



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 12/09/08

SUBJECT: Parking Ordinance

DEPARTMENT: POLICE

RECOMMENDED MOTION: Approval of Ordinance No. 2008-42, amending Sections 70-31, 70-34 and 70-36, Code of Ordinances pertaining to vehicle parking.

COMMENTS:

Sec 70-31 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Package shall mean that space between the private property line or survey line of the property owner and the paved or graded portion of the public street adjacent thereto, including that area between a sidewalk and street

Sec 70-34 Parking restrictions generally

(c) Any motor vehicle remaining in a parking area longer than the posted time allowance shall be considered to be illegally parked, and any motor vehicle remaining in one position more than 24 hours in an otherwise unrestricted restricted area shall be considered to be illegally parked.

Sec 70-36 Stopping, standing or parking prohibited in specified places

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand or park a motor vehicle or trailer:

c. On any sidewalk or on a crosswalk

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	Gerald M. Monahan, Jr.	Date	11/24/08
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date	11/24/08
CITY ATTORNEY	Approved as to Form and Legality	Date	12.1.08
CITY MANAGER	Approved Agenda Item For:	Date	12/9/08

COUNCIL ACTION: Approved as Recommended Disapproved Tabled Indefinitely
 Continued to Date Certain Approved with Modification:

ORDINANCE NO. 2008-42

AN ORDINANCE OF THE CITY OF PORT ORANGE,
VOLUSIA COUNTY, FLORIDA, AMENDING SECTIONS 70-
31, 70-34 AND 70-36 OF THE CODE OF ORDINANCES
PERTAINING TO VEHICLE PARKING; PROVIDING FOR A
DEFINITION OF PARKAGE; AMENDING PARKING
RESTRICTIONS IN AN UNRESTRICTED AREA;
PROHIBITING PARKING ON THE SIDEWALK; PROVIDING
FOR REPEAL OF OTHER CONFLICTING ORDINANCES;
PROVIDING FOR SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.

WHEREAS, for purposes of this Ordinance, text with underlined (underlined) type shall constitute additions to the original text and text with strike-through (~~strike-through~~) type shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

SECTION ONE: The City Council of the City of Port Orange hereby amends Section 70-31, of the Code of Ordinances, City of Port Orange, Florida, adding the Definition for Parkage, to read as follows:

Sec. 70-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Parkage shall mean that space between the private property line or survey line of the property owner and the paved or graded portion of the public street adjacent thereto, including that area between a sidewalk and street. [to be added alphabetically]

[All other Definitions set forth in Section 70-31 shall remain the same.]

SECTION TWO: The City Council of the City of Port Orange hereby amends Section 70-34(c), of the Code of Ordinances, City of Port Orange, Florida, Parking Restrictions Generally, to read as follows:

Sec. 70-34. Parking Restrictions Generally.

(c) Any motor vehicle remaining in a parking area longer than the posted time allowance shall be considered to be illegally parked, and any motor vehicle remaining in one position more than 24 hours in an otherwise unrestricted ~~restricted~~ area shall be considered to be illegally parked.

SECTION THREE: The City Council of the City of Port Orange hereby amends Section 70-36(a)(1)c, of the Code of Ordinances, City of Port Orange, Florida, Stopping, standing or parking prohibited in specified places, to read as follows:

Sec. 70-36. Stopping, standing or parking prohibited in specified places.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand or park a motor vehicle or trailer:

a. On the roadway side of any motor vehicle stopped or parked at the edge of a curb of a street (i.e., double parked).

b. Within an intersection.

c. On any sidewalk or on a crosswalk.

SECTION FOUR: All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION FIVE: The amendment adopted herein shall be inserted in the City Code of Ordinances as provided herein in such section specified or, if necessary or advisable, as determined appropriate by the editor and the sections of this ordinance may be renumbered to accomplish the insertion.

SECTION SIX: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION SEVEN: This ordinance shall become effective immediately upon adoption.

MAYOR ALLEN GREEN

ATTEST:

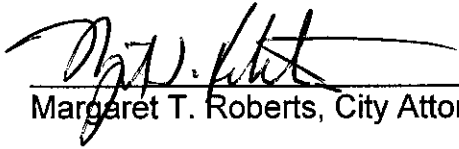
Kenneth W. Parker, City Manager

(ORD. NO. 08- _____)

Passed on first reading on the _____ day of _____, 2008.

Passed and adopted on second and final reading on the _____ day of _____, 2009.

Reviewed and Approved:



Margaret T. Roberts, City Attorney