

Code Change

ORDINANCE NO. 2020-96

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AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, **RELATING TO THE SCOPE OF AUTHORITY OF THE CITY'S CODE ENFORCEMENT DIRECTOR AND DUTIES OF CODE ENFORCEMENT OFFICERS**; MAKING REVISIONS TO CITY OF TAMPA CODE OF ORDINANCES CHAPTER 19 (PROPERTY MAINTENANCE AND STRUCTURAL STANDARDS); AMENDING ARTICLE I. IN GENERAL, DIVISION 1. GENERAL PROVISIONS; ADMINISTRATIVE AUTHORITY; SECTION 19-4. DEPARTMENT OF CODE ENFORCEMENT; DUTIES AND SCOPE OF AUTHORITY OF THE DIRECTOR BY EXPANDING THE POWERS, DUTIES AND RESPONSIBILITIES OF THE CODE ENFORCEMENT DIRECTOR AND THEIR CODE ENFORCEMENT OFFICERS TO ADMINISTER AND ENFORCE CITY CODE CHAPTER 15 (PARKING); AMENDING CITY OF TAMPA CODE OF ORDINANCES CHAPTER 15 (PARKING), SECTIONS 15-3, 15-54, AND 15-122 TO DEFINE DULY AUTHORIZED CODE ENFORCEMENT OFFICERS AND AUTHORIZE SAME TO ENFORCE CHAPTER 15 PROVISIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Tampa established standards within City Code Chapter 15 (Parking); and,

WHEREAS, Chapter 316, Florida Statutes allows properly trained and qualified City code enforcement officers to issue City Code citations; and,

WHEREAS, the City of Tampa established standards within City Code Chapter 19, (Property Maintenance and Structural Standards) relating to the scope of authority of the City's Code Enforcement Director and duties of City code enforcement officers in the City of Tampa; and,

WHEREAS, the City of Tampa desires to amend Chapter 19, (Property Maintenance and Structural Standards) as above described, to expand the powers, duties and responsibilities of the director and their authorized agents, assistants, and employees to administer and enforce City Code Chapter 15 (Parking), with the exception of the Central Business District, for the purpose of maximizing the use of existing resources to address the need for more parking enforcement coverage throughout the City; and,

WHEREAS, the City Council of the City of Tampa has determined that the following amendment is in the best interest of the residents of the of the City of Tampa; and,

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

E2020-8 CH 15 + 19

1
2 **NOW, THEREFORE,**
3

4 **BE IT ORDAINED BY THE CITY COUNCIL**
5 **OF THE CITY OF TAMPA, FLORIDA:**
6

7 **Section 1.** That City of Tampa Code Chapter 19, **Sec. 19-4 (a)** is hereby
8 amended by adding the underlined and deleting the stricken language as follows:
9

10 "Sec. 19-4. - Department of code enforcement; duties and scope of authority of the
11 director.
12

13 (a) The director shall have all powers, duties and responsibilities to administer and
14 enforce the following City Code chapters or sections: The director shall be
15 deemed to be an officer for the purpose of enforcing the provisions of this
16 chapter under authority provided in section 1-14 of this Code.
17

18 (1) Section 5-105;
19

20 (2) Chapter 14, articles III, IV and X;
21

22 (3) Chapter 19;
23

24 (4) Chapter 21, articles I, II, III and V;
25

26 (5) Chapter 22, articles I and III;
27

28 (6) Chapter 25, article I;
29

30 (7) Chapter 27-;
31

32 (8) Chapter 15, except for parking regulations within the Central Business
33 District as defined in Chapter 27.
34

35"
36

37 **Section 2.** That City of Tampa Code Chapter 15, **Sec. 15-4** is hereby amended by
38 adding the underlined language as follows:
39

40 "Sec. 15-4-.
41

42

43 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

1 ordinances enacted by the city and has been trained and certified to issue parking
2 tickets pursuant to Florida law.

3”

4
5 **Section 3.** That City of Tampa Code Chapter 15, **Sec. 15-4.5** is hereby added to the
6 City Code by adding the underlined as follows:

7
8 “Sec. 15-4.5 - Authority to issue citations for parking tickets.

9
10 Parking enforcement specialists, and police officers are authorized to issue parking
11 tickets for violations of this chapter. Duly certified code enforcement officers are
12 authorized to issue parking tickets for violations of this chapter, except for
13 violations within the Central Business District as defined in Chapter 27.”

14
15 **Section 4.** That City of Tampa Code Chapter 15, **Sec. 15-54 (b)** is hereby amended
16 by adding the underlined as follows:

17
18 “Sec. 15-54. - Illegal use of license plates, exemption parking permits, or temporary
19 exemption parking permits issued to persons with disabilities.

20

21
22 (b) When investigating the possibility of a violation of this section, a law
23 enforcement officer, a duly certified code enforcement officer, or a parking
24 enforcement specialist has the right to demand to be shown the vehicle
25 registration, driver's license, or any state or other forms of identification of the
26 operator or other person in charge of the motor vehicle or of the person eligible
27 for such license plate, exemption permit, or temporary exemption parking permit.
28 If such request is refused, the person refusing shall be issued a citation for a
29 violation of this subsection. That person shall not be found guilty of violating this
30 subsection if, prior to or at time of his court or hearing appearance, he produces
31 in court or to the clerk of the court in which the charge is pending a vehicle
32 registration, driver's license, or any state or other forms of identification which
33 confirms that he is the same person to whom was issued the license plate,
34 exemption parking permit, or temporary exemption parking permit used or
35 displayed at the time of citation or that he is eligible for such license plate,
36 exemption permit, or temporary exemption parking permit.

37

38 **Section 5.** That City of Tampa Code Chapter 15 (Parking) **Sec. 15-122 (b)** is hereby
39 amended by adding the underlined and deleting the stricken language as follows:

40
41 “Sec. 15-122. - Vehicles parked in violation of regulations deemed nuisance;
42 continuous parking in metered parking spaces; habitual parking status.

43

1 (b) It is unlawful for any vehicle in violation of this chapter to remain in any
2 metered parking space for more than two (2) hours after a ticket has been
3 issued for violation of any provision of this chapter. For continuous parking
4 beyond each two-hour period, a new offense shall be deemed to have occurred
5 and ~~the Tampa Police Department~~ a law enforcement officer, a duly certified
6 code enforcement officer, or the a parking division enforcement specialist is
7 authorized to issue an additional ticket for each subsequent two-hour period.
8
9

.....”

10
11 **Section 6.** That should a court of competent jurisdiction declare any part of
12 this Ordinance invalid, the remaining parts hereof shall not in any way be affected by such
13 determination as to the invalid part.
14

15 **Section 7.** That all ordinances or parts of ordinances in conflict herewith are
16 hereby repealed to the extent of any conflict.
17

18 **Section 8.** That this ordinance shall take effect immediately upon becoming a
19 law.

20 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA,
21 ON OCT 01 2020.

22
23 ATTEST:

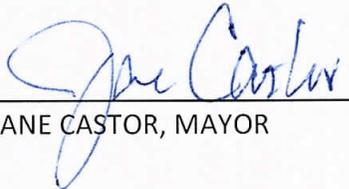


CHAIRMAN/CHAIRMAN PRO-TEM
CITY COUNCIL



CITY CLERK/DEPUTY CITY CLERK

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30 APPROVED BY ME ON 10/6/20



JANE CASTOR, MAYOR

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35 APPROVED AS TO LEGAL
36 SUFFICIENCY BY:
37 /es/ Julie Hardy
38 JULIE HARDY
39 ASSISTANT CITY ATTORNEY

NOTICE OF PUBLIC HEARING

THIS VIRTUAL MEETING OF THE CITY COUNCIL WILL BE HELD IN ACCORDANCE WITH DECLARATIONS AND PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS 20-69 AND 20-179, AS THEY MAY BE FURTHER EXTENDED, AND EMERGENCY RULES OF PROCEDURE AS ADOPTED AND AMENDED BY THE CITY COUNCIL. IT WILL BE CONDUCTED BY REMOTE PARTICIPATION OR VIDEO TELECONFERENCING, WHICH IS REFERRED TO BY STATE OF FLORIDA STATUTES AND RULES AS "COMMUNICATIONS MEDIA TECHNOLOGY" ("CMT").

Ord. No 2020-96

ON **October 1, 2020 @ 9:30 A.M.** VIA COMMUNICATIONS MEDIA TECHNOLOGY (GOTOWEBINAR), A PUBLIC HEARING WILL BE HELD BY THE TAMPA CITY COUNCIL TO CONSIDER THE FOLLOWING ORDINANCES FOR ENACTMENT:

File No. E2020-8 CH 15 and E2020-8 CH 19

An ordinance of the City of Tampa, Florida, relating to the scope of authority of the City's Code Enforcement Director and Duties of Code Enforcement Officers; making revisions to City of Tampa Code of Ordinances Chapter 19 (Property Maintenance and Structural Standards); amending Article I. In General, Division 1. General provisions, Administrative Authority; Section 19-4. Department of Code Enforcement; Duties and Scope of Authority of the Director by expanding the powers, duties and responsibilities of the Code Enforcement Director and their Code Enforcement Officers to administer and enforce City Code Chapter 15 (Parking); amending City of Tampa Code of Ordinances Chapter 15 (Parking), Sections 15-3, 15-54, and 15-122 to define duly authorized Code Enforcement Officers and authorize same to enforce Chapter 15 provisions; repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date.

SAID ORDINANCES MAY BE INSPECTED AT THE OFFICE OF THE CITY CLERK, CITY HALL, 3RD FLOOR CITY HALL, 315 E. KENNEDY BLVD., TAMPA, FL, DURING REGULAR BUSINESS HOURS, 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE DATE OF THE MEETING.

INTERESTED PARTIES MAY APPEAR AND BE HEARD AT SAID HEARING.

SHIRLEY FOXX-KNOWLES, CMC
CITY CLERK

9/18/20 1T