

CITY OF SANIBEL

ORDINANCE NO. 15-011

AN ORDINANCE AMENDING THE SANIBEL CODE, SUBPART A, GENERAL ORDINANCES, AMENDING CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION II, PERMITS, SECTION 66-85 - *FEES; HOURS*, OF THE CODIFIED ORDINANCES OF THE CITY OF SANIBEL; AMENDING THE FEE SCHEDULE IN SECTION 66-85 TO INCREASE THE GENERAL PARKING PERMIT FEE FROM \$3.00 TO \$4.00 PER HOUR; AMENDING THE CIVIL PENALTY FEE FROM \$50.00 TO \$75.00 IN THE EVENT SUCH \$50.00 FEE IS NOT PAID WITHIN 14 DAYS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Florida:

SECTION 1. The Code of Ordinances of the City of Sanibel, Chapter 66, Traffic, Article II, Parking, Stopping and Standing, Division 2, Beach Area Parking Restrictions, Subdivision II, Permits, Section 66-85, Fees; Hours, is hereby amended, with underlining indicating additions and strikethrough indicating deletions, to read as follows:

Sec. 66-85. Fees; hours.

(a) The following schedule shall constitute the parking permits schedule of fees:

- (1)
 - a. Resident and/or Sanibel ad valorem taxpayer property owners parking permits ("A" decals)..... \$12.00
 - b. Full-time and part-time City of Sanibel employees and City of Sanibel retirees..... 12.00
- (2) Restricted parking permits ("B" decals):
 - a. Nonresident and non-Sanibel ad valorem taxpayer property owners 90.00
- (3) Restricted parking permits ("C" decals)..... 90.00
- (4) Combination parking permits
 - a. Resident ("AC" decals).....102.00
 - b. Nonresident ("BC" decals).....180.00

(5) General parking permits (“pay and display” receipts):

- a. General parking permits, per hour or any fraction.....~~3.00~~ 4.00
 - b. General parking at Gulfside City Park permits, per hour or any fraction.....~~3.00~~ 4.00
 - c. General parking at Bowman’s Beach Park permits, per hour or any fraction.....~~3.00~~ 4.00
 - d. Resident and restricted parking permits issued shall not be pro-rated. Cost of permits will remain the same throughout.
 - e. General parking at Lighthouse Park facility permits, per hour or any fraction.....~~3.00~~ 4.00
 - f. Transfer or reissue (residential and restricted only).....3.00
- (b) The fees set forth in this section for general parking permits shall apply from 7:00 a.m. to 7:00 p.m., with the exception of the Lighthouse Park facility, which fees shall apply 24 hours per day.
- (c) Civil penalty.....(if paid within 14 days of violation)..... \$50.00
.....(if paid after 14 days of violation)..... \$75.00
- (d) Filing fee..... \$10.00
- (e) It is unlawful for any vehicle to park in unauthorized locations or without the appropriate parking permit. The driver and the owner of the vehicle in violation of this section shall be subject to the penalty set forth in subsection ~~(d)~~ (c) above, plus the filing fee set forth in subsection ~~(e)~~(d). If payment is received within ~~15~~ 14 calendar days from the date the ticket is written, a discount of ~~\$15.00~~ \$25.00 will be granted, and the civil penalty shall be ~~\$35.00~~ \$50.00, plus the filing fee set forth in subsection ~~(e)~~(d).
- (f) Each citation issued for a violation shall advise that the court shall assess an additional charge of \$40.00 in court costs against the defendant pursuant to F.S. § 34.045(1)(b), in the event that the court finds a defendant in violation of this section.
- (g) It shall be unlawful and a violation of this section to provide false information or to make misrepresentations of residency, taxpayer status or any other matter in order to obtain, or attempt to obtain, a parking permit or decal as required by the ordinance from which this section derives. Any such violation shall be subject to the penalty and shall be prosecuted in accordance with the provisions of subsections 1-15(a) through (g) of the Sanibel Code of Ordinances.


SECTION 2. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 3. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 4. Severance. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 5. Effective date. This Ordinance shall be effective immediately upon adoption provided, however, the fees set forth herein shall become effective on November 1, 2015.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 22nd day of September, 2015.


Kevin Ruane, Mayor

AUTHENTICATION:


Pamela Smith, City Clerk

APPROVED AS TO FORM: 
Kenneth B. Cuyler, City Attorney

9/22/15
Date

First Reading: September 12, 2015
Publication Notice: September 12, 2015
Second Reading: September 22, 2015

Vote of Council Members:

Ruane	yea
Denham	excused
Goss	yea
Harrity	yea
Jennings	yea

Date Filed With City Clerk: September 22, 2015