

SPECIAL EVENT PARKING ORDINANCE

ORDINANCE NO. 2009-4178

An ordinance of the City of Sanford, Florida amending the *City Code of the City of Sanford* by implementing Section 58-41 of the *City Code of the City of Sanford*, relating to parking; providing for legislative findings and intent; providing for the City Manager and the Chief of Police to implement Ordinance and for the adoption of administrative rules by establishing parking restricted areas for special events or times throughout the year and the institution and enforcement of parking charges; providing for violations; providing for a penalty; providing for conflicts; providing for a savings provision; providing for codification in the *City Code of the City of Sanford*; providing for severability; and providing for an effective date.

Whereas, municipal local governments are responsible for parking enforcement within their municipal boundaries; and

Whereas, Section 58-41, *City Code of the City of Sanford*, relates to prohibited and limited parking and provides as follows:

“(a) The City Manager and the Chief of Police, with the approval of the City Commission, are hereby authorized to prohibit or limit parking on streets or portions thereof or on other public property. Such prohibitions and limitations may be applicable to all vehicles and at all times or to particular types or sizes of vehicles or only at designated times. Signs or markers clearly indicating any prohibition or limitation established under this section shall be erected and maintained giving notice thereof.

(b) When authorized signs are erected as provided in this section, no person shall park a vehicle in violation of the instructions on such signs”; and

Whereas, the City Commission of the City of Sanford intends to implement the provisions of Section 58-41, *City Code of the City of Sanford*, by establishing the intermittent parking limitations set forth in this Ordinance; and

Whereas, this Ordinance is enacted pursuant to the home rule powers of the City of Sanford as set forth at Article VIII, Section 2, of the *Constitution of the State of Florida*; Chapter 166, *Florida Statutes*; and other applicable controlling law.

Now, therefore, be it enacted by the People of the City of Sanford, Florida:

Section 1. Legislative findings and intent.

(a). The City Commission of the City of Sanford hereby adopts and incorporates into this Ordinance the recitals (whereas clauses) to this Ordinance, the City staff report and City Commission agenda memorandum relating this Ordinance which specifies that the intent of the parking limitations set forth in this Ordinance are to be intermittently applied for occasions and activities such as the Fourth of July celebrations sponsored or supported by the City of Sanford. The limitations on parking set forth in this Ordinance will provide a revenue source that is authorized under controlling Florida law to assist in the funding of activities and programs of the City and to otherwise ensure that well organized and high quality activities and programs are available to the citizens of the City of Sanford and others with positive financial and other impacts upon the City of Sanford and its citizens.

(b). The City of Sanford has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). Although not a land development regulation, this Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Sanford*.

Section 2. Parking Restricted Areas; Charges; Signs; Violations; Penalty.
A new section of the *City Code of the City of Sanford* is created to read as follows:

(a). The City Manager, or Chief of Police as a designee of the City Manager, is hereby authorized to establish parking restricted areas in the City for special events or times throughout the year.

(b). When parking restricted areas are established during special events or times, the City Manager, or Chief of Police as a designee of the City Manager, is hereby authorized to institute and enforce parking charges for the parking restricted areas.

(c). When parking restricted areas are established during special events or times, the City Manager, or Chief of Police as a designee of the City Manager, shall ensure that appropriate signs are erected notifying persons that parking in a designated area is prohibited and unlawful without paying the established parking charge.

(d). It is prohibited and unlawful for a person to park their motor vehicle in a parking restricted area established pursuant to this Ordinance without paying the appropriate parking charge.

(e). Violations of this Ordinance shall be subject to the penalty established in Section 58-50 (3).¹

¹ Ten dollars for overtime parking, parking over the line, where signs prohibit any improper parking, if paid within five working days; after five working days, \$15.00; after 14 calendar days, \$25.00.

(f). After the conclusion of a special event or time during which a parking restricted area was established and parking charges imposed the City Manager shall report to the City Commission as to the results and effectiveness of the action.

Section 3. Implementing Administrative Actions. A new section of the *City Code of the City of Sanford* is created to read as follows:

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative rules.

Section 4. Conflicts/Repealer.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Savings.

The prior actions of the City of Sanford in implementation of Part II, Chapter 58 of the *City Code of the City of Sanford* and related matters as well as all code enforcement activities of the City relating to parking enforcement are hereby ratified and affirmed.

Section 6. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 7. Codification.

This Ordinance shall be codified in the *City Code of the City of Sanford*; provided, however, that Sections 4, 5, 6, 7 and 8 shall not be codified. The Code Codifier is granted broad and liberal authority to change section numbers in the current *City Code* and take other appropriate actions as set forth in Section 1-10 of the *City Code*.

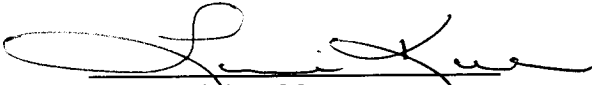
Section 8. Effective Date.

This Ordinance shall take effect immediately upon passage and adoption.

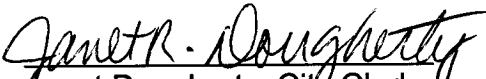
Passed and adopted this 8th day of June, 2009.

**City Commission of the City of
Sanford, Florida**

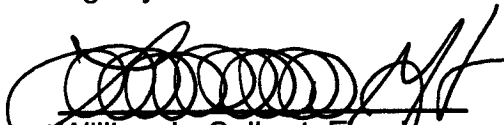
Seminole County, Florida


Linda Kuhn, Mayor

Attest:


Janet Dougherty, City Clerk

Approved as to form and
legality:


William L. Colbert, Esquire
City Attorney
