



**Hallandale Beach**  
PROGRESS. INNOVATION. OPPORTUNITY.

400 South Federal Hwy  
Hallandale Beach, FL 33009

## City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading
<b>5/17/2023</b>	<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	<b>4/19/2023</b>	<b>5/17/2023</b>
		Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Advertising Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
File No.:				
<b>22-531</b>				
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:	
<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>N/A</b>	<b>Chief Michel Michel</b>	<b>Police Department</b>	
Strategic Plan Focus Areas:				
<input checked="" type="checkbox"/> Finance & Budget		<input checked="" type="checkbox"/> Organizational Capacity		<input type="checkbox"/> Infrastructure/Projects
Implementation Timeline:				
Estimated Start Date: 4/19/2023    Estimated End Date: 9/30/2023				

**SHORT TITLE:**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 13, SECTION 13-40 REGARDING ABANDONED VEHICLES; CHAPTER 28 "TRAFFIC, MOTOR VEHICLES AND BOATS", SECTIONS 28-8, 28-11, 28-15, 28-17, 28-133 THOUGH 28-135, 28-137 AND CREATING SECTIONS 28-141 AND 28-142, TO OPTIMIZE PARKING ENFORCEMENT, CREATE AN ADMINISTRATIVE REVIEW PROCESS, AN APPEALS PROCESS, ADDRESS DISABLED PARKING IN PAID PARKING AREAS AND OTHER PARKING RELATED PROVISIONS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

## STAFF SUMMARY:

### Summary:

Staff seeks to amend the City of Hallandale Beach Code of Ordinances to optimize the Citywide Parking Management Program by providing the Parking Enforcement Unit with the tools to better enforce parking violations. A separate resolution establishing the additional fees and fines shall be included at second reading of the ordinance.

### Background:

On June 16, 2021, the City Commission approved through City Ordinance 2021-013 implementing the Citywide Parking Management Program. The amendment included the expansion of enforcement of parking spaces from 196 to 1,006, the introduction of a Resident Parking Pass, payment services changes and an increase in parking rates throughout the city (Exhibit #2).

Since the enactment of the Citywide Parking Management Program in January of 2022, the City has generated gross revenues of approximately \$1.54 million. A summary of the revenues is below:

Revenue by Source	
January 2022 thru March 2023	
PARKING METERS	\$ 1,072,083
PARKING CITATIONS	468,399
<b>Total</b>	<b>\$ 1,540,483</b>

### Current Situation:

The Police Department is proposing additions to the City of Hallandale Beach Code of Ordinances to optimize parking enforcement and ensure the continued effectiveness of the program. The Citywide Parking Management Program requests the following changes:

- Article IV Section 13-40. **Abandoned vehicles on public ways or grounds:** Stipulates that abandoned vehicles can be towed from public grounds and the city's rights-of-way. This provision also outlines the enforcement window to within a 48-hour period of notification. The enforcement of this section shall be enforceable 24 hours, 7 days per week, including holidays.
- Article IV Section 28-8. **Administrative fee and lien for vehicles which are towed:** Adding language stipulating that when a vehicle is towed from public grounds and the city's rights-of-way, due to enforcement activities, the towing and storage charges will be incurred by the owner of the vehicle.
- Article IV Section 28-11. **Parking of vehicles and equipment in residential areas and districts:** Outlines the removal of wrecked, junked motor inoperable vehicles from public grounds and the city's rights-of-way to within 48 hours of notification. The enforcement of this section shall be enforceable 24 hours, 7 days per week, including holidays.

- Article IV 28-15. **Stopping and parking prohibitions and restrictions:** Adding language prohibiting vehicles from stopping, standing, or parking a vehicle on any portion of the sidewalk, bicycle path, within the 25 feet triangle of visibility, two vehicles occupying one parking space, one vehicle occupying more than one parking space.
- Article IV 28-17. **Fines for stopping, standing, and parking violations:** Parking Citation Fees will be updated via resolution at second reading. The table below shows the updated fine schedule. The ordinance proposes to add provisions for late fees and school crossing guard fee. *The below listed fines include a \$5.00 School Crossing Guard Fee.*

Disabled Parking	\$250.00 - currently \$254 which violates Florida Statute.
Oversized vehicles (2 Axles)	\$150.00
Oversized vehicles (2+ Axles)	\$250.00
Commercial Vehicles 9pm-6am (2 Axles)	Increase to 150.00. Currently \$100.
Commercial Vehicles 9pm-6am (2+ Axles)	Increase to \$250.00. Currently \$100.
Commercial Vehicles on grass (2 Axles)	\$150.00.
Commercial Vehicles on grass (2+ Axles)	\$250.00.
Expired Parking Session	\$34.00 - currently not specified in Code.
Back-In Parking	\$34.00 - currently not specified in Code.
Non-Payment	\$34.00 - currently not specified in Code.
Facing wrong way/ against traffic	\$34.00 - currently not specified in Code.
All other parking violations	\$34.00 - currently not specified in Code.
Business Parking Pass Per Zone and Per Vehicle, a month (Workforce, Labor, and Caregivers)	\$30.00 per calendar month
Introduce an increased and tiered citation late fee (Currently one-time \$12.00 Fee):	
10th calendar day after issuance	\$15.00
30th calendar day after issuance	\$20.00

- Article IV 28-133. **Residential parking passes:** Authorizing the City Manager to establish policy and procedures for a Business Parking Pass (Workforce, Labor, and Caregivers). The Business Parking Pass will enable businesses to provide their employees passes for right of way parking, developers to provide tradesman parking passes during construction and introduce home service (caregivers, cleaning services, etc.) parking passes.

- Article IV 28-135. **Marking spaces; parking within lines:** Prohibits back in parking in a public parking space.
- Article IV 28-137. **Period of parking; parking overtime:** Replace current language in code to better define parking spaces as those lawfully occupied by any vehicle for the period of time which the motor vehicle is parked. The operator of the vehicle shall, upon entering the parking space, immediately pay for parking in the amount adequate to account for the length of time the motor vehicle is parked. Payment shall be made either by credit card or by mobile phone by following the directions on applicable signage. Failure to make payment when so required or failure to make payment beyond the parking session, shall constitute a violation of this section and shall subject such person to the prescribed penalty. Also, establishing vehicles producing a valid disabled parking placard may park for free, for a maximum of four (4) hours on any on-street standard space. Vehicles producing a valid disabled parking placard may park for free, with no time limitation, in any marked, dedicated handicap parking space.
- Creates Article IV 28-141 and 28-142 created: The following are proposed additional changes to the code to assist in the Citywide Parking Program. These changes include enabling the establishment of a citation appeals process to include a Special Magistrate, introducing collection services, registration holds, and authorizing “Booting” procedures for unpaid citations, clarifying disabled parking, and expanding City Manager authority to waive fees:
  - 1) Creates a city administrative review process for any person who wishes to appeal a parking citation. The notice of appeal must be received by the Parking Enforcement Unit within ten (10) calendar days of the issuance of the parking citation.
  - 2) Enables the Parking Enforcement Unit to process for parking citation appeals; Appoint a Special Magistrate; Schedule hearings for parking citation appeals.
  - 3) Authorize the City Manager to employ the services of a 3<sup>rd</sup> party collection agency for the collection of unpaid parking citations.
  - 4) In accordance with Florida Statute §316.1967 introduce an ordinance enabling the City of placing a registration hold on vehicles with three or more unpaid parking citations.
  - 5) Authorizing the Parking Enforcement Unit to attach a “boot”, or other nondestructive immobilization device which prevents a vehicle from moving under its own power if the owner has two (2) unpaid) parking citations. All registered owners with two or more unpaid parking citations will be notified in advance of the City’s immobilization and towing policy. The immobilization fee shall be established by resolution (recommended at \$75).
  - 6) Authorizing City Manager to authorize the Parking Enforcement Unit to waive late fees under certain provisions.

**Why Action is Necessary:**

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, an Ordinance adopted by the Commission is required to amend or repeal any ordinance previously adopted by the City Commission.

**Cost Benefit:**

The amendments to the City of Hallandale Beach Code of Ordinances in conjunction of other parking initiatives is estimated to generate an additional \$875,000 in gross parking revenues annually.

**STAFF RECOMMENDATIONS:**

Staff seeks to amend City of Hallandale Beach Code of Ordinances as indicated in the attached proposed ordinance to optimize the Citywide Parking Management Program.

**PROPOSED ACTION:**

The City Commission to approve the amendments to the City of Hallandale Beach Code of Ordinances.

**ATTACHMENT(S):**

- Exhibit 1 – Proposed Ordinance
- Exhibit 2 – City Ordinance 2021-013
- Exhibit 3 - Revenue Breakdown
- Exhibit 4 – Presentation

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