the edges or curbs of the roadway.

Chalk or Chalking means the physical marking of a tire, time/date stamped photo/video,
or the electronic input of a tag number in a citation or other measurement device for purposes of
enforcement of time limits imposed for certain parking zones and spaces.

Citation means an official parking citation utilized by the City of Ocala for parking
violations.

Citation device means a device that has been tested and approved by the parking
enforcement manager for use by parking enforcement specialists to produce a computer printed
parking citation.

Commercial vehicle means every vehicle designed, used or maintained primarily for the
transportation of property.

Common carrier means all common carriers of passengers operating between fixed
termini, over regular routes and on fixed schedules.

Curb loading zone means a space adjacent to a curb reserved for the exclusive use of
vehicles during the loading and unloading of passengers or materials.

Freight curb loading zone means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

Special magistrate means the code enforcement special magistrate created by section 2-471 of the code of ordinances and defined in section 2-402 of the code of ordinances.

Parking enforcement activity means all efforts, undertakings or actions involved in the monitoring and enforcement of traffic code provisions, including but not limited to chalking of tires, issuing of citations and the immobilization of vehicles.

Parking enforcement manager means an individual who has successfully completed the requirements of the parking enforcement specialist, and been duly appointed to manage, enforce, and coordinate, the daily activities of the parking enforcement specialist in the parking exempt zone and downtown area.

Parking enforcement specialist means any individual who successfully completes a training program established and approved by the Criminal Justice Standards and Training Commission for parking enforcement specialist or as otherwise defined by Florida Statute, § 316.640 and who is employed by the City of Ocala for purposes of parking enforcement activity.

Parking exempt zone means the area described in Section 122-981 of the City of Ocala Code of Ordinances.

Parking lot or facility means an area of city-owned or leased real property used for the purpose of parking vehicles in separately marked parking areas included within the city parking program.

Parking meter means a mechanical timing device authorized by ordinance, to be used for the purpose of regulating parking, and which is actuated by the insertion of a coin and the operation of a lever or cranking device.

Parking program means any formalized and duly authorized parking program approved by city council for the administration and enforcement of public parking programs in the City of Ocala, Florida on leased or owned public property. The parking program shall be managed by the city manager by a city department designated by him.

Restricted access street means every street or roadway in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the street or roadway, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or roadway.

Taxi and taxicab means a licensed public motor vehicle for hire designated and constructed to seat not more than seven persons and operating as a common carrier on call or demand.

Taxi stand and taxicab stand means a fixed area in the roadway parallel and adjacent to the curb, set aside for taxicabs to stand or wait for passengers.

Through street means every street or portion thereof at the entrances to which vehicular traffic from intersecting streets is required by law to stop before entering or crossing the street, and where stop signs are erected as provided in this chapter.

Traffic engineer means the city engineer for the City of Ocala or his designee.

Valet ramping space means a parking space approved by the city for the ramping of vehicles associated with a licensed valet parking service.

Valet ramping zone means any public property, not regularly used for parking which is approved by the city for the ramping of vehicles associated with a licensed valet parking service.

Warning means a written notice that any future violations of this chapter that occur in the parking exempt zone pursuant to the parking program will expose the violator to the penalties set forth in section 66-41. A warning is actually considered a "first offense" for purposes of enforcement but which carries a zero dollar penalty. Citations issued by the police department, however, do not require this warning.

Section 2. That Section 66-2 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-2. Uniform Traffic Control Law adopted.

The Florida Uniform Traffic Control Law as set forth in F.S. ch. 316 is hereby adopted by reference.

Section 3. That Section 66-31 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-31. Duties of police department.

(a) It shall be the duty of the chief of police, with such aid as may be rendered by other members of the police department and the parking program, to enforce the provisions of this chapter and the state vehicle laws applicable to traffic in the city, to make arrests for traffic violations, to assist in the prosecution of persons charged with such violations, to investigate accidents, to cooperate with the traffic engineer, and other officials of the city in the administration of parking program, traffic ordinances and in developing ways and means to improve traffic conditions, and to carry out those duties specifically imposed by this chapter and the traffic ordinances of the city.

(b) The police department shall annually prepare a traffic report, which shall be filed with the mayor and city manager. Such report shall contain information on traffic in the city as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data.
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police.
- (3) Plans and recommendations for future traffic safety activities.
- (c) Whenever the accidents at any particular location become numerous, the police department shall cooperate with the traffic engineer in conducting studies of such accidents and determining remedial measures.
- (d) The police department shall maintain a suitable system of filing traffic accident reports. Accident reports, or cards referring to them, shall be filed by code number by location. Such reports shall be available for the use and information of the traffic engineer.
- (e) The police department shall receive and properly file all accident reports made to it under state law or under any ordinance, but all such accident reports made by drivers shall be solely for the confidential use of the police department, the traffic engineer, the state department of highway safety and motor vehicles, and the state department of transportation, and no such report shall be admissible in any civil or criminal proceedings other than upon request of the person making such report or upon request of the court having jurisdiction to prove compliance with the laws requiring the making of any such report.
- (f) The police department shall provide state required Parking Enforcement Specialist training as required by F.S. § 316.340.

Section 4. That Section 66-32 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-32. Traffic engineer; city manager authority concerning parking.

(a) The office of traffic engineer is hereby established. The traffic engineer shall be appointed by the city manager or his or her designee and shall exercise the powers and duties provided in this chapter. In the absence of such appointment, or at such times as the traffic engineer may be absent from the city or incapable of performing his duties, the duties and powers of the traffic engineer shall be vested in a duly appointed assistant traffic engineer, or if none, or if such assistant be absent from the city or incapable of performing his duties, such duties shall be vested in the chief of police, or other city official as determined and authorized by the city manager.

(b) It is the general duty of the traffic engineer, or chief of police if no traffic engineer is appointed, to plan and determine the installation and proper timing and maintenance of traffic control devices; to plan and direct the operation of traffic on the streets of the city, including parking areas; to conduct investigations of traffic conditions; to cooperate with other city and state officials and make recommendations for the improvement of traffic movement and conditions, including improvements in streets; and to carry out the additional powers and duties imposed by ordinances of the city or as directed by the city manager or the city council.

(c) The traffic engineer or such duly appointed representative is hereby authorized to:

(1) Place and maintain, or remove, traffic control signs, signals, lane markings, and other devices, and shall determine the hours and days during which any traffic control device shall be in operation or be in effect, when and as required under the traffic ordinances of the city to indicate and carry out the provisions of such ordinances, and may place and maintain such

additional traffic control devices as he may deem necessary to regulate traffic under the traffic ordinances of the city and under state law to regulate, warn or guide traffic, provided no stop sign or traffic control signal shall be erected or maintained at any location so as to require the traffic on any state highway to stop before entering or crossing any intersecting highway, unless approval in writing has first been obtained from the state department of transportation. In all respects, all traffic control signs, signals and devices shall conform to the manual and specifications as approved by the department of transportation. All signs and signals required under this chapter for a particular purpose shall be uniform as to type and location throughout the city. All traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.

(2) Designate streets, or parts of streets, as through streets, and place and maintain a stop sign on each and every street intersecting such through street, except at those intersections which are controlled by automatic signals or other traffic control devices. Such designations shall be made when required by the public safety.

(3) Determine and designate intersections where a particular hazard exists upon other than through streets, and determine whether vehicles shall stop or yield the right-of-way at one or more entrances to any such intersection, and shall erect a stop or yield sign at every place where he shall find a stop or yield required, except at those intersections which are controlled by automatic signals or other traffic control devices.

(4) Prohibit the use of the roadway by farm tractors, trailers and semitrailers, and by trucks or other commercial vehicles, and impose limitations as to the weight thereof on designated streets where in his opinion the public safety is concerned, but such prohibitions and limitations shall not become effective until notice thereof is given by means of appropriate signs placed on such streets.

(5) Designate certain streets as truck routes to be used for the expeditious and convenient movement of farm tractors, trailers, semitrailers, trucks and other commercial vehicular traffic, and give notice thereof by means of appropriate signs placed along such streets. Such designations shall be made when required by the public safety.

(6) Place markers, buttons, pavement markings or signs within or adjacent to intersections and thereby require and direct that a different course from that specified in this chapter be traveled by vehicles turning at an intersection.

(7) Mark lanes upon the roadway of any street where he shall find that a regular alignment of traffic is necessary in the interests of safety and efficiency, or at such places as he may find to be advisable, consistent with the traffic ordinances of the city and state law.

(8) Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, within the jurisdiction of the city, crosswalks at those places where he shall find that there is particular danger to pedestrians crossing the roadway, and when he shall further find that the existence of a crosswalk will reduce that danger.

(9) Establish safety zones of such kind and character and at such places where he shall find that there is particular danger to the pedestrians, and which are consistent with state law, and where he shall find that the existence of a safety zone will reduce that danger.

(10) Determine those streets or intersections of such streets from which drivers of vehicles shall not make a right turn, left turn or U-turn, and shall place proper signs upon such streets and at such intersections. The making of such turns may be prohibited between the hours of any day and permitted at other hours, in which event such hours shall be plainly indicated on

the signs, or the signs may be removed when such turns are unrestricted. Such determination shall be made when required by the public safety.

(11) Recommend the one-waying of any streets, roadways or alleys within the city, and install and maintain upon any of the one-way streets, roadways or alleys or parts of streets, as approved by ordinance, signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(12) Determine and designate, based on an engineering study and criteria established by the state department of transportation, maximum or minimum speed limits different from 30 miles per hour upon any of the streets or parts of streets described by ordinance, and install and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place.

(13) Determine the location of angle parking zones, and stripe and maintain appropriate markings indicating such zones and giving notice thereof upon any of the streets or parts of streets described by ordinance.

(14) Declare and establish whenever he shall find that the public safety and convenience are best served thereby, any street or part thereof as a play street, and place appropriate signs and barricades enclosing the roadway indicating and helping to protect the street.

(15) Erect signs on any sidewalk or street prohibiting the riding of bicycles thereon by any person.

(16) Establish bus stops, bus stands, taxicab stands, or stands for other passenger common carrier motor vehicles on such public streets, in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public. Every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs.

(17) Determine the location of passenger and freight curb loading zones, and place and maintain appropriate signs indicating such zones and stating the hours during which such restrictions are applicable. Such determination shall be made when required by the public safety.

(18) Erect signs in each block limiting the parking time and duration on certain streets and giving notice thereof, when the public safety so requires.

(19) Prohibit or restrict the stopping, standing or parking of vehicles on any street of the city, and erect signs giving notice thereof, when, in his opinion, such stopping, standing or parking of vehicles interferes with the movement of traffic thereon.

(20) Prohibit parking upon either or both sides of any street adjacent to any school property, and erect signs giving notice thereof, when such parking, in his opinion, would interfere with traffic or create a hazardous situation.

(21) Designate, by proper signs, places not exceeding 100 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(22) When the public safety requires it, prohibit parking upon any street when the width of the roadway does not exceed 20 feet or upon one side of a street when the width of the roadway does not exceed 30 feet, and erect signs giving notice thereof.

(23) When the public safety requires it, designate certain places where parking shall be prohibited at all times, and erect signs giving notice thereof.

(24) Prohibit all-night parking, and erect signs giving notice thereof, upon any street or portion thereof, whenever in his opinion such prohibition is necessary or advisable in the interest of public safety.

(d) The city manager or his designee is hereby authorized to:

(1) Designate parking enforcement specialists with the authority to enforce all state, county, and municipal laws and ordinances governing parking within the boundaries of the municipality.

(2) Operate the parking program; designate staff responsible for managing the program; and establish procedures related to same.

(3) In cooperation with the traffic engineer and the parking program manager, ensure the installation and maintenance of proper signage and pavement markings as needed to properly identify parking zones in any of the streets or parts of streets and in any city-owned or leased and operated parking lot.

(4) Determine the location of reserved parking spaces in any city-owned or leased and operated parking lot designated as a reserved parking zone by city council by ordinance and as listed in section 66-105

(5) Determine the location of metered parking spaces within metered parking zones which have been approved as such by city council by ordinance and which are listed in section 66-101. Within the metered parking zones install and maintain as many parking meters as necessary to aid in the regulation, control and inspection of the parking of vehicles. The parking meters may be of whatever type as determined by city council.

(6) Determine the parking time and duration permitted on streets and in city-owned or leased and operated parking areas; and establish times of enforcement of parking.

(7) Recommend to city council fees for reserved and metered parking which shall be established by city council by separate resolution. Such fees shall be subject to periodic review and adjustment by city council.

(8) In cooperation with the engineer and the parking program manager, authorize the temporary closure or blocking of parking spaces as needed to facilitate parades or emergency services.

Section 5. That Section 66-35 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-35. Immobilization of vehicles.

(a) Any motor vehicle found parked at any time upon any street or in any off-street parking facility included within the city's parking program in the city against which there are two or more outstanding or otherwise unsettled parking violation notices for which a notice of outstanding penalties has been mailed or posted on the offending vehicle, may by or under the direction of a parking enforcement specialist or police officer be immobilized in such a manner as to prevent its operation. No such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place. All parking violation notices as to owner of the immobilized vehicle shall be resolved prior to the release of the immobilized vehicle.

(b) It shall be unlawful for anyone, except a parking enforcement specialist, those persons authorized by the parking enforcement specialist or a police officer, to remove or

attempt to remove, tamper with or in any way damage or alter the immobilization device. Such acts shall be considered an offense and shall be punishable by a fine not exceeding \$500.00 or imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment.

(c) Interfering with, tampering with or attempting to move a vehicle once the parking enforcement specialist or a police officer has begun any parking enforcement activity shall be considered an offense and shall be punishable by a fine not exceeding \$500.00 or imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment.

(d) The police department or parking enforcement manager, may tow, or cause to be towed, and impound any motor vehicle immobilized under this section if payment for fines and charges or satisfactory arrangements in lieu thereof have not been paid or obtained by 5:00 p.m. on the day of the attachment of the immobilization device. All expenses for towing or impounding shall be borne by the owner of the motor vehicle. All towing or impounding under this section shall be done in accordance with section 66-34

Section 6. That Section 66-37 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-37. Notice on illegally parked vehicle.

Whenever any motor vehicle without a driver is found parked, stopped or standing in violation of any of the restrictions imposed by ordinance of the City of Ocala or by statute of the State of Florida, the officer, or parking enforcement specialist, finding such vehicle shall take its registration number and make, and take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such a vehicle a traffic citation or notice in writing, for the driver to answer to the charge against him within the time specified on the citation, during the hours and at a place specified in the notice.

Section 7. That Section 66-41 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-41. Penalties and Request for Hearing.

(a) Owners and operators are responsible jointly and severally liable for the fines and fees imposed by this Chapter.

(b) *Penalties.* Any person violating the provisions listed in this chapter shall be subject to a fine or fines in accordance with the following schedule of fines:

| Ordinance Section | Title | First Violation | Two Violations Within 180 Days | Three Violations Within 180 Days | Four Violations Within 180 Days | Five Violations Within 180 Days |
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| <u>66-35</u> | Removal of immobilization device | \$50.00 | | | | |
| <u>66-61(a)(b)</u> | Overtime and improper meter parking | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>66-61(c)</u> | Improper coin and meter tampering | \$50.00 | | | | |
| <u>66-62</u> | Stopping, standing or parking in valet ramping or parking zone | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>66-63</u> | Stopping, standing or parking in alleys | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>66-64</u> | Stopping, standing, or parking in passenger loading zone | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>66-65</u> | Stopping, standing, or parking in freight loading zone | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |

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| <u>66-66(a), (b)</u> | Parking time limited on certain streets; shuffling | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>66-66(c)</u> | Removal of chalk mark | \$25.00 | | | | |
| <u>66-67</u> | Parking for certain purposes prohibited | \$25.00 | | | | |
| <u>66-68</u> | All night parking prohibited | \$25.00 | | | | |
| <u>66-69</u> | Prohibited parking at certain places | \$25.00 | | | | |
| <u>66-70</u> | Parking in residential areas | \$100.00 | \$125.00 | \$150.00 | \$175.00 | \$200.00 |
| <u>66-71</u> | Stopping, standing or parking of buses & taxis | \$25.00 | | | | |

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| <u>66-72</u> | Restricted use of bus and taxi stands | \$25.00 | | | | |
| <u>66-74(a)</u> | Stopping, standing or parking in restricted or reserved parking area. | \$0.00* | \$25.00 | \$50.00 | \$75.00 | \$100.00 |
| <u>66-74(b)</u> | Parking in a restricted space for disabled permit only | \$100.00 | | | | |
| <u>66-75</u> | Parking prohibited for display for sale | \$25.00 per day, each day shall constitute a separate offense. | | | | |
| <u>66-76</u> | Parking of vehicles for sale | \$25.00 per day, each day shall constitute a separate offense. | | | | |
| <u>66-77(a)(b)</u> | Parking along roadway against flow | \$25.00 | | | | |

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* Note that the first violation for this offense is a courtesy citation (zero fine violation) but still is considered a violation for enforcement purposes. Citations issued by the police department do not require a warning. Violators who received warnings in the previous year are considered a repeat parking violator and not entitled to a warning citation as outlined in this section.

(c) *Request for hearing.* All challenges for parking citations issued under this chapter must be filed to the parking program manager within thirty calendar days of issuance of aid citation. A request for hearing must be completed in writing on a form that is available at the parking operations office, and will be decided by the special magistrate whose decision shall be final. If the special magistrate upholds the citation, there shall be a cost of prosecution fee due in addition to the fine owed, as outlined in F.S. 162.07(2).

Section 8. That Section 66-42 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-42. Reporting parking violation information to state.

The city shall supply the Florida Department of Highway Safety and Motor Vehicles, or any successor department performing substantially the same duties, a list of persons who have three or more outstanding parking violations, or one or more outstanding parking violation(s) of F.S., § 316.1955 or any city ordinances which regulate parking in spaces for persons with disabilities. The information may be supplied to the Florida Department of Highway Safety and Motor Vehicles in any communications format approved by it or by state statute. Should this reporting result in a vehicle registration block with the State of Florida that won't be lifted until outstanding parking violation fines are paid to the city, the city may also charge in addition to the fines owed the actual cost of reporting and processing the release an administrative fee of \$25.00.

Section 9. That Section 66-67 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-67. Parking for certain purposes prohibited.

(a) No person shall park a vehicle upon any city-owned or leased and operated parking lot or facility, street, sidewalk or adjoining right-of-way for the purpose of:

- (1) Displaying such vehicle for sale.
- (2) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
- (3) Displaying advertising.
- (4) Selling merchandise from such vehicle, except in a duly established market place, or when so authorized or licensed under the ordinances of the city.
- (5) Storage, or as junk or dead storage for more than 12 hours.

(b) Any vehicle found to be parked in violation of this section upon any city-owned or leased and operated parking lot or facility, street, sidewalk or adjoining right-of-way may be towed by the city and impounded pursuant to section 66-34 until the fines, towing and storage costs are paid. For purposes of this chapter official city vehicles are exempt from the provisions of this code in the downtown parking exempt zone.

Section 10. That Section 66-69 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-69. Parking prohibited at all times at certain places.

(a) No person shall park a vehicle at any time on any of the following parts of streets, sidewalks or sidewalk areas or city-owned or leased and operated parking lots, where signs are erected giving notice thereof:

- (1) In front of a theater entrance.
- (2) In front of the entrance or exit of a hotel.
- (3) In front of the entrance to any building where public safety indicates parking should be prohibited.
- (4) In a position which blocks pedestrian crosswalks.
- (5) In front of a sanitation dumpster.
- (b) It shall be unlawful for any person to park a vehicle in any fire lane or within fifteen feet of a standpipe or fire hydrant.

(c) It shall be unlawful for any person to park in a space not specifically designated for parking or parked in a way inconsistent with the design of the space being parked in.

Section 11. That Section 66-73 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-73. Freight curb loading zone permits.

(a) The parking program manager shall issue to applicants permits for the use of freight curb loading zones effective for a two-year period commencing October 1, 1968, and thereafter permits shall be issued for a two-year period expiring September 30 of the appropriate year. Such permit shall be issued upon payment of \$25.00 for the first permit issued to an applicant and \$10.00 for each succeeding permit issued to the same applicant.

(b) All applications for permits for the use of freight curb loading zones shall be filed prior to September 1 of the year of expiration, and the application for such permit shall contain the following information:

- (1) Whether the applicant is a wholesaler, retailer or common carrier.
- (2) The number of trucks operated by the applicant.
- (3) The number of trucks owned by the applicant which will carry loading and unloading permits.
- (4) The number of stops per day for loading and unloading purposes (average).
- (5) The name of the business, type of business, location of business, mailing address and telephone number.

(c) All applications will be submitted in writing to the parking program manager, who shall have the authority to issue such permits. Should the parking program manager deny

the issuance of the permit, then in that event the applicant shall have the right of appeal to the city manager or designee whose findings in the matter shall be final.

(d) Permits issued shall be affixed in a conspicuous place to each vehicle and a vehicle-not bearing such permit shall not stop, stand or park in any freight curb loading zone per section 66-65

Section 12. That Section 66-74 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-74. Stopping, standing or parking in restricted or reserved parking area; parking in space designated for handicapped persons.

(a) No person shall stop, stand or park a vehicle on public property within the city officially designated for restricted or reserved parking and where signs have been erected giving notice of such restricted or reserved parking, unless such stopping, standing or parking of the vehicle is for a specific purpose for which the restricted or reserved parking area has been designated. Parking of vehicles with attached trailers, campers or tow behind equipment is not authorized in restricted or reserved parking areas.

(b) Any person who parks a vehicle in any parking space designated with the internationally accepted wheelchair symbol or the caption "Parking by Disabled Permit Only," or both such symbol and caption, is guilty of a traffic infraction and subject to the fines listed in section 66-41, unless such vehicle displays a parking permit issued by the state department of highway safety and motor vehicles indicating that the bearer has met the requirements to be considered handicapped and such vehicle is transporting a person eligible for such a parking permit. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking.

(c) The provisions of F.S. § 316.1955 are hereby adopted by reference, and the fine stated in section 66-41 is in accordance with F.S. § 316.008(4) providing for a fine for violation of such sections.

Section 13. That Section 66-76 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-76. Display of vehicles for sale.

(a) No vehicle shall be displayed for sale in a residential district, except on the property of the registered owner of the vehicle at the address for which the vehicle is registered, and only if affixed to the vehicle is a current valid state license plate issued for that vehicle. A vehicle for sale may be displayed on the owner's property for a period not to exceed 30 days; except that a vehicle affixed with either a temporary tag or lost tag may be displayed for a period not to exceed ten days,. A vehicle with a lost tag shall have the vehicle registration with the current address of the registered owner of the vehicle affixed to the rear window so as to be easily readable by law enforcement, code enforcement officials, or a parking enforcement specialist, and the display shall only be permitted at the current address of the registered owner.

(b) In residential districts no more than two vehicles may be displayed for sale at any one time on any one premise for any one calendar year, and the display shall only be permitted at the current address of the registered owner.

Section 14. That Section 66-77 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-77. Parking along roadways.

(a) 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 12 inches of the right-hand curb or edge of the roadway.

(b) 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 12 inches of the right-hand curb or edge of the roadway, or its left wheels within 12 inches of the left-hand curb or edge of the roadway.

Section 15. That Section 66-105 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 66-105. Schedule V: Reserved parking zones.

In accordance with section 66-32(d)(4) and section 66-74 the following parking zones may be designated as reserved parking.

| Parking Lot Number | Zone Municipal Lot Location |
|--------------------|--|
| 3 | East of S.E. First Avenue and north of S.E. Broadway Street |
| 5 | East of North Magnolia Avenue and north of N.E. First Street |
| 12 | East of S.W. First Avenue and north of S.W. Fort King Street |

| | |
|----|--|
| 7 | West of S.W. First Avenue and north of Broadway |
| 9 | East of S.W. Second Avenue and North of S.W. Fort King Street |
| 14 | West of North Magnolia Avenue and North of NW 3 rd Street |

Section 16. That subsection 2-403(a) of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 2-403. Jurisdiction.

(a) The enforcement board shall enforce and have jurisdiction over the following:

Chapter 10, article III (adult entertainment).

Chapter 10, article II (circuses, carnivals and exhibitions).

Chapter 10, article V, division 2 (teenage dances).

Chapter 14 (animals).

Chapter 18 (aviation).

Chapter 22, article II (fortunetellers).

Chapter 22, article III (security services).

Chapter 22, article V (sidewalk cafes).

Chapter 22, article VI (peddlers, solicitors and vendors).

Chapter 30, article II (alarm systems).

Chapter 34, article II (mosquito control).

Chapter 34, article III (rat control).

Chapter 34, article IV (nuisances generally).

Section 34-122 (abandoned or derelict vehicles) as to derelict or abandoned vehicles on private property only.

Section 34-127(b) (shopping cart identification sign required for retail establishments).

Section 34, Article VI (abandoned properties in foreclosure).

Section 34-151 (screening of storage areas for junked vehicles and equipment).

Section 34-201 (littering; use of recycling containers; removal of waste generated by owners and contractors).

Section 34-202 (distribution of handbills).

Chapter 38, article III, divisions 1, 2 and 3 (fire prevention standards; fire hydrants).

Chapter 50 (secondhand goods).

Section 54-33 (collection of solid waste).

Chapter 54, article III (private collectors of solid waste).

Section 58-121 (sidewalk design and construction standards).

Chapter 58, article IV (use of city rights-of-way).

Chapter 62, article II (public service tax).

Chapter 62, article III (occupational license tax).

Chapter 66, (traffic and vehicles).

Chapter 70, article II (sanitary sewer system).

Chapter 70, article III (water system).

Chapter 74, (vehicles for hire)


Chapters 78 through 122 (land development regulations).

Section 17. Severability Clause: Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

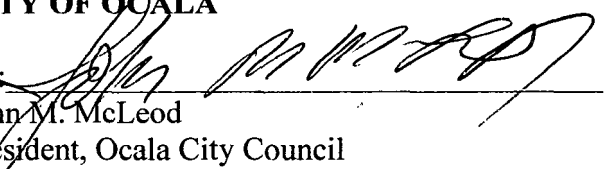
Section 18. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 19. This ordinance shall take effect upon approval by the mayor, or upon becoming law without such approval.

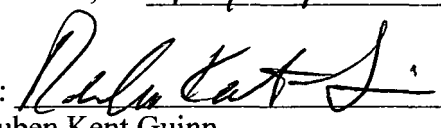
ATTEST:

By: 
Angel B. Jacobs
City Clerk

CITY OF OCALA

By: 
John M. McLeod
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on 12/23/2013, 2013.

By: 
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: _____

~~Patrick G. Gilligan~~

~~City Attorney~~

W. James Gooding III
Assistant City Attorney

Ordinance No: 2014-7

Introduced: 12/3/2013

Adopted: 12/17/2013

Legal Ad No: A000808618 - 12/6/13