

EXHIBIT 1
ORDINANCE NO. 2025-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES ARTICLE IV, SEC. 28-32. STOPPING AND PARKING PROHIBITIONS AND RESTRICTIONS, SEC. 28-54. PERIOD OF PARKING; DISABLED PARKING; PARKING OVERTIME, AND SEC. 28-73. PENALTIES; PARKING CITATION FINES, TO IMPROVE THE CITY'S ABILITY TO MANAGE AND ENFORCE REGULATIONS WITHIN THE PUBLIC RIGHT-OF-WAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article V, Division I, Section 5.01 of the City of Hallandale Beach Charter, a City ordinance is required to amend or repeal any ordinance previously adopted by the City Commission; and

WHEREAS, the City Commission of Hallandale Beach adopted Ordinance 2021-013, implementing a Citywide Parking Management Program, and subsequently adopted Ordinance 2023-007, updating it to allow for improvements and to adapt to evolving challenges faced by the Parking Enforcement Unit; and

WHEREAS, Staff desires to further amend its Citywide Parking Management Program ordinance to enhance parking enforcement, ensure the continued effectiveness of the program, improve the City's ability to manage and enforce regulations within the public right-of-way, and provide the Parking Enforcement Unit with tools to better enforce parking violations; and

WHEREAS, the proposed amendments to the City of Hallandale Beach Code of Ordinances are estimated to generate an additional One Hundred, Eighty Thousand Dollars (\$180,000) in annual parking revenues; and

WHEREAS, Staff recommends that the Mayor and City Commission find it to be in the public interest to amend the City of Hallandale Beach Code of Ordinances Article IV, Sec. 28-32. Stopping and parking prohibitions and restrictions, Sec. 28-54. Period of parking; disabled

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parking; parking overtime, and Sec. 28-73. Penalties; parking citation fines, to improve the City's ability to manage and enforce regulations within the public right-of-way, and provide the Parking Enforcement Unit with tools to better enforce parking violations.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION
OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

SECTION 1. The foregoing "Whereas" clauses are confirmed as true and incorporated herein.

SECTION 2. The Mayor and City Commission of the City of Hallandale Beach hereby amend the Code of Ordinances Article IV, Sec. 28-32. Stopping and parking prohibitions and restrictions, Sec. 28-54. Period of parking; disabled parking; parking overtime, and Sec. 28-73. Penalties; parking citation fines as follows:

Article IV, Sec. 28, Period of parking; disabled parking; parking overtime is hereby amended as follows:

Sec. 28-32. Stopping and parking prohibitions and restrictions.

(a) *Generally.* 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 vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- b. On any portion of any sidewalk. For the purposes of this section a sidewalk shall be construed to mean any walkway within the public right-of-way, upon which the public has unlimited right to traverse and does not include vehicular pathways.
- c. Within an intersection.
- d. On a crosswalk.
- e. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the state division of road operations of the department of transportation or the county department of transportation indicates a different length by signs or markings.
- f. Upon any public street, road, highway or way upon which the public has a right to travel by motor vehicle so as to impede, hinder, stifle, retard or

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- 73 restrain traffic or passage on such place or so as to endanger the safe
74 movement of vehicles or pedestrians traveling on such place.
- 75 g. Upon any bridge or ramp.
- 76 h. On any railroad tracks.
- 77 i. At any place where official signs prohibit stopping.
- 78 j. Within any parking space specifically designated and marked for the
79 exclusive use of physically disabled persons, unless such vehicle displays a
80 parking permit issued for such purpose by the state department of highway
81 safety and motor vehicles and/or is transporting a person eligible for such
82 parking permit. Any person who is chauffeuring a disabled person shall be
83 allowed, without need for an identification parking permit, to momentarily park
84 in any such parking space for the purpose of loading or unloading a disabled
85 person, and no penalty shall be imposed upon the driver for such parking.
- 86 k. In any fire lane or fire zone.
- 87 l. Parking a non-electric vehicle within any parking space specifically
88 designated for charging an electric vehicle- or Electric Vehicles that are either
89 not actively charging, or not plugged in to charge.
- 90 m. On or over any bicycle path.
- 91 n. Within the 25 feet triangle of visibility.
- 92 o. Parking more than one motor vehicle park in a single parking space.
- 93 p. In a manner that causes the motor vehicle or any portion thereof to occupy
94 more than one parking space.
- 95 q. Parking on a surface other than a hard-paved surface, except for parking on
96 grass swale area in residential districts where parking is not otherwise
97 prohibited.
- 98 r. In a space not designated for parking.
- 99 (2) Stand or park a vehicle, whether or not occupied, except momentarily to pick up or
100 discharge a passenger or passengers:
- 101 a. In front of a public or private driveway.
- 102 b. Within 15 feet of a fire hydrant.
- 103 c. Within 20 feet of a crosswalk in an intersection.
- 104 d. Within 30 feet upon the approach of any flashing signal, stop sign or traffic
105 control signal located at the side of a roadway.
- 106 e. Within 20 feet of the driveway entrance to any fire station and on the side of a
107 street opposite the entrance to any fire station within 75 feet of the entrance
108 (when ~~property~~ properly signposted).
- 109 f. At any place where official signs prohibit standing.
- 110 (3) Park a vehicle, whether or not occupied, except temporarily for the purpose of and
111 while actually engaged in loading or unloading passengers:

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- 112 a. Within 50 feet of the nearest rail of a railroad crossing.
- 113 b. At any place where official signs prohibit parking.
- 114 (b) *Parking on vacant, unimproved real property.*
- 115 (1) It shall be unlawful for any person to park, store or occupy any motor vehicle,
- 116 trailer, motor home, camper, truck or other vehicle, whether or not self-propelled,
- 117 on any vacant unimproved real property in the city.
- 118 (2) For the purpose of this section, the term "vacant unimproved real property" shall
- 119 be construed to mean a tract of land which is unpaved and does not contain a
- 120 structure which is certified for occupancy by human beings.
- 121 (c) *School zones.* When signs are erected giving notice thereof, no person shall park, stop
- 122 or leave standing any motor vehicle upon any public school's right-of-way or swale
- 123 adjacent to the school. Said prohibition includes but is not limited to grass areas or
- 124 other paved areas not appropriately marked or designated for parking.
- 125 (d) *Two-way roadways.* Except as otherwise provided in this subsection, every vehicle
- 126 stopped or parked upon a two-way roadway shall be so stopped or parked with the
- 127 right hand wheels parallel to and within 12 inches of the right hand curb or edge of the
- 128 roadway.
- 129 (e) *One-way roadways.* Every vehicle stopped or parked upon a one-way roadway shall be
- 130 so stopped or parked parallel to the curb or edge of the roadway, in the direction of
- 131 authorized traffic movement, with its right-hand wheels within 12 inches of the right-
- 132 hand curb or edge of the roadway, or its left-hand wheels within 12 inches of the left-
- 133 hand curb or edge of the roadway.
- 134 (f) *Rights-of-way.* Every vehicle stopped, parked, or standing while on the right-of-way or
- 135 swale shall do so in the direction of traffic.

136 *****

137 **Sec. 28-54. Period of parking; disabled parking; parking overtime.**

- 138 (a) Parking spaces may be lawfully occupied by any vehicle for the period of time
- 139 which the motor vehicle parking is paid. The operator of the vehicle shall, upon
- 140 entering the parking space, immediately pay for parking in the amount adequate to
- 141 account for the length of time the motor vehicle is parked. Payment shall be made
- 142 either by credit card or by mobile phone by following the directions on applicable
- 143 signage. Failure to make payment when so required or failure to make payment
- 144 beyond the parking session, shall constitute a violation of this section and shall
- 145 subject such person to the prescribed penalty
- 146 (b) Holiday/Event Parking Rate
- 147 (1) At the South City Beach & North City Beach parking facilities, the hourly
- 148 parking rate shall be adjusted to accommodate the increase in parking demand
- 149 during the following holidays:
- 150 • Memorial Day (4-day weekend in May)
- 151 • Independence Day (4-day weekend in July)

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- Labor Day (4-day weekend in September)

The holiday rate shall reflect a range between \$6.00 - \$8.00 per hour. The holiday rate shall be reviewed annually and amended as needed in the annual Fee Booklet.

(c) Electric Vehicle (EV) Charging

(1) Any Electric Vehicle, as defined in Sec. 28-31, may occupy an electric vehicle charging space for the sole purpose of charging the vehicle. The maximum time permitted to charge the vehicle shall be four (4) hours. The vehicle must be actively charging while occupying the EV charging parking space.

(2) Charging the EV beyond the maximum four (4) hours session shall incur an "overstay" fee of \$45.00 per hour. The overstay fee shall be reviewed annually and amended as needed in the annual Fee Booklet.

(3) Electric Vehicles occupying an EV charging space while not physically plugged into a charger shall constitute a violation of this section and shall subject such person to a parking citation in the minimum amount of \$125.00.

(4) Non-electric vehicles that occupy an EV charging space shall constitute a violation of this section and shall subject such person to a parking citation in the minimum amount of \$125.00.

(bd) Disabled parking.

(1) Except as otherwise provided in this Code, when on-street parking restricts the duration of time that a vehicle may be parked, a vehicle properly displaying a disabled parking permit may park for free for a maximum of four hours in any standard, non-designated handicap space. Any person whose vehicle is parked for longer than four hours, while parked in an on-street standard, non-designated handicap space, shall pay the appropriate amount for any length of time greater than the initial ~~original~~ four-hour period of time. Any person who fails to make such appropriate payment shall be issued a parking citation for overtime parking.

(2) Any vehicle which displays a disabled parking permit may park for free for a maximum of four hours ~~with no time limitation~~ in any on-street parking space designated as a handicapped or disabled parking space. Any person whose vehicle is parked for longer than four hours, while parked in an standard, on-street, designated handicap space, shall pay the appropriate amount for any length of time greater than the initial four-hour period of time. Any person who fails to make such appropriate payment shall be issued a parking citation for overtime parking.

(3) The free four hour parking session is limited to once per 24-hour period.

~~(34)~~ All drivers must pay to park in the city's off-street public parking facilities identified below, including any motor vehicle with a disabled parking permit issued pursuant to F.S. §§ 316.1958 and 320.0848, except for drivers of vehicles displaying a disabled parking permit with specialized equipment such as a ramp, lift, or foot or hand controls, or displaying the Florida Toll Exemption Permit, or displaying the disabled veteran "DV" license plate.

a. 1870 S. Ocean Drive (South City Beach Park).

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- b. 18500 S. Ocean Drive (North City Park Garage).
c. 203 NE 3rd Street (City Lot #1).
d. 397 NE 1st Avenue (City Lot #2).

(45) In accordance with F.S. § 316.1964(8), any motor vehicle displaying a disabled parking permit which has specialized equipment such as ramps, lifts or foot or hand controls and which is transporting the person who has a disability or any vehicle displaying the Florida Toll Exemption Permit which is transporting the person who has a disability, is exempt from any parking fees.

Sec. 28-73. Penalties; parking citation fines.

(a) Violations of this article shall be punishable by a civil parking citation at the fines indicated below.

Handicap parking ~~\$~~250.00
Oversize vehicle (2+ axles) ~~\$~~250.00
Oversize vehicle (2 axles) ~~\$~~150.00
Parked in a School Zone \$130.00
Parked within 15' of a fire hydrant ~~\$~~129.00
Parked in a fire lane/zone ~~\$~~129.00
Parked with "No Plate" \$125.00
"Not Actively Charging" EV vehicle \$125.00
All other (standard) parking violations ~~\$~~345.00
~~School crossing guard fee added to all parking citations \$5.00~~
Grace period to pay parking citation ten (10) calendar days
Late fee on calendar day 11 ~~\$~~15.00
Late fee on calendar day 31 ~~\$~~20.00
Grace period to pay e-Citation 30 calendar ~~44~~ days
Late fee on day ~~31~~ 5 ~~\$~~15.00
Late fee on day ~~34~~ 6 ~~\$~~20.00
Collection agency add-on fee 15% of fine amount
E-citation (remote enforcement) administrative fee ~~\$~~25.00
(b) All parking citations are assessed a mandatory school crossing guard fee of \$5.00. A separate trust fund called "The School Crossing Guard Trust Fund" shall be established specifically for these funds.

SECTION 3. Conflict. All ordinances, parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

SECTION 4. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

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SECTION 5. Codification. It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words "ordinance" or "section" may be changed to other appropriate words.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED on 1st reading, on _____, 20__.

PASSED AND ADOPTED on 2nd reading, on _____, 20__.

JOY F. COOPER
MAYOR

ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

JENNIFER MERINO
CITY ATTORNEY

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