

ORDINANCE 18-10

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA,  
RELATING TO STOPPING, STANDING AND PARKING;  
AMENDING ARTICLES I AND II OF CHAPTER 2-22 OF  
THE MANATEE COUNTY CODE; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR CODIFICATION; AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 316.008, Florida Statutes (F.S.), authorizes the Board of County Commissioners of Manatee County to regulate the stopping, standing and parking of motor vehicles upon streets and highways within the County's jurisdiction; and

**WHEREAS**, Manatee County owns or controls a variety of properties it utilizes to conduct administrative and service operations, as well as to provide recreational opportunities to the public; and

**WHEREAS**, the County also owns or controls a variety of properties dedicated to the use by other governmental officials or entities to include the County's constitutional officers and various agencies such as the Florida Department of Transportation; and

**WHEREAS**, in order to satisfy the administrative and safety needs of the County, its officers, visitors, service providers, officials and employees, the aforementioned properties must have adequate parking capacity for each of these stakeholders; and

**WHEREAS**, the County has home rule authority to prohibit parking in spaces designated or restricted for specific purposes, and to authorize adequate enforcement provisions to enforce the designations; and

**WHEREAS**, Manatee County wishes to amend Articles I and II of Chapter 2-22 of the Manatee County Code to better serve the community and protect the public's health, safety and welfare; and

**WHEREAS**, the Board of County Commissioners of Manatee County finds that the provisions of this Ordinance are in the best interests of the County, its citizens, taxpayers and business community.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Manatee County:

**Section 1.** Section 2-22-1 through Section 2-22-6 of the Manatee County Code are hereby amended as follows:

Sec. 2-22-1. – Definitions.

The following words and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context otherwise requires:

*Authorized agents of the County* means those persons designated by the County Administrator as having authority to implement and enforce the provisions of this chapter, including code enforcement officers, as well as employees of fire districts located within the County when necessary to enforce restrictions against stopping, standing and parking in fire lanes.

*Board* means the Board of County Commissioners of Manatee County, Florida.

*Citation* means any official enforcement action taken by an authorized agent of the County, including a parking ticket.

*Civil penalty* means an amount of money imposed by this chapter for a violation.

*Clerk* means the Clerk of the Circuit Court of Manatee County, Florida.

*County Administrator* means the County Administrator of Manatee County, Florida, or his/her designee.

*County* means Manatee County, Florida.

*County road* means all of that land in which the County owns the fee or has an easement dedicated, devoted, or required for use as a public road, street or highway, whether or not routinely maintained by the County, including all sidewalks, alleys, culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts. The term shall also include roads which have been statutorily claimed by the County by maintenance.

*Certain disabled persons* means those persons who are eligible for a disabled parking permit or license plate as set forth in Sections 316.1958, 320.084, 320.0842, 320.0843, 320.0845 and 320.0848, F.S., or any amended or successor statute, and who display such permit or license plate on the motor vehicles used to transport the disabled person as required by applicable law.

*Designated hearing officer* means the local traffic hearing infraction officer or other hearing officer or official designated to hear challenges to a parking ticket issued pursuant to this chapter.

*F.S.* means Florida Statutes.

*Loading or unloading* means being actively engaged in the act of receiving or discharging materials or passengers on or from a motor vehicle, provided that the loading and unloading of materials shall not exceed thirty (30) minutes and the loading and unloading of passengers shall not exceed five (5) minutes.

*Motor vehicle* means every motorized device, in, upon or by which any person or property is or may be transported or drawn upon a street, road, highway, including but not limited to,

automobiles, motorcycles, mopeds, trucks, sport utility vehicles, truck tractors, trailers and boats. The term shall not include devices used exclusively upon stationary rails or tracks.

Official traffic control devices means all signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding traffic.

Park or parking means the standing of a motor vehicle, whether occupied or not occupied, other than temporarily for the purpose of, and while actually engaged in, loading or unloading materials or passengers as may be permitted by law or this chapter.

Parking areas or parking spaces means any property set aside and/or designated for motor vehicle parking, and shall include street parking.

Person means any individual, firm, partnership, corporation, association, executor, administrator, trustee, or other legal entity, whether singular or plural, masculine or feminine, as the context may require.

Right-of-way means all of that land in which the County owns the fee or has an easement dedicated, devoted or required for use as a public road, street or highway, whether or not maintained by the County, including all sidewalks, alleys, culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels, and viaducts, and including platted but non-travelled roads.

Stand or standing shall mean the halting of a motor vehicle, whether occupied or not occupied, other than temporarily for the purpose of, and while actually engaged in, loading or unloading materials or passengers, as may be permitted by law or this chapter.

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

Unauthorized vehicle means a vehicle which has not been designated by a county, state, or other government as authorized to park within a reserved parking space or tow-away zone pursuant to procedures established by the County Administrator.

Sec. 2-22-~~12~~. – Traffic infraction—Violations of certain sections hereof.

Any person violating the terms of articles II and III of this chapter shall be deemed to have committed a traffic infraction and shall be penalized as provided herein.

Sec. 2-22-~~23~~. – ~~Same—Fine; liability for payment~~ Civil penalties.

- (a) Any person who is charged with violating any County ordinance regulating the stopping, standing, or parking of motor vehicles on ~~county streets, highways, roadways~~ County roads and parking areas of ~~said county~~ the County shall be deemed to be charged with a noncriminal violation and, upon conviction or admission thereof, shall be deemed to have committed a traffic infraction, ~~and where.~~ Where such an infraction does not result in a

hearing, the violator shall be assessed a twenty-five dollar (\$25.00) the following civil penalties penalty, unless a higher civil penalty is specified below:

- (1) If paid after the tenth calendar day after the parking ticket is issued, the twenty-five dollar (\$25.00) civil penalty shall be doubled to fifty dollars (\$50.00).
  - (2) Any person who stops, stands or parks a motor vehicle in violation of section 2-22-25 in ~~Illegally parking, stopping or standing in specially~~ spaces designated and marked parking spaces provided for certain disabled persons: shall be assessed a Two two hundred fifty dollars (\$250.00) civil penalty.
  - (3) Any person who stops, stands or parks a motor vehicle in violation of section 2-22-27 shall be assessed a five hundred dollar (\$500.00) civil penalty. ~~Illegal parking, stopping or standing in nondisabled parking locations on county streets, highways, roadways and parking areas of said county:~~
    - ~~a. Twenty dollars (\$20.00) if paid within ten (10) calendar days of date of issue.~~
    - ~~b. Twenty five dollars (\$25.00) if paid after the tenth calendar day after issue and up to the twentieth day after issue.~~
    - ~~c. Thirty dollars (\$30.00) if paid after the twenty first calendar day and the issuance of a court directive assigning a court appearance date.~~
- (3b) If ~~the~~ a parking ticket is contested, and results in a hearing, the amount of ~~said~~ the civil penalty shall be assessed as provided by ~~Florida Statutes~~ Section 316.1967, F.S., and by other applicable sections or general law.
- (bc) The owner of a motor vehicle is responsible and liable for the payment of any and all parking tickets issued pursuant to ~~said ordinances~~ this chapter unless the owner can furnish evidence that the motor vehicle was, at the time of the parking violation, in the care, custody or control of another person. In such instances, the owner of the motor vehicle is required, within a reasonable time after notification of the parking violation, to furnish ~~the~~ issuing law enforcement authority the name and address of the person, firm, corporation or company who leased, rented or otherwise had the care, custody or control of ~~said the~~ the motor vehicle. The owner of the motor vehicle is not responsible for any parking violation if the motor vehicle involved was, at the time, stolen or in the care, custody or control of some person who did not have permission from the owner for the use of ~~said the~~ the motor vehicle.
- (d) Two-thirds (2/3) of any civil penalties received for violations of section 2-22-25 relating to spaces designated for certain disabled persons shall be deposited in a separate account to improve accessibility and equal opportunity for disabled persons in the County and/or to conduct public awareness programs in the County concerning disabled persons.
- (ee) On an monthly basis, the County ~~clerk of the court~~ shall supply through electronic transmission to the department of highway safety and motor vehicles, a listing of persons who have three (3) or more outstanding parking violations, ~~including violations of section 2-22-2 of this chapter.~~ The County ~~clerk of the court~~ shall also include a separate listing of

persons who have any outstanding violations of section 2-22-25 of this chapter ~~regulating parking in relating to~~ spaces designated for use by persons who have disabilities certain disabled persons. The department of highway safety and motor vehicles shall mark the appropriate registration records of persons who are so reported. ~~Florida Statutes~~ Section 320.03(8), F.S., applies to each person whose name appears on the lists.

- (d~~f~~) Under the authority of ~~Florida Statutes~~ Section 320.03(8), F.S., as amended, if the name of an applicant for a license plate or revalidation sticker appears on the listing referred to in paragraph (e~~e~~) of this subsection and ~~Florida Statutes~~ Section 316.1967(6), F.S., as amended, the license plate or revalidation sticker shall not be issued until the applicant's name no longer appears on said list or until the applicant presents a receipt ~~from the clerk~~ showing the parking fines, assessments, costs and fees have been paid. The tax collector ~~and the clerk of the court~~ shall receive monthly payment as provided in ~~Florida Statutes~~ Section 320.03(8), F.S., as amended.

Sec. 2-22-2~~14~~. - Moving traffic violation surcharge.

- (a) *Assessment of surcharge.* In addition to any other penalty provided for violation of the state uniform traffic control law pursuant to ~~Florida Statutes~~ Chapters 316 and 318, F.S., there shall be assessed a twelve dollars and fifty cents (\$12.50) surcharge for each moving traffic violation in Manatee County.
- (b~~1~~) *Disposition of funds.* The Clerk ~~clerk of the circuit court for Manatee County~~ shall collect the surcharge described in subsection paragraph (a), and distribute such funds monthly to the ~~Manatee County Board of County Commissioners~~.
- (e~~2~~) *Use of funds.* The funds generated by the assessment described in subsection paragraph (a) shall be used to fund the ~~county's~~ County's participation in an approved intergovernmental radio communication program.

~~Sec. 2-22-2.2-~~

- (b) *Drivers education program fund.* (a) ~~Collection of fee.~~ Pursuant to Section 318.1215, ~~Florida Statutes~~ F.S., as amended, the Clerk ~~clerk of the court~~ is hereby directed to collect an additional five dollars (\$5.00) with each civil traffic penalty, except for parking violations.
- (b~~1~~) *Fund created.* Funds collected by the Clerk ~~clerk of the court~~ pursuant to this section paragraph (b) shall be maintained in a separate ~~county~~ County account, which may be known as the "Driver Education Safety Trust Fund," to be used to financially assist driver education programs in the public and nonpublic schools within Manatee County. Such funds shall not be used to replace other funding sources. Such funds shall be used for direct educational expenses and shall not be used for administration.
- (e~~2~~) *Grants from fund.* In order to receive grants from the Driver Education Safety Trust Fund, programs shall be selected as program recipients on the basis of selection procedures which shall be developed by the ~~county administrator~~ County

Administrator and approved by resolution of the Board ~~board of county commissioners~~. Final grant approvals shall be made by the Board ~~board of county commissioners~~ on an annual basis upon recommendation by the ~~county administrator~~ County Administrator.

Sec. 2-22-35. – Parking Tickets – ~~Who may issue.~~

(a) Forms. The Manatee County Sheriff's Office and the County Administrator are each hereby directed and authorized to promulgate, for use by appropriate law enforcement agencies and authorized agents of the County, as necessary, substantially similar forms of parking tickets for use in enforcing the provisions of this chapter. Such parking tickets shall contain language providing notice of the following:

(1) The type of violation and the amount of civil penalty imposed by this chapter;

(2) The person receiving the parking ticket or the owner of the motor vehicle has ten (10) days from the date of issuance of the parking ticket to either:

a. Make payment of the civil penalty amount listed on the ticket; or

b. Elect to personally appear before a designated hearing officer to contest the violation by requesting a hearing date. Such election shall be made by the execution of a statement, indicating the person's willingness to appear at a hearing at the time and place specified thereon; and

(3) The consequences of the failure to comply with directions contained on the parking ticket.

(b) Any person who elects to appear before a designated hearing officer to present evidence waives his or her right to pay the civil penalty provisions on the parking ticket.

(c) Authority to issue parking tickets.

(1) All authorized agents of the County and law enforcement agencies entrusted with the responsibility of enforcing any ordinance adopted by this Board regulating and prohibiting the stopping, standing, or parking of motor vehicles on certain ~~county streets, highways, roadways~~ County roads, and parking areas within said ~~county~~ the County, and property owned or controlled by the County, are hereby instructed and authorized and shall be required to issue a parking ticket, upon observing a violation of said ordinance ~~this chapter, to issue a parking ticket in the form approved and authorized by resolution of said board as provided for in section 2-22-5. Issuance of said parking ticket shall be in compliance with the directions contained upon said ticket or in compliance with the directions contained in section 2-22-4.~~

Sec. 2-22-4. – ~~Same~~ – Manner of issuance.

- (2) Any law enforcement officer who discovers a vehicle parked in violation of any ~~county~~ County ordinance regulating the parking, standing, or stopping of motor vehicles on ~~the streets, highways, roadways~~ County roads or parking areas within ~~said county~~ the County may:
- (1)a. Issue a parking ticket ~~in the form established by this chapter~~ to the driver; or
- (2)b. If the motor vehicle is unattended, determine the registered owner of the motor vehicle for which a parking ticket has been issued and attach such parking ticket form to the motor vehicle, in a conspicuous place.;

Sec. 2-22-6. – Removal of vehicles.

- (3a) In addition to the powers enumerated in ~~subsections (1) and (2) of this section 2-22-5, a law enforcement officer or authorized agent of the County who discovers a motor vehicle that is standing, stopped or parked in violation of this chapter is authorized to have the vehicle removed and stored in such a manner as to comply with all statutory requirements, allowing for a lien to attach upon the motor vehicle for towing, transportation, and storage fees pursuant to Section 713.78, F.S., or any amended or successor statutes. any law enforcement officer or parking enforcement specialist shall enforce handicapped parking restrictions on public and/or private property as provided hereafter. Where the vehicle in violation is on public property, the law enforcement officer or parking enforcement specialist shall have the vehicle 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. Whenever any vehicle is removed by a law enforcement officer, parking enforcement specialist, or agency to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle.~~
- (1) State-certified law enforcement officers shall be vested with the authority, and it shall be their duty, to provide for the removal of any unoccupied motor vehicle parked in violation of this chapter or any other parking regulations of the County within unincorporated areas of the County, and to release any such motor vehicle to the duly identified owner (or lessee) thereof, subject, however, to the payment of any applicable penalty and to the payment of storage, towing and other impounding charges.
- (2) Authorized agents of the County shall be vested with the authority, and it shall be their duty, to provide for the removal any unoccupied motor vehicle parked in violation of this chapter or any other parking regulations of the County within or upon property owned or controlled by the County, and to release any such motor vehicle to the duly identified owner (or lessee) thereof, subject, however, to the payment of any applicable penalty and to the payment of storage, towing and other impounding charges.

- (3) Whenever an authorized agent of the county finds a motor vehicle standing, stopped or parked upon a County right-of-way in violation of section 2-22-24 of this chapter, the authorized agent of the County is authorized to require the driver or other person in charge of the motor vehicle to move the same to a position off the County right-of-way.
- (b) State-certified law enforcement officers are hereby authorized to provide for the removal of any unattended motor vehicle to the nearest garage or place of safety, when such motor vehicle is found upon any County right-of-way in the following instances:
- (1) Where such motor vehicle constitutes an obstruction to traffic, or to public use of the right-of-way; or
- (2) Where such motor vehicle has been parked or stored on the County right-of-way for a period exceeding forty-eight (48) hours, except in areas where parking is allowed.
- (c) Pursuant to Section 713.78(4), F.S., the state-certified law enforcement officer or authorized agent of the County removing a motor vehicle described by this section shall be required to report or cause to be reported the same to the Florida Department of Highway Safety and Motor Vehicles within twenty-four (24) hours of such removal. In addition, state-certified law enforcement officers or authorized agents of the County removing such a motor vehicle shall make a prompt, good faith effort to identify and notify the owner or lessee of the motor vehicle of the fact of the removal and of the location of the motor vehicle.
- (d) *Payment of fees incurred.*
- (1) Neither the County nor the law enforcement agency shall be responsible for the payment of any fees necessary for the release of motor vehicle stored pursuant to this section.
- (2) Any cost incurred by the County or the law enforcement agency in the removal and storage of any unattended motor vehicle shall be paid by the vehicle owner or lessee, upon presentment of a statement of costs incurred. Upon the owner's or lessee's failure or refusal to pay such costs within thirty (30) days of presentment of a statement, the County or the law enforcement agency, or both, may avail themselves of any lawful means of enforcing payment, to include suit in a court of competent jurisdiction. The provisions of this subsection shall not apply if the motor vehicle is determined by the investigating agency to be stolen.

~~Sec. 2-22-5. Same Form.~~

~~The board of county commissioners of said county shall, by resolution, establish a county parking ticket form for use by law enforcement agencies in the enforcement of any ordinance adopted by said board regulating and prohibiting the stopping, standing or parking of motor vehicles on certain county streets, highways, roadways and parking areas within said county.~~



~~Furthermore, said ticket form may be revised, amended or repealed by resolution as from time to time may be deemed necessary by said board.~~

Sec. 2-22-~~67~~. - Commercial vehicle through traffic restrictions.

- (a) ~~Commercial~~ Commercial vehicle weight limit set; streets designated. It shall be unlawful to operate any commercial vehicle as defined in Section 316.003(66), ~~Florida Statutes F.S.~~, through a designated and posted county-maintained road in the unincorporated areas of the county set forth in the attached list. Excluded from the restricted vehicles are authorized emergency vehicles as defined in Section 316.003(1), ~~Florida Statutes F.S.~~, vehicles owned, operated or contracted for by a governmental entity or commercial vehicles being driven to a destination on a restricted road or only accessible through a restricted road.

The specific areas identified within paragraph (a) remain unchanged.

(b) through (c): no change

**Section 2.** The Codifier shall re-designate Section 2-22-7 of the Manatee County Code as Section 2-22-8.

**Section 3.** Section 2-22-9 through Section 2-22-12 of the Manatee County Code are unchanged.

**Section 4.** The Codifier shall re-designate Section 2-22-12.1 of the Manatee County Code as Section 2-22-13.

**Section 5.** Section 2-22-13 of the Manatee County Code is hereby amended as follows:

Sec. 2-22-~~13~~14. - Certain motor vehicles prohibited upon and across county bridges and culverts based on weight.

- (a) *Prohibitions.* ~~It shall be unlawful and an offense against the county~~ County for any person to drive, operate or otherwise maneuver or to cause to be driven, operated or maneuvered, a motor vehicle upon or across any bridge or culvert which forms a part of a ~~county~~ County road, when such motor vehicle exceeds the posted weight limit applicable to such bridge or culvert.

~~(b) —~~ *Definitions.* ~~For the purposes of this section, the following terms shall have the following meanings:~~

~~County~~ means Manatee County, Florida.

~~County road~~ means all of that land in which Manatee County owns the fee or has an easement dedicated, devoted, or required for use as a public road, street or highway, whether or not routinely maintained by manatee County, including all sidewalks, alleys, culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts. The term shall also include roads which have been statutorily claimed by the county, by maintenance.

~~*Person* means any natural person, firm, co-partnership, association or corporation.~~

~~*Motor vehicle* means any self-propelled vehicle not operated upon rails or a guideway, including automobiles, motoreycles, mopeds, trucks, truck tractors and any other vehicles operated on the roads of this state, and including trailers or other apparatus attached thereto, used to transport persons or property and propelled by power other than muscular power.~~

(e**b**) *Penalties.* Any person violating the provisions of paragraph (a) of this section, upon admission or conviction, shall be deemed to have committed an infraction and shall be penalized as provided in F.S. Chs. Chapters 316 and 318, F.S.

(d**c**) *Signage.*

(1)        The county public works department is hereby directed to erect appropriate signs in conspicuous locations adjacent to all bridges and culverts which form a part of any county road, which signs shall contain the maximum weight designation for the subject bridges or culverts. The maximum weight designations shall be determined by the county engineer, and may be changed from time to time, in his/her sole discretion.

(2)        The county property management department is hereby directed to erect appropriate signs in conspicuous locations for all other areas governed by this chapter, as deemed suitable or necessary by such department.

**Section 6.** Section 2-22-14 of the Manatee County Code is hereby amended as follows:

Sec. 2-22-1415. – Engine compression release brakes.

(1) For the purposes of this section, the following d~~Definitions~~ shall apply.

(a) *Commercial vehicle.* As defined in F.S. § Section 316.003(66), F.S.

(b) *County jurisdiction roadway.* As defined in F.S. § Section 316.006(3), F.S.

(c) *Engine compression release braking.* A method of using the compression stroke of a motor vehicle engine to provide braking power by modifying the timing of the opening of the exhaust valves.

(d) *"Jake" braking.* Use of the "Jacobs Engine Brake <sup>TM</sup> " method of engine compression release braking.

(e) *Tandem trailer truck.* As defined in F.S. § Section 316.003(71), F.S.

(f) *Truck* Any motor vehicle, as defined by F.S. § Section 316.003(59), F.S., with a gross vehicle weight rating (GVWR) or gross combined weight rating (GCWR), as defined by F.S. § Subsections 316.293(1)(b) and (c), F.S., of ten thousand (10,000) pounds or more.

- (2) *Prohibitions.* It shall be unlawful and an offense against the ~~county~~ County for any truck, tandem trailer truck, or commercial vehicle to use engine compression release ("Jake") braking while slowing or stopping on the following public roadways unless an emergency situation occurs in which the standard service braking system fails, or is inadequate to stop the vehicle in a safe manner.
- (a) *S.R. 70.* I-75 to Lorraine Road.
  - (b) *S.R. 64.* City limits of Bradenton to Lorraine Road.
  - (c) *Lakewood Ranch Boulevard.* S.R. 64 to University Parkway.
  - (d) *S.R. 55/U.S. 41/U.S. 19.* S.R. 43/U.S. 301 interchange to I-275- interchange
  - (e) *Bayshore Gardens Parkway.* S.R. 55/U.S. 41 to 34th Street West.
  - (f) *26th Street West.* S.R. 64/Manatee Avenue West to dead end south of Florida Boulevard.
  - (g) *34th Street West.* S.R. 684/Cortez Road to Bayshore Gardens Parkway.
  - (h) *State Road 70.* Tara/Creekwood Boulevard to Caruso Road.
  - (i) *Lorraine Road.* Between S.R. 70 and University Parkway.
  - (j) *University Parkway.* Lakewood Ranch Boulevard to Lorraine Road.
  - (k) *El Conquistador Parkway.* From 34th Street West to 53rd Avenue West.
  - (l) *17th Avenue West.* From 43rd Street West to 34th Street West.
- (3) *Signage.* The county Public Works Department is hereby directed to erect appropriate signs in conspicuous locations upon all county rights-of-way included within the provisions of this section. The absence of a sign, however, shall not be a defense to any violation of this section.
- (4) *Penalties.* Any violation of this section shall constitute a noncriminal traffic infraction punishable as prescribed by ~~F.S. §~~ Section 316.655, F.S., or ~~F.S. Ch. Chapter~~ 318, F.S.

**Section 7.** The Codifier shall show Section 2-22-16 through Section 2-22-20 as reserved for future use.

**Section 8.** Section 2-22-21 of the Manatee County Code is repealed and replaced in its entirety with the following:

Sec. 2-22-21 – Scope.

Except as specifically provided, this article shall apply:

- (a) throughout unincorporated areas of the County;
- (b) to all County roads throughout the unincorporated and incorporated areas of the County;  
and
- (c) to property owned or controlled by the County, regardless of whether such property or parking spaces on such property are dedicated to and used by one or more other constitutional officers or governmental entities, including any state or federal agency or any special district authorized by the County to utilize such property or parking spaces.

This article shall not apply to paved or unpaved designated parking spaces on property owned or controlled by a municipality, special district, state or federal agency, or other governmental entity.

**Section 9.** A new Section 2-22-22 of the Manatee County Code is hereby created as follows:

Sec. 2-22-22. – Stopping, Standing and Parking Prohibitions - Generally.

- (a) No person shall stop, stand or park a motor vehicle for any purpose or length of time in any restricted parking area other than for the purpose for which parking in such area is restricted.
- (b) No person shall stop, stand or park a motor vehicle upon a County road or in any parking area owned or controlled by the County for a continuous length of time in excess of forty-eight (48) hours.
- (c) No person shall stop, stand or park a motor vehicle for any purpose or length of time within any area designated by a fire marshal to be a fire lane and marked as such.
- (d) No person shall stop, stand or park a motor vehicle for any purpose or length of time in any portion of airport facilities and lands encompassing the territory comprising the area of control and regulation by the Sarasota-Manatee Airport Authority, unless otherwise officially designated as an area for stopping, standing or parking.
- (e) On streets where parking spaces are officially indicated by signs or markings, parking shall be allowed only within such spaces and then only for the times officially indicated by such authorized signs.
- (f) When authorized signs are erected indicating “no parking” on any designated side of any County road, or indicating any designated “no parking” area, no person shall park a motor vehicle in any such designated area.
- (g) Upon those portions of streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such markings or signs with the right front wheel against the curb, except that in places where stopping for the loading or unloading of materials is permitted, vehicles used for the transportation of materials may back into the curb to take on or discharge loads.

- (h) No person shall stop, stand or park a motor vehicle in a manner that violates Section 316.1945, F.S.

**Section 10.** Section 2-22-23 of the Manatee County Code is hereby repealed and replaced in its entirety as follows:

Sec. 2-22-23. – Stopping, Standing, and Parking on Grassed Areas.

Unless expressly permitted by the County, it shall be unlawful for any person to stop, stand, park or operate any vehicle or do any act creating a public nuisance on improved grounds including parks, playgrounds, recreation areas or any other grassed areas owned or under the jurisdiction of the County.

**Section 11.** The previous Section 2-22-22 of the Manatee County Code is hereby renumbered, renamed and amended as follows:

Sec. 2-22-2224. – ~~Prohibitions~~ Stopping, Standing and Parking in County Rights-of Way.

- (a) ~~It shall be unlawful and an offense against the county for any person to stop, stand or park, whether attended or unattended, any motor vehicle upon~~ No person shall stop, stand or park a motor vehicle for any purpose or length of time in any portion of the following rights-of-way located within the unincorporated area of Manatee the County, as more specifically set forth below:

The specific areas identified within paragraph (a) remain unchanged.

- (b) ~~It shall be unlawful and an offense against the county for any person to stop, stand or park, whether attended or unattended, any motor vehicle upon any portion of airport facilities and lands encompassing the territory comprising the area of control and regulation by the Sarasota Manatee Airport Authority, unless otherwise officially designated as an area for stopping, standing or parking.~~

**Section 12.** Section 2-22-23.1 of the Manatee County Code is hereby repealed in its entirety

**Section 13.** Section 2-22-24 of the Manatee County Code is hereby repealed in its entirety.

**Section 14.** Section 2-22-25 of the Manatee County Code is hereby amended as follows:

Sec. 2-22-25. - Parking in spaces designated for certain disabled persons.

- (a) ~~Definitions. The following words and phrases, when used in this section, shall have the following meanings respectively ascribed to them, except where the context otherwise requires:~~
- (1) ~~Certain disabled persons. "Certain disabled persons" shall mean those persons who are eligible for a disabled parking permit or license plate as set forth in F.S. §§~~

~~316.1958, 320.084, 320.0842, 320.0843, 320.0845 and 320.0848, or in such other sections as may be made applicable by state law and who display such permit or license plate on the vehicles used to transport the disabled person as required by applicable federal law.~~

~~(2) Parking areas. "Parking areas" shall mean any property set aside and/or designated for vehicular parking, and shall include street parking.~~

~~(3) Vehicles. "Vehicles" means any motorized device, in, upon or by which any person or property may be transported or drawn, including automobiles, trucks, motorized bicycles, motorcycles, tractors and busses.~~

~~(b) Scope. This section shall be effective in the unincorporated areas of the county.~~

~~(ea)~~ *Designated parking for disabled persons.*

(1) The ~~county~~ County shall provide in all parking areas on ~~county-owned~~ property owned or controlled by the County specially designated and marked parking spaces for the exclusive use of certain disabled persons as required by ~~Florida Statutes~~ Section 553.5041, F.S.

(2) Each ~~such~~ parking space specially designated and marked in accordance with this paragraph (a) shall conform to the requirements of ~~Florida Statutes~~ Section 553.5041(4), F.S., as amended, and shall be prominently outlined with paint and posted with a permanent above-grade ~~abovegrade~~ sign of a color and design approved by the Florida Department of ~~Public Works~~ Transportation, which is placed on or at least sixty (60) inches above the finished floor or ground surface measured to the bottom of the sign and which bears ~~bearing~~ the international symbol of accessibility meeting the requirements of the applicable standards and the caption "PARKING BY DISABLED PERMIT ONLY." Any such sign erected after October 1, 1996, must indicate the penalty for illegal use of the space.

(23) Any business, firm, or other person within the ~~county~~ County doing business with the public may provide in any parking area owned or leased by it specially designated and marked parking spaces for the exclusive use of certain disabled persons who have been issued a parking permit or license plate pursuant to Sections 316.1958, 320.084, 320.0842, 320.0843, 320.0845 and 320.0848, F.S.

~~(db)~~ *Prohibition.*

(1) It is unlawful for any person to stop, stand or park a motor vehicle within, or to obstruct, any specially designated and marked parking space as provided in ~~subsection (c)(1)~~ paragraph (a), unless such motor vehicle displays a parking permit or license plate issued pursuant to ~~Florida Statutes~~ Sections 316.1958, 320.084, 320.0842, 320.0843, 320.0845 and 320.0848, F.S., and the vehicle is transporting the person to whom the parking permit or license plate is issued. However, any person who is chauffeuring a disabled person shall be allowed, without the need for a disabled parking permit or license plate, to momentarily park in any such parking

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

- (2) It is unlawful for any person to obstruct the path of travel to an accessible parking space, curb cut, or access aisle by stopping, standing or parking a motor vehicle within any such designated area. The parking access aisles are reserved for the temporary exclusive use of persons who have a disabled parking permits or license plate and who require extra space to deploy a mobility device, lift, or ramp in order to exit from or enter a motor vehicle. Parking is not allowed in an access aisle. Violators are subject to the same penalties that are imposed for illegally parking in parking spaces that are designated for persons who have disabilities. A motor vehicle may not be parked in an access aisle, even if the vehicle owner or passenger is disabled or owns a disabled parking permit or license plate.

~~(e) *Use of disabled parking violation fines.* Fines collected for violations of this section related to disabled parking shall be deposited into a separate revenue account for use in the following manner:~~

~~(1) One third (1/3) shall be used to defray expenses for the administration of disabled parking fines.~~

~~(2) Two thirds (2/3) shall be used to provide funds to improve accessibility and equal opportunity to qualified persons in the county who have physical disabilities and to provide funds to conduct public awareness programs in the county concerning persons who have disabilities. Allocation of such funds shall be made as provided by the board of county commissioners for programs for the disabled which shall include, but not be limited to, information, referral, advocacy, equipment loans, transportation, home modification and counseling.~~

~~(f) *Penalty.* Any person who operates a vehicle in violation of this section may be issued a county parking ticket by a parking enforcement specialist or officer and shall be deemed to be charged with a noncriminal violation and shall comply with the directions on the ticket and be subject to the provisions of section 2-22-2.~~

**Section 15.** Section 2-22-26 of the Manatee County Code is hereby repealed and replaced in its entirety with the following.

Sec. 2-22-26. - Parking areas located on property owned or controlled by the County.

(a) The Board shall have original jurisdiction to regulate parking, by resolution of the Board and the erection of signs conforming to the manual and specifications of the Department of Transportation, in parking areas located on property owned or controlled by the County, whether or not such areas are located within the boundaries of chartered municipalities.

(b) The Board hereby authorizes the County Administrator to issue and designate reserved, tow-away zone parking spaces, in consultation with members of the Board and other officials, to be utilized by governmental personnel for use in connection with their functions and duties.

- (c) No person shall park an unauthorized motor vehicle in parking areas located on property owned or controlled by the county, which are marked with an official traffic control device designating a reserved, tow-away zone parking space.
- (d) No person shall park a motor vehicle in such a way as to block entry to or exit from parking areas located on property owned or controlled by the County, which are marked with an official traffic control device designating a reserved, tow-away zone parking space.
- (e) No person shall park a motor vehicle in parking areas located on property owned or controlled by the County in such a manner or under such conditions that causes the motor vehicle or any portion thereof to occupy more than one parking space or extend onto or across the lines or markings which designate a parking space.
- (f) No person shall park a motor vehicle in parking areas located on property owned or controlled by the County in such a manner or under such conditions as to obstruct or impede normal or emergency traffic movement or the parking of other motor vehicles, create a safety hazard, or endanger any person, property or environmental feature.

**Section 16.** Section 2-22-27 of the Manatee County Code is hereby repealed and replaced in its entirety with the following:

**Sec. 2-22-27. – Parking for certain purposes prohibited.**

- (a) It is unlawful for any person to park a motor vehicle on a County road, a public parking lot, or other public property, or on private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle for sale, hire or rental, unless the sale, hire or rental of the motor vehicle is specifically authorized and the owner complies with all applicable rules and requirements.
- (b) Paragraph (a) does not prohibit a person from parking his or her own motor vehicle or other personal property on any private real property owned or leased by that person, or where the owner of the private property consents to the parking of the motor vehicle for the principal purpose and intent of displaying the motor vehicle for sale, hire or rental. Nothing herein is intended or shall be construed to alleviate a private property owner from complying with the all applicable rules and requirements for a vehicle sale, rental or leasing establishment under the Land Development Code.
- (c) Paragraph (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 supplemented license or off-premises sales, as provided in Section 320.27(5), F.S., and has otherwise complied with the requirements of Section 316.1951, F.S.

**Section 17.** The Codifier shall show Section 2-22-28 through Section 2-22-40 as reserved for future use.



**Section 18.** Pursuant to Section 125.68(1), F.S., the Codifier shall codify the substantive amendments to the Manatee County Code contained in Section 1 through Section 17 of this Ordinance as provided therein, and shall not codify any other sections not designated for codification.

**Section 19.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**Section 20.** This Ordinance shall take effect immediately upon filing with the State of Florida Department of State.

**DULY ADOPTED** with a quorum present and voting this \_\_\_\_ day of \_\_\_\_\_, 2018.

**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk