

AS APPROVED
ORDINANCE 2025-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 78, TRAFFIC AND VEHICLES, ARTICLE III, STOPPING, STANDING AND PARKING BY AMENDING SECTION 78-90(B) SCHEDULE OF ADMINISTRATIVE FEES (FINES) FOR PARKING; BY AMENDING SECTION 78-91 ISSUANCE AND DISPOSITION OF CITATION; BY CREATING DIVISION 2 TO BE TITLED PAID PARKING; BY CREATING SECTION 78-100 PURPOSE; BY CREATING SECTION 78-101 DEFINITIONS; BY CREATING SECTION 78-102 CREATING A PARKING FUND; BY CREATING SECTION 78-103 IMPOSITION OF TIME LIMIT ON PARKING; CREATING SECTION 78-104 PAID PARKING AREA ESTABLISHED, AUTHORITY TO ESTABLISH PAID PARKING SECTORS; CREATING SECTION 78-105 PAID PARKING FEES, PERMITS, HOURS AND EXEMPTIONS ESTABLISHED; CREATING SECTION 78-106 ENFORCEMENT AND AUTHORITY TO ENFORCE; AUTHORIZING ADMINISTRATIVE CORRECTIONS OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City regulates traffic and vehicles to maintain the health, safety, and welfare of its citizens; and

WHEREAS, Section 316.06(2), Florida Statutes, provides that the City has original jurisdiction to regulate parking in parking areas owned or leased by the City; and

WHEREAS, the City now desires to institute a system of paid parking in a certain area of downtown Fernandina Beach, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 1, Generally, Section 78-90, Schedule of Administrative Fees (Fines) for Parking Violations, Subsection 78-90(b), of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 78-90. Schedule of administrative fees (fines) for parking violations.

(b) Any person who receives a parking violation must pay the fine within ~~ten~~ 15 days calculated from the date the parking citation is issued. ~~A Late fees of \$20.00 will be attached to any fine not paid by the due date.~~

SECTION 2. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 1, Generally, Section 78-91, Issuance and Disposition of Citation, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby amended to read as follows:

Sec. 78-91. Issuance and disposition of citation.

- (a) When any law enforcement officer, code enforcement officer, parking enforcement specialist/public service officer, or community service aide (collectively, the “officer”) finds a vehicle parked in violation of any of the parking regulations specified in this chapter:
- (1) The officer will issue a citation to the vehicle and place the notice in a conspicuous place on the vehicle. The citation will contain language informing the registered owner of the vehicle which section of this chapter has been violated; of the procedures available to the registered owner under this section; and of the administrative fee which the registered owner must pay.
 - (2) If the administrative fine provided for in this section is not paid within ~~ten~~ 15 days, the police department or its designee will mail a copy of the notice of violation together with the information specified in section (a)(1) to the registered owner of the vehicle informing the owner that an additional delinquency fee of \$20.00 has been assessed for the violation. The registered owner is directed to pay the administrative fine and the delinquency fee within ~~ten~~ 15 days of the date of the written notice to owner.
 - (i) ~~a~~ Any person who fails to respond to the original violation notice within the time period specified, is deemed to have waived the right to contest the merits of such parking violation, except as provided below.
 - (ii) ~~b~~. The city manager or ~~his~~ their designee may waive the specified administrative fine, after receipt of an affidavit of explanation, under the following circumstances:
 - a. ~~1~~. Valid and verifiable emergencies;
 - b. ~~2~~. Government employees on official business, verified by a supervisor;
 - c. ~~3~~. City volunteers detained because of their volunteer duties, as verified by volunteer coordinator; or
 - (iii) ~~e~~. The chief of police may waive the administrative fine if a parking citation is unreasonable given the totality of circumstances, issued in error, or improperly issued without requiring an affidavit of explanation from the violator.
 - (3) If the specified administrative fine and the delinquency fee is not paid within ~~ten~~ 15 calendar days after the date said notice is mailed, the police department or its designee will mail a second notice of violation to the registered owner with an additional delinquency fee of \$20.00 assessed in addition to the delinquency fees described in subsection (a)(2). If the above total administrative and delinquent fees are not paid within ~~ten~~ 15 calendar days the entire administrative fee and

delinquent fees owed, including all collection costs, will be referred for collection to a collection agency designated by the city manager.

- (4) The administrative fines provided for violations of any of the parking regulations specified in this section will be in accordance with the schedule set out in section 78-90.

SECTION 3. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, is created.

SECTION 4. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-100, which section reads as follows:

Sec. 78-100. Purpose.

The purpose of this Division 2 is to promote public health, safety and general welfare upon public parking lots and parking spaces and locations within the City by regulating the cost of paid parking; by regulating the time limit of parking in parking lots, parking spaces, streets, and other public areas; by utilizing paid parking revenues to fund revitalization, resiliency and infrastructure improvements, and to provide penalties for the violation of this Division 2.

SECTION 5. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-101, which section reads as follows:

Sec. 78-101. Definitions.

For the purpose of this Division 2 the following definitions shall apply unless the context clearly indicates or requires a different meaning:

City manager means, as used in this Chapter, the city manager and their designee.

Construction parking means any area of public parking, usually a parking lot or on-street parking, that is leased to a developer or contractor for the purpose of staging construction, for such as delivering and storing materials, equipment, trucks, and other construction apparatus, situated in close proximity of a permitted construction site.

Digital permit means a permit which utilizes LPR or other technology issued annually or monthly to allow for certain daily paid parking benefits and which requires certain applicants (such as an annual resident digital permit or annual paid parking area resident digital permit) to comply with the requirements for the permit to be issued. The annual digital permit must be applied for annually and the monthly digital permit must be applied for as needed.

Downtown boundaries means boundaries created for the Main Street Program pursuant to Resolution 2020-46, as may be amended, which is the area in which paid parking revenues may be expended and is depicted for illustrative purposes only in Exhibit A with a thin line. If there is any conflict between Exhibit A and this Ordinance, then the language of this Ordinance shall

prevail. For purposes this Chapter 78, Article III, Division 2, such boundaries shall survive termination of the Main Street Program.

Dynamic pricing means that the parking hourly rates are flexible and may be adjusted to reflect changing conditions, including raising rates during high-demand periods of time and lowering them during periods of low demand within the range which must be set by ordinance in the City's Master Fee schedule.

Holidays and events. For the purposes of this Division 2 for setting parking rates during holidays and events, the term may include, but not be limited to, the following: Memorial Day, Presidents' Day, Juneteenth, Independence Day, Labor Day, Veteran's Day Thanksgiving Day, the Friday after Thanksgiving, Christmas Day, New Year's Eve, New Year's Day, Good Friday, Easter, Martin Luther King Day, weddings, funerals, religious or civic services, three days of the Isle of Eight Flags Shrimp Festival and any event designated by the city manager or their designee.

Household means all the people who live together in one housing unit, such as a house, apartment, or accessory dwelling unit (ADU). This includes both related family members and unrelated individuals, such as lodgers, who share the living space and for the purpose of calculating the number of free resident digital permits requires that the vehicle being counted toward that household to be registered to the real property owner or residential tenant applying for the permit

Immobilization device means any device designed to deter and impede further movement of a vehicle either through the application of a conventional wheel lock or a device applied to the driver's side windshield preventing visibility through the windshield.

License plate reader (LPR) means a device that electronically reads a vehicle's license plate to determine if the owner of the vehicle has paid for the right to park in a City public space within the paid parking area at the rate established by the City.

Low-speed vehicle means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles such as golf carts authorized to be driven on public roadways pursuant to Florida Statutes.

Municipal boundaries means the legal municipal boundaries of the City of Fernandina Beach, as they may be amended, and does not include the entirety of the designated Fernandina Beach postal code.

Municipal parking violation means a noncriminal, non-moving violation which is not punishable by incarceration and for which there is no right to a trial by jury or a right to court-appointed counsel.

Municipal parking citation or parking citation means a citation issued by a paid parking attendant for a municipal parking violation outlined in this Division 2 or as otherwise provided herein.

Motorcycle parking means parking spaces designated for motorcycles or for automobiles. In the event multiple motorcycles occupy a parking space, each motorcycle must pay parking rate fees established by 78-105.

Mobile pay means a mechanism utilized by the parking customer to pay paid parking fees by telephone or smart device application (“App”) or website application.

Non-resident means any person or entity who is not a resident as defined herein, to include visitors and commercial tenants.

Paid parking area means all paid parking sectors, paid parking spaces, and paid parking lots established by the City as further defined in Section 78-104.

Paid parking area resident shall mean an individual whose residence is located within the paid parking area and is a person who otherwise meets the requirements of resident as defined herein. This definition is not intended to include commercial owners or commercial tenants.

Paid parking attendant means a person or persons designated by the city manager and the chief of police to enforce the provisions of this Division 2 pursuant to Section 78-106 herein and such person may be a city employee or an independent contractor.

Paid parking space means any space within the paid parking area which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street or in a lot.

Paid parking sector means the areas designated within the paid parking area which may be divided into sectors within which the paid parking rates and restrictions are consistent within its own sector. There may be multiple paid parking sectors, since rates may vary according to location and demand. Rates within each sector may also vary during different times of the year, such as off-season, high-season, and holidays and events as defined in this section. Sectors may be exempted from paid parking fees for certain hours to accommodate certain holidays and events.

Public parking means all public parking spaces, public parking lots, and public rights-of-way under the City’s authority to regulate and enforce parking.

Residence for purposes of the paid parking area resident, means a person’s home; the place where someone lives. This definition does not include business entities for the purposes of establishing a paid parking area resident.

Resident, as used in this Division 2, shall mean an individual who or entity which can establish residency by the presentation of one or more of the following:

- (1) Evidence of any real property ownership of (i) residential property, (ii) commercial property or (iii) vacant property within the municipal boundaries to include a valid deed or ad valorem tax bill, each of which must be confirmed, or
- (2) A declaration of domicile pursuant to section 222.17, F.S. or
- (3) A Nassau County Voters Registration Certificate indicating the ability to vote in City elections related to City matters, which Nassau County voters at large may not vote, or
- (4) A valid government issued photo identification, or Driver License either of which have an address within the municipal boundaries and one of the following with a matching address within the municipal boundaries: current lease, current utility bill, mortgage statement or current cable or internet bill that are less than 60 days old.

(5) The City may, in its sole discretion, during any period of time an individual enjoys the benefits of residency status, require the individual or entity to present written documents to the appropriate City personnel, or contractor engaged to provide parking management services for the City, to establish any of the forms of residency as set forth above. In addition, the individual may be requested to execute an affidavit under oath in which the individual declares that the representations made to the City regarding residency are accurate.

(6) A resident may not be a commercial tenant.

Resident, paid parking area see paid parking area resident definition herein.

The definitions provided in Section 78-1 are incorporated herein and may be relied upon to the extent the definitions in Section 78-1 do not conflict with this Article III, Division 2.

SECTION 6. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-102, which section reads as follows

Sec. 78-102. Parking Fund.

- (a) There is hereby established a Parking Special Revenue Fund (the "Fund"). The purpose of the Fund is to create a self-supporting parking system and to provide revenues for the downtown area revitalization, resiliency and infrastructure improvements, allowing for separate accounting for the operation of municipal parking within the paid parking area. Segregation of municipal parking activities provide a mechanism to separately plan, budget, track and record current and future parking activities for parking operations and improvement projects that will be in progress throughout the downtown boundaries or that are intended to be financed through current revenues for future years.
- (b) Effective January 1, 2026, it is hereby authorized that all parking related revenues collected within the paid parking area and related expenditures incurred within the paid parking area be accounted for in the Fund.
- (c) All receipts generated from the operation of paid public parking within the paid parking area (including, but not limited to, paid parking space on street and off street, parking lots, boat trailer parking, oversized vehicle parking, and municipal parking citations) shall be deposited into the Fund.
- (d) Amounts in the Fund may be expended for any budgeted parking operations or capital improvement projects and maintenance related to downtown boundaries as approved by the City Commission. Additional uses of net revenues from the Fund may be authorized by the approval of the City Commission.
- (e) The City's General Fund may assess administrative charges to the Fund in order to recover indirect costs associated with support services anticipated to be provided to the Fund to include, but not be limited to, accounting, treasury, budget, human resources, internal audit, City Attorney, City Clerk, public works (as applicable). Such administrative charges may be structured as a component of each annual budget for the Fund, subject to approval by the City Commission.

- (f) The Comptroller shall invest any surplus funds in the Fund in the same manner as other surplus funds of the City. All income accruing from investment of such funds shall be deposited to the Fund.
- (g) The City may finance projects within the downtown boundaries, to include issuing municipal bonds or any other legally available financing, whose collateral and payments for debt service may be from the Fund. The financing proceeds may be used within the downtown boundaries to finance capital improvement projects and maintenance, acquire or lease parking equipment or systems; acquire or lease property to increase parking availability in the downtown boundaries, design and construct parking facilities; design and reconstruct public roads to add on-street parking and biking lanes; or, acquire or lease public transportation capital assets, as approved by the City Commission.

SECTION 7. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-103, which section reads as follows:

Sec. 78-103. Imposition of time limit on parking.

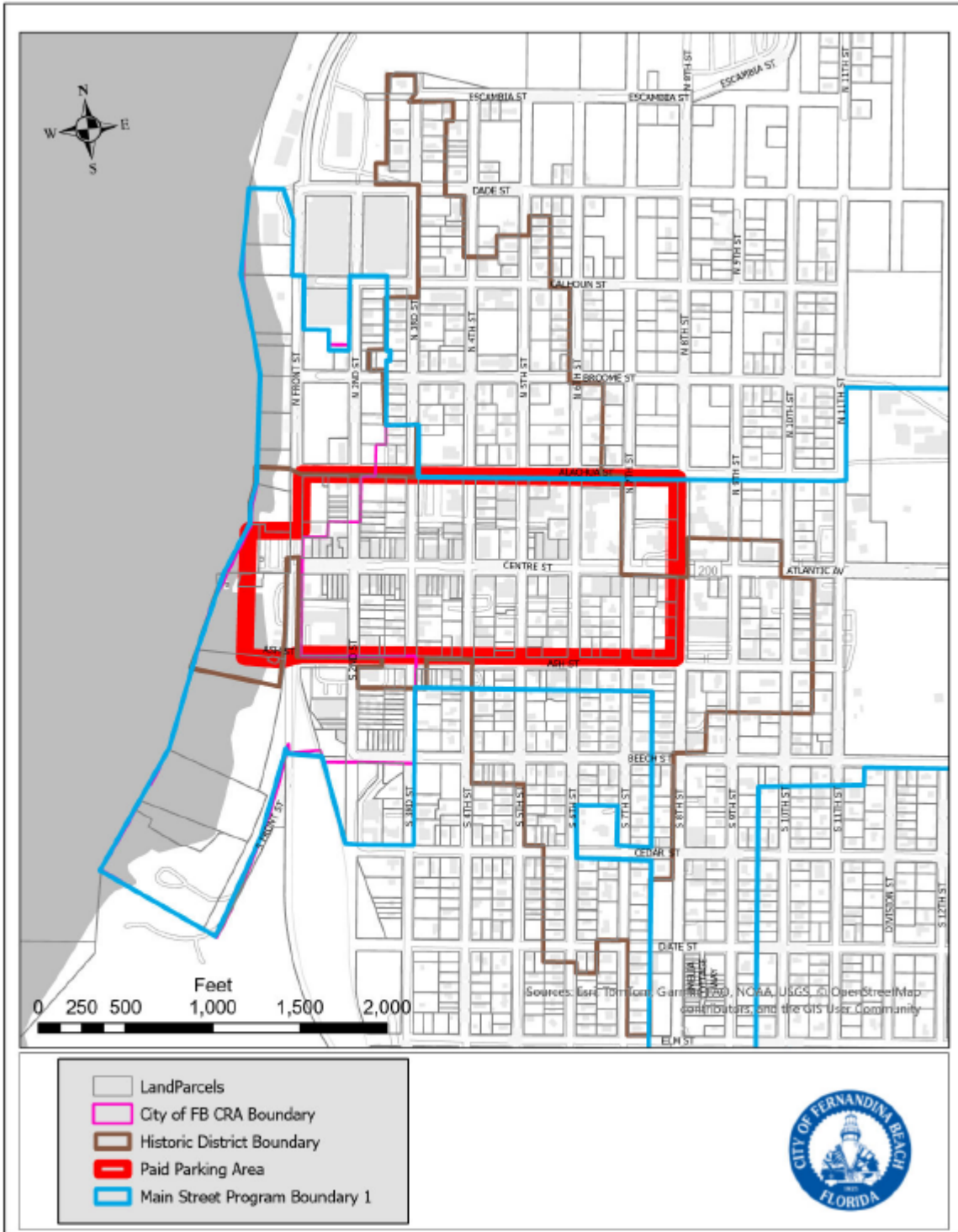
The provisions of this Division 2 imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

SECTION 8. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-104, which section reads as follows

Sec. 78-104. Paid parking area established, Authority to establish paid parking sectors.

- (a) There is hereby established a paid parking area within the City of Fernandina Beach, which consists of all public parking lots and parking spaces within the area from and including Ash Street extending north to and including Alachua Street, and from and including Front Street, including the public parking lots located at the Marina, and extending east to, but not including 8th Street, as depicted for illustration purposes only in Exhibit A as the area indicated in thick bold line. If there is any conflict between Exhibit A and this Ordinance, then the language of this Ordinance shall prevail.

Exhibit A.



(b) The city manager or their designee is authorized as follows:

- (1) To determine and designate paid parking sectors within the paid parking area, and to assign numbers to paid parking spaces solely for management of the paid parking area.
- (2) To install and maintain as many parking signs as necessary in the paid parking area, where it is determined that the installation of parking signs shall be necessary to aid in the regulation, control, and inspection of parking vehicles, including limiting the hours of operation within the paid parking area and giving notice thereof.
 - (i) The parking signs may be of whatever type determined by the city manager or their designee, provided the signs meet the requirements set forth for signage in the City's Land Development Code and the Downtown Historic District Design Guidelines, as may be amended, and the placement of paid parking signs is in accordance with all applicable City ordinances.
 - (ii) Each parking sign installed shall indicate the paid parking area and information identifying that paid parking is enforced and how to pay for parking.

SECTION 9. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-105, which section reads as follows

Sec. 78-105. Paid parking fees, permits, hours and exemptions established.

- (a) Hourly Fees. The cost of parking or standing a vehicle within the paid parking area shall be as follows:
 - (1) The hourly rates which may be charged within the paid parking area shall be as set by the City's Master Fee Schedule. The city manager may set dynamic pricing within the fee range set by the City's Master Fee Schedule for no more than a 30-day period.
 - (2) The rates may vary within the paid parking area and within each sector according to certain periods of the week, defined as weekdays, weekends, and holidays and events at the direction of the city manager or their designee, but may not exceed the maximum amount established by the City's Master Fee Schedule or the times of enforcement established herein.
 - (3) The hourly rate shall be charged for all electric charging stations for EV vehicles. EV parking spaces have a 4-hour limit for charging.
 - (4) All motorcycles and low speed vehicles in a paid parking space shall be charged the hourly rate of the paid parking sector in which they are parked.
 - (5) For all future City-owned public parking spaces or parking lots within the paid parking area, the parking rate of the sector in which the lot or space is located shall be charged.

(6) The City may suspend or modify hourly paid parking requirements to a daily, monthly, or annual digital parking permits as established in the City's Master Fee Schedule or provide no fee in any City public parking space, facility, or lot for City-sponsored or other holidays and events as determined by the city manager or their designee.

(b) Parking Permits.

- (1) Annual resident digital permit. The City hereby establishes an annual flat rate resident digital permit fee per vehicle for residents, which shall be applied for at a fee per vehicle, per year as established by the City's Master Fee Schedule. The City's Master Fee Schedule may establish discounted or free permits per household.
- (2) Annual non-resident digital permit. The City hereby establishes an annual flat rate non-resident digital permit fee per vehicle, which shall be applied for at a fee per vehicle, per year as established by the City's Master Fee Schedule.
- (3) Annual paid parking area resident digital permit. The City hereby establishes an annual paid parking area resident digital permit for residents who live within the paid parking area which may be applied for annually at a fee and a limit established per household by the City's Master Fee Schedule. Such permit shall authorize the parking of the permittee's vehicle within the paid parking area, without requiring the payment of money for the annual period being contracted and such permit shall also exempt the paid parking area resident from overnight parking prohibitions for each permitted vehicle. Vehicles which do not have an annual paid parking area resident digital permit must comply with the overnight parking prohibition.
- (4) Monthly digital permit. The City hereby establishes a monthly flat rate digital permit. The monthly digital permit is subject to availability, determined by the city manager or designee at a fee as established by the City's Master Fee Schedule. There is no resident discount for monthly digital permit fees.
- (5) Except as provided herein, no overnight parking is allowed under any of the annual digital permits and a municipal parking violation of this requirement is subject to a municipal parking citation as prescribed in Section 78-91.
- (6) A digital permit shall authorize parking within a paid parking space for up to four (4) hours free of charge during the hours of paid parking enforcement. Thereafter the hourly rate shall be charged to and must be paid by the digital permit holder.
- (7) The city manager may extend the hours which are free of charge for digital permit holders to up to eight (8) hours during the hours of paid parking enforcement in certain parking lots or sectors within the City, at the city manager's discretion. Thereafter the hourly rate shall be charged to and must be paid by the digital permit holder.
- (8) No public parking space under this program is exclusive for digital permit holders and availability is on a first-come, first-serve basis.
- (9) An application must be made to the City, and the fee paid, if any, (i) as needed for monthly digital permits and (ii) annually for annual digital permits stating the applicant's license plate tag number and registration of the vehicle to be parked. If a

resident is applying for an annual resident or paid parking area resident digital permit, then the applicant's license plate tag number and registration of the vehicles to be parked, along with proof of residency is required for the issuance of the permit. Such permits shall authorize the parking of the vehicle for which the permit was acquired in any paid parking space located within the City's paid parking area with the restrictions and benefits as set forth in the City's Master Fee Schedule and herein. Permits are nonrefundable.

(c) Hours of paid parking area.

(1) Hours of operation.

- (i) Paid parking area enforcement shall be in operation daily, seven days a week, which may include holidays and events, between the hours of 8:00 a.m. and 10:00 p.m., Monday through Saturday, and Sundays between the hours of 1:00 p.m. and 10:00 p.m. These hours may be adjusted within the time frames set herein at the city manager's discretion.
 - (ii) Except as provided herein, vehicles parked in a paid parking space outside of the hours of operation must comply with Sections 78-76 and 78-77 and are subject to a violation pursuant to Section 78-91, and are otherwise subject to all applicable laws.
- (2) When any vehicle shall be parked in any paid parking space within the paid parking area, the operator of the vehicle shall, upon entering the paid parking space or lot, promptly utilize mobile pay to deposit the proper funds required for parking and as is designated by proper directions on the paid parking signage.
 - (3) Upon the deposit of the funds the paid parking space may be lawfully occupied by the vehicle during the period of time which has been prescribed for the part of the street or within the lot in which the parking space is located.
 - (4) The city manager or their designee is authorized to determine and designate time limit exemptions from paid parking, where it is determined that an exemption from the limitation on the length of time vehicles may be parked shall be necessary to aid in the regulation, control, and inspection of parking vehicles.
 - (5) Twenty-minute parking exception. The first twenty minutes of parking is free. Thereafter, the hourly parking rate shall be charged and paid.
 - (6) Thirty-minute delivery or loading zone.
 - (i) Parking or standing a vehicle, including a truck or van, in a designated delivery or loading zone space shall be lawful for a maximum of 30 minutes. Paid parking fees shall not apply for the first thirty minutes. Thereafter, a municipal parking citation may be issued.
 - (ii) A time-limited delivery or loading zone may be established by the city manager for off-peak hours or under other circumstances.
 - (iii) This time limited delivery or loading zone applies to delivery vehicles that do not fit within a single standard City parking space due to size and must park within the road or street right-of-way to make deliveries.

- (iv) Deliveries or loading shall be permitted only during the designated authorized time period and are limited to 30 minutes, and vehicle operators must turn off the vehicle's engine during deliveries.
 - (v) Parking in designated delivery or loading zones is reserved for said purposes. Parking within a designated delivery or loading zone for any other purpose is prohibited except outside hours reserved for delivery and loading.
- (7) Construction parking permit. Parking by construction vehicles, storing materials and equipment, and use for construction purposes is allowed by obtaining a construction parking permit and payment of an application fee and parking fees as established by the City's Master Fee Schedule. The applicant must comply with and obtain the necessary permits under City's Municipal Code Sections 70-2 and 78-105 and the City's Land Development Code Section 5.02.06. The number of days of the use of public parking, including on-street parking as well as public parking in lots, shall be governed by the permit itself. A permit for a period of thirty (30) consecutive days or less may be approved by the city manager, or their designee. Notwithstanding the limitation on extensions in other sections of the City's Municipal Code and Land Development Code, construction parking permits shall only be issued for up to 30 consecutive days, not to exceed more than three (3) consecutive thirty (30) day extensions. Uses include materials, equipment, trucks, cranes, staff parking, port-a-lets, dumpsters and other items with the approval of the city manager. City, County, State and Federally licensed vehicles are exempt from this Section.
- (8) Emergency Event parking grace period. The paid parking spaces will be available for parking as determined by the city manager or their designee during a hurricane, major storm, flooding, or hazardous conditions ("the Emergency Event") occurrence as well as under a mandatory evacuation order under the following terms:
 - (i) There will be no charge during the time of the Emergency Event. However, signs may be posted that declare that parking is at the owner's risk, that access may be limited after the event, because of storm debris or flooding, and that the City is not liable for any damages from theft, vandalism, storms, wind, flying debris or acts of God.
 - (ii) Any vehicle left in the paid parking space after the time frame for free parking may be cited if no payment is made for the parking before or after the Emergency Event parking grace period. For parking, the vehicle must pay the hourly rate including taxes for the period of time before and after the Emergency Event parking grace period.
 - (iii) The city manager may evaluate hazardous weather conditions and make decisions to extend the Emergency Event parking grace period, close the public streets, or make other decisions in the interest of the health and welfare of persons affected by the emergency conditions as well as in the interest of protecting the property.
 - (iv) The City may tow a vehicle parked in a no-parking designated marked area at the owners expense.
- (9) Parking fee exemptions.

- (i) Vehicles parked in a period of emergency determined by an officer of the Fire Department or Law Enforcement Agency;
- (ii) Vehicles parked in compliance with the directions of a police officer, police aide, or traffic-control sign or signal;
- (iii) Vehicles exempt under F.S. § 316.1964 (exemption of vehicles transporting certain persons who have disabilities and proper handicap placard or other properly issued identifier of the exemption for disabled parking from payment of parking fees and penalties, as may be amended); and
- (iv) Vehicles registered to City, County, State or Federal governments.
- (v) The city manager, or their designee, may exempt payment of parking for holidays and events under the following conditions:
 - a. The sponsor (other than events sponsored by the City) must apply for an exemption on an application provided by the City.
 - b. The holiday and event must be sponsored by a not-for-profit.
 - c. The purpose of the holiday and event must meet the test that the event benefits the preservation, restoration or enhancement of the City's public resources.
 - d. The city manager or their designee may exempt the parking fees and direct the holiday and event to a specific location or parking lot for the exempt parking.
 - e. The city manager or their designee reserves the right to afford additional exemptions on a case-by-case basis.
 - f. If required under the City's Code, the sponsor must obtain a special event permit which may include the requirements of this section.
- (d) Collection of deposited moneys. The City administration shall provide for the regular collection of the money paid for parking within the paid parking area. All of the money shall be deposited into the Fund.

SECTION 10. It is hereby proposed that Chapter 78, Article III, Stopping, Standing and Parking, Division 2, Paid Parking, of the Code of Ordinances, City of Fernandina Beach, Florida, is hereby created to add a section to be numbered Section 78-106, which section reads as follows:

Sec. 78-106. Enforcement and authority to enforce.

- (a) Certain acts prohibited and subject to penalty per City Code of Ordinances Section 1-12, General Penalty. It shall be unlawful and a municipal parking violation of the provisions of this chapter, subject to penalty per City Code of Ordinances Section 1-12, General Penalty, for any person to:
 - (1) Deface a parking permit or transfer a parking permit from the vehicle for which it was acquired to another vehicle without approval in advance of the city manager or their designee;

- (2) Deface, injure, tamper with, open, break, destroy, or impair the usefulness of any parking signs installed under the provisions of this Division 2;
 - (3) Remove or deface a Mobile Pay/Website sign.
 - (4) Damage or remove any parking immobilization or enforcement device, without paying the fine and following the proper procedure to remove and properly return the device as instructed.
 - (5) Damage or remove any security cameras or LPR cameras.
 - (6) Harass, abuse, or otherwise cause harm to a paid parking attendant.
- (b) Certain acts prohibited and subject to penalty. In addition to the acts which are unlawful under this chapter, it shall be unlawful and a violation of the provisions of this chapter, subject to penalty outlined in paragraph (c) below, for any person to cause, allow, permit, or suffer any vehicle registered in their name to:
- (1) Be parked in the paid parking area and, unless exempt or properly permitted, failing to pay the paid parking fee;
 - (2) Be parked, make deliveries or load in a time limited parking zone for longer than the maximum time permitted, or parked, make deliveries or load in such a zone during times when not permitted. Enforcement of this subsection shall not preclude additional enforcement for any violations of Chapter 316, Florida Statutes;
 - (3) Be parked in any parking space designated as a handicapped parking space without displaying a permit for handicapped parking which has been issued by a governmental agency having the authority to issue the permit;
 - (4) Be parked in a paid parking sector or time limited parking zone which requires a digital permit without registering the vehicle and obtaining the proper digital permit or a construction zone parking permit or registering for or displaying any other valid permit required herein;
 - (5) Be parked in a delivery or loading zone that restricts parking for no more than 30 minutes;
 - (6) Notwithstanding the municipal parking citation fine that shall be issued in accordance with paragraph (c) below, any vehicle may also be towed and impounded if impeding movement by or access to other vehicles, or presents any hazard due to its location; and
- (c) Enforcement, Municipal Parking Citation Fines and Fees, Appeals. Notwithstanding the schedule of parking violations, fines and fees in Section 78-90 of this Chapter, the fines and fees and enforcement measures to be assessed for municipal parking violations within the paid parking area are established by ordinance and in accordance with state and federal laws. Fines and fees and enforcement measures shall be assessed as follows:
- (1) Administration of paid parking enforcement within the City's paid parking area may be delegated by the city manager and the chief of police to the paid parking attendant and the independent contractor providing parking management services. The paid parking attendant shall have such duties and responsibilities as set forth in this division or as may otherwise be directed by the city manager and/or the chief of p

olice. In addition to the responsibilities set forth in this division, the paid parking attendant shall have the authority to enforce the code and issue citations within the paid parking area for parking violations described in Sections 78-77, 78-84(1)a and (3)c, 78-87, and 78-88. In the absence of the parking attendant, the city manager shall designate a City employee or other independent contractor to act. The parking attendant may be an employee of the City or an independent contractor.

- (2) Any person who receives a parking violation must pay the fine within 15 days. A late fee of \$20.00 will be attached to any fine not paid by the due date.
- (3) For a municipal parking violation listed in paragraph (b) above, a municipal parking citation and fine of \$50.00, plus processing fees, shall be issued. When any paid parking attendant, law enforcement officer, code enforcement officer, or community service aide finds a vehicle parked in violation of any of the parking regulations specified in this Division 2:
 - i. The paid parking attendant or appropriate officer will issue a municipal parking citation to the vehicle and place the notice in a conspicuous place on the vehicle. The municipal parking citation will contain language informing the registered owner of the vehicle which section of this Division 2 has been violated; of the procedures available to the registered owner under this section; and of the administrative fee which the registered owner must pay.
 - ii. If the administrative fine provided for in this section is not paid within 15 days, the paid parking attendant or appropriate officer will mail a copy of the notice of municipal parking violation together with the information specified in section (a)(1) to the registered owner of the vehicle informing the owner that an additional delinquency fee of \$20.00 has been assessed for the violation. The registered owner is directed to pay the administrative fine and the delinquency fee within 15 days of the date of the written notice to owner.
 - iii. Any person who fails to respond to the original municipal parking violation notice within the time period specified, is deemed to have waived the right to contest the merits of such municipal parking violation, except as provided below.
 - iv. The city manager or their designee may waive the specified administrative fine, after receipt of an affidavit of explanation, under the following circumstances:
 - a. Valid and verifiable emergencies;
 - b. Government employees on official business, verified by a supervisor;
 - c. City volunteers detained because of their volunteer duties, as verified by volunteer coordinator.
 - d. The citation is unreasonable given the totality of the circumstances or was issued in error.

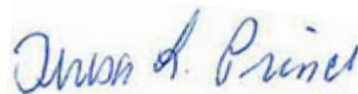
- (4) If the specified administrative fine and the delinquency fee is not paid within 15 calendar days after the date said notice is mailed, the paid parking attendant or appropriate officer will mail a second notice of municipal parking violation to the registered owner with an additional delinquency fee of \$20.00 assessed in addition to the delinquency fees described in subsection (a)(2). If the above total administrative and delinquent fees are not paid within 15 calendar days the entire administrative fee and delinquent fees owed, including all collection costs, will be referred for collection to a collection agency designated by the city manager.
- (5) All violators who are issued a municipal parking citation shall be responsible for any and all processing fees arising from the issuance of the municipal parking citation.
- (6) Immobilization devices as enforcement measures are approved and shall be assessed as provided herein. Vehicles that have three or more outstanding municipal parking citations shall be subject to an immobilization device being immediately installed on the vehicle to prevent mobility and requiring payment of fines and fees to remove the immobilization device and return of the mobility device as directed or an additional fee shall be inured by the violator.
- (7) Enforcement of the rates may be by any legal method available to the City including without limitation sending delinquent amounts to collections.
- (8) Persons may request an appeal in accordance with Section 78-90(c) of this chapter.

SECTION 11. The City Manager, or their designee, may administratively correct typographical and/or scrivener's errors of this Ordinance which do not make substantive changes or otherwise affect the intent of the Ordinance, upon receiving approval of the City Attorney, by filing a corrected or recodified copy of same with the City Clerk.

SECTION 12. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 13. This Ordinance shall become effective immediately upon enactment.

ENACTED this 6th day of January, 2026.



CITY OF FERNANDINA BEACH

JAMES ANTUN
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TERESA L. PRINCE, ESQ.
City Attorney

Date of First Reading: November 4, 2025/December 2, 2025

Date of Second/Final Reading: January 6, 2026

Date of Publication: December 24, 2025