

ORDINANCE NO. 5641

PROPOSED ORDINANCE NO. 17-036

AN ORDINANCE RELATING TO PARKING CITATIONS; AMENDING VARIOUS SECTIONS OF CHAPTER 98 OF THE CODE OF THE CITY OF LAKELAND, FLORIDA, TO PROVIDE FOR INCREASED PENALTY FOR IMPROPER PARKING CITATIONS AND ILLEGAL PARKING CITATIONS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. Section 98.4 of the Code of the City of Lakeland is amended to read as follows:

Sec. 98-4. - Additional penalty for failure to pay fines.

(a) All penalties provided for in this chapter shall be paid in full within ~~ten~~twenty-one calendar days from the date of the violation. With the exception of section 98-37, an additional fine of \$20.00, shall be added to the penalties provided for in this chapter, for failure to pay within the time prescribed by this section. With the exception of section 98-37, an additional fine of \$10.00 shall be added to the penalties provided for in this section for failure to pay within 30 calendar days from the date of the violation.

SECTION 2. Section 98.31 of the Code of the City of Lakeland is amended to read as follows:

Sec. 98-31. Marking of spaces; vehicles to be parked within marked lines.

(a) The city traffic engineer shall place or cause to be placed lines or markings upon the curb or upon the street adjacent to each parking space, or on both, or upon the paved surface in an off-street parking facility, for the purpose of designating parking spaces. It shall be unlawful for any person to park a vehicle alongside of or adjacent to any such parking space unless the parked vehicle is within the lines defined by the city traffic engineer.

(b) The penalty for improper parking in violation of this section shall be ~~\$15.00-25.00~~ for each period of violation, but not to exceed ~~\$15.00-25.00~~ for each period. For each separate four-hour period during which a violation occurs (not to exceed ~~two-three~~ notices within a day), a separate notice of violation shall be given and an additional penalty imposed, if paid within ~~ten-twenty-one~~ days of the violation; if not paid within that time, an additional penalty, as provided in section 98-4, shall be imposed and such violation may be prosecuted as provided in F.S. 316.1967.

SECTION 3. Section 98.37 of the Code of the City of Lakeland is amended

to read as follows:

Sec. 98-37. Parking for disabled persons; designations; penalty; payment of fine.

(a) It is unlawful for any person to stop, stand or park a vehicle or to allow a vehicle registered in his name to be parked within any parking space which has been specially designated for disabled persons pursuant to F.S. 316.1955 or 316.1956, unless such vehicle displays a parking permit issued pursuant to F.S. 320.0848 and such vehicle is transporting a person eligible for the parking permit.

(b) This section shall not require any private property owner to erect such a sign or to designate parking spaces, but shall permit enforcement where property owners choose to designate spaces and erect signs as described in this section on property where the public has the right to travel by motor vehicle.

(c) The registered owner or owners of any vehicle parked in a space which has been designated for disabled persons shall be presumed to be the operator who parked the vehicle in such space.

(d) The penalty for violation of this section shall be ~~\$100.00~~ 250.00 if paid within 30 days, but if not paid within that time such violation shall be prosecuted in accordance with the provisions of F.S. 316.1967. A failure to pay as provided in F.S. 316.1967 shall result in suspension of the offender's driver's license-

(e) This section shall be enforced by the police officers and parking enforcement officers employed by the city.

SECTION 4. Section 98-39 of the Code of the City of Lakeland is amended to read as follows:

Sec. 98-39. Penalty for violation of use limitation.

The penalty for parking in violation of any use limitation, designated pursuant to section 98-38, shall be \$~~15.00~~ 25.00 for each 4 hour period of violation. For each four-hour period during which a violation occurs (not to exceed ~~two~~ three notices within a day), a separate notice of violation shall be given and an additional penalty imposed, if paid within ~~ten~~ twenty-one days of the violation; if not paid within that time, an additional penalty, as provided in section 98-4, shall be imposed and such violation may be prosecuted as provided in F.S. 316.1967.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 7. This ordinance shall take effect on August 1, 2017.

PASSED AND CERTIFIED AS TO PASSAGE this 19th day of June, A.D. 2017.

R. HOWARD WIGGS, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY