

ORDINANCE NO. 2022 - 474

AN ORDINANCE OF CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CHAPTER 17 – TRAFFIC AND PARKING OF THE CODE OF ORDINANCES OF THE CITY OF KEY COLONY BEACH BY AMENDING SECTION 17-6. – PARKING RESTRICTED ON RIGHT-OF-WAY IN KEY COLONY BEACH SUBDIVISION AND SECTION 17-7. - PARKING RESTRICTION ON CITY PARKING LOTS/CITY RIGHT-OF-WAYS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS THEREOF FOUND TO BE IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Key Colony Beach, Florida, is a Florida Municipal Corporation with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes, and

WHEREAS, Chapter 166, Florida Statutes, grants the City of Key Colony Beach, Florida, broad municipal home rule powers to provide for the health, safety, and welfare of its residents, business owners, and visitors by enacting regulations for the protection of the public; and

WHEREAS, the Police Department of the City of Key Colony Beach wishes to enact such parking restrictions in order to promote the health and safety of the citizens of the City of Key Colony Beach, Florida, and to help prevent any further traffic congestion or access-related transportation issues pertaining to the City's streets, and

WHEREAS, the City Commission of the City of Key Colony Beach finds and declares that the adoption of this Ordinance is appropriate, and in the public interest of this community.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:

~~Strikethrough~~ = deletion

Bold underline = addition

Section 1: Recitals

The above recitals are true and correct.

Section 2: Effective Date

This Ordinance shall become effective upon approval by the City Commission.

Section 3: Amendment

Chapter 17, Sections 17-6 is now hereby amended and reads as follows:

("Original Version")

Section 17-6. – Parking restricted on right-of-way in Key Colony Beach Subdivision.

Parking in the right-of-way of 1st Street, 2nd Street, 3rd Street, 4th Street, 5th Street and East Ocean Drive, Key Colony Beach Subdivision, shall be limited to the property owners on those streets and their guests (including renters). Parking in the right-of-way in front of, and in the case of corner lots also on the side of, any property on those streets is not permitted, except by permission of that property's resident.

Violation of this section shall result in the issuance of a ticket to the violator.

The penalty for a parking violation shall be thirty dollars (\$30.00) per occurrence. A violation of a duration of twelve (12) hours shall be deemed a new violation, and result in the issuance of additional tickets and/or the vehicle shall be towed at the owner's expense.

(“Amended Version”)

Section 17-6. - Parking restricted on right-of-way in Key Colony Beach Subdivision.

~~Parking in the right of way of 1st Street, 2nd Street, 3rd Street, 4th Street, 5th Street and East Ocean Drive, Key Colony Beach Subdivision, shall be limited to the property owners on those streets and their guests (including renters). Parking in the right of way in front of, and in the case of corner lots also on the side of, any property on those streets is not permitted, except by permission of that property's resident.~~ **Parking in the right-of-way of any street in the City of Key Colony Beach, shall be limited to the property owners on those streets and their guests (including renters). Parking in the right-of-way in front of, and in the case of corner lots also on the side of, any property on those streets is not permitted, except by permission of that property's owner.**

In areas where there are no residential properties, as in the East Side of Coral Lane and the West portions of 7th Street on the golf course side, parking is regulated by signs posted by the City of Key Colony Beach.

Violation of this section shall result in the issuance of a ticket to the violator.

The penalty for a parking violation shall be ~~thirty dollars (\$30.00)~~ **fifty dollars (\$50.00)** per occurrence. A violation of a duration of twelve (12) hours shall be deemed a new violation, and result in the issuance of additional tickets and/or the vehicle shall be towed at the owner's expense.

Chapter 17, Sections 17-7 is also hereby amended and further reads as follows:

(“Original Version”)

Section 17-7. – Parking restrictions on city parking lots.

(a) There shall be no parking between midnight and 6:00 a.m. on city-owned parking areas, with the exception of Sunset Park, where parking is prohibited from sunset to sunrise.

(b) Parking of trailers, motor homes and oversized vehicles are prohibited at all times.

- (c) Parking shall be within the lines of designated parking spaces.
- (d) Vehicles found in violation of this section are subject to being towed from city property.
- (e) City-owned vehicles and city contracted equipment are exempt from the above regulations.
- (f) Violation of this section shall result in the issuance of a ticket to the owner of the vehicle.
- (g) The penalty for a parking violation shall be thirty dollars (\$30.00) per occurrence.
- (h) A violation of a duration of twelve (12) hours shall be deemed a new violation, and result in the issuance of additional tickets.

(Ord. No. 436-2014, 8-28-14)

(“Amended Version”)

Section 17-7. – Parking restrictions on city parking lots/**city right-of-way.**

(a) There shall be no parking between midnight and 6:00 a.m. on city-owned parking areas, **with the following exceptions**

i. Sunset Park, where parking is prohibited from sunset to sunrise; and

ii. City Hall Parking Lot, where temporary parking is permitted twenty-four (24) hours per day for no more than ten (10) minutes per visit for the limited purpose of permitting continuous access to the city’s post office.

- (b) Parking of trailers, motor homes and oversized vehicles are prohibited at all times.
- (c) Parking shall be within the lines of designated parking spaces.
- (d) Vehicles found in violation of this section are subject to being towed from city property.
- (e) City-owned vehicles and city contracted equipment are exempt from the above regulations.
- (f) Violation of this section shall result in the issuance of a ticket to the owner of the vehicle.
- (g) ~~The penalty for a parking violation shall be thirty dollars (\$30.00) per occurrence.~~ **There shall be no parking on any street of Key Colony Beach, except under Florida Statutes, F.S.S. 316.**
- (h) ~~A violation of a duration of twelve (12) hours shall be deemed a new violation, and result in the issuance of additional tickets.~~ **There shall be no parking on the marked exercise portion of the roadway. This portion is marked by a solid line that separates the vehicle travel land and the exercise portion of the roadway.**

(i) There shall be no parking on the City's right-of-way where prohibited by signs posted by the City of Key Colony Beach and any future areas marked as no parking zones.

(j) In event of emergencies and/or special City events, members of the Key Colony Beach Police Department will exercise discretion in the enforcement of the above codes.

(k) The penalty for a parking violation shall be fifty dollars (\$50.00) per occurrence.

(l) A violation of a duration of twelve (12) hours shall be deemed a new violation and result in the issuance of additional tickets.

Section 4: Severability and Conflict

If any portion of this Ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Inclusion in the Code of Ordinances of Key Colony Beach, Florida

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6: Effective Date

This Ordinance shall become effective upon its adoption by the City of Key Colony Beach Commission.

FIRST READING by the City of Key Colony Beach City Commission this 12th day of May 2022.

Mayor Patricia Trefry	NO _____ YES <u>X</u> _____
Vice Mayor Tom Harding	NO _____ YES <u>X</u> _____
Commissioner John DeNeale	NO _____ YES <u>X</u> _____
Commissioner Ron Sutton	NO _____ YES <u>X</u> _____
Commissioner Beth Ramsay-Vickrey	NO - - _____ YES <u>X</u> _____

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SECOND READING AND DULY ADOPTED by the City of Key Colony Beach City Commission on this 26th day of May 2022.

Mayor Patricia Trefry	NO _____ YES _____
Vice-Mayor Tom Harding	NO _____ YES _____
Commissioner John DeNeale	NO _____ YES _____
Commissioner Ron Sutton	NO _____ YES _____
Commissioner Beth Ramsay-Vickrey	NO _____ YES _____

DULY PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KEY COLONY BEACH, FLORIDA, this 26th day of May 2022.

Patricia Trefry, Mayor

Silvia Gransee, City Clerk

Approved as to form and legal sufficiency:

By the Office of the City Attorney
c/o Dirk M. Smits, Esq.
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