

ARTICLE III. - STOPPING, STANDING AND PARKING

FOOTNOTE(S):

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Cross reference— Off-street parking and loading, § 42-406 et seq. [\(Back\)](#)

State Law reference— Stopping, standing and parking generally, F.S. § 316.1945 et seq.; authority to regulate or prohibit stopping, standing or parking, F.S. § 316.008(1). [\(Back\)](#)

Sec. 82-61. - Notice and schedule of fines for illegally parked vehicles and disposition of parking fines.

- (a) Whenever any motor vehicle is found parked, stopped, or standing, in violation of any of the restrictions imposed by ordinance of the municipality, the officer finding such vehicle shall take its license tag number, and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such a vehicle a parking citation.
- (b) The owner or operator of a motor vehicle receiving a notice as provided for in the preceding subsection shall pay to the city as a penalty for and in satisfaction of such violation the following sums set forth below:
 - (1) Fire lane violation\$ 50.00
 - (2) Commercial vehicle parking violation:
 - a. First offense25.00
 - b. Second offense50.00
 - c. Third offense100.00
 - d. Each subsequent offense100.00
 - (3) All other parking violations10.00
- (c) All fines collected under the provisions of this chapter shall be paid into the city and deposited in the general fund.

(Code 1979, § 19-7(a), (b), (e))

Sec. 82-62. - Parking trucks and commercial vehicles overnight in residential districts.

- (a) *Application of section.* The regulations of this section shall apply in all residential districts.
- (b) *Definitions.* The following words, terms and phrases when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Agricultural, construction or industrial equipment means any motor vehicle, trailer or implement used in agriculture, construction or industry, and only incidentally operated or moved over public highways. The term includes, but is not necessarily limited to, farm tractors and implements, bulldozers, cranes, excavators, forklifts, motor graders, road rollers, tow trucks, mixers, earth movers, compressors, generators and lot clearing equipment.

Commercial lettering means letters, numbers, symbols or combinations thereof which advertise a trade, business, industry or other activity for profit, or a product, commodity or service. The term shall not include bumper stickers or the decal or plate commonly applied to a motor vehicle by a motor vehicle dealer.

Commercial vehicle means any agricultural, construction or industrial equipment, or any step van, truck or truck tractor. The term shall include any motor vehicle upon which commercial lettering has been affixed. The term "commercial vehicle" shall also include, but shall not necessarily be limited to any motor vehicle with tools, building materials or merchandise carried upon or therein, or any vehicle, including a pickup truck or light van, used for or actually carrying any trash or waste materials.

Light van means any motor vehicle having a generally rectangular bulk, used primarily for the transportation of persons, which is licensed and registered for operation upon public highways and which has a carrying capacity of one ton or less.

Owner means any person, association or corporation to which a motor vehicle or trailer is registered according to the certificate of title for the motor vehicle or trailer, and shall include, if the motor vehicle or trailer is under lease, rental agreement or on loan under any type of arrangement, gratuitous or otherwise, the person, association or corporation having possession or control of the vehicle. When used herein in relation to privately owned real property in a residential district, the term shall mean the owner of the property according to the latest ad valorem tax records of the county, and shall include, if the privately owned real property is under lease, rental, agreement for deed or similar land contract, the person, association or corporation in possession and control of the property.

Pickup truck means any motor vehicle used primarily for the transportation of persons, which may have a permanently attached open bed with a carrying capacity of one ton or less.

Residential district means any zoning district established for residential use.

Step van means any motor vehicle having a generally rectangular bulk, designed and manufactured primarily as a commercial delivery or service truck and characterized by having sufficient headroom for an adult six feet in height to stand upright.

Tool means any implement or device used in the performance of one's employment or trade, to include, but not limited to, ladders, painting supplies, compressors, tool chests, plumbing equipment, pool cleaning equipment and supplies, lawn mowers, edgers, wheelbarrows or other lawn maintenance equipment.

Trash means both combustible and noncombustible trash such as tree limbs, tree trimmings, palm fronds, lawn and shrubbery trimmings or clippings and other debris connected with the maintenance of a lawn or yard.

Truck means any motor vehicle which is primarily designed for the transportation of property or any vehicle with a carrying capacity of one ton or more and shall include a pickup truck, whose open bed has been altered in any way to carry tools, equipment or merchandise or actually carries such items, or a light van, whose interior has been designed or altered to carry tools, merchandise or equipment, or actually carries such items.

Waste materials means any junk, scrap metal, scrap lumber, wastepaper products, discarded building materials, vehicle parts, machinery or machinery parts.

- (c) *Prohibitions.* It shall be unlawful for the owner, or operator of a commercial vehicle, or the owner of real property, to park, store, keep or allow a commercial vehicle to be parked, stored or kept, upon any real property in any residential district in the city between the hours of 9:00 p.m. and 6:00 a.m. of the following day, except as may otherwise be provided in this section.
- (d) *Permitted parking.* Notwithstanding the prohibitions in subsection (c) of this section, there may be parked in any residential district on an improved lot, one or more of the following motor vehicles:
 - (1) Light van, pickup truck, automobile or similar type of motor vehicle.
 - (2) Any commercial vehicle when parked in a garage or carport providing such vehicle is not visible from the street or from the abutting property.
- (e) *Exemptions.* Exempt from the provisions of this section are commercial vehicles or trailers in actual use or moving directly to or from the location of actual use which are owned or leased by:
 - (1) The city or other governmental agency for the accomplishment of a governmental purpose.

- (2) A contractor or subcontractor under agreement with the city to accomplish a municipal purpose.
- (3) A public utility operating within the city, or a contractor or subcontractor under agreement with such public utility, for the installation, maintenance, adjustment or repair of or to a public utility facility.

(Code 1979, § 19-3)

Cross reference— Businesses, ch. 18.

Sec. 82-63. - No parking in fire lanes.

- (a) Whenever the owner of any property which is developed as a shopping center within the city shall request the city, in writing, that a 25-foot area adjacent to the shopping center buildings and/or pedestrian walkway, which area is measured perpendicular to such buildings or pedestrian walkways, and constitutes the portion of the quasi-public vehicular traffic area adjacent thereto should be posted "no parking, fire lane," then the written request shall be turned over to the chief of police of the city. The chief of police shall elicit the evaluations of the public safety director and the chief of the fire department to aid in reaching a decision as to whether such area warrants such restrictive posting as requested. At such time as the chief of police, after considering the input from the public safety director and the fire chief, approves the posting of such 25-foot area as requested by the owner, then the police department of the city or the public works department of the city shall be authorized to post signs on such areas, signifying that such 25-foot vehicular area is a fire lane and no parking shall be permitted. The cost of the signs, the installation, replacement and maintenance thereof, shall be borne by and be an expense of the owner of the property, who has requested the posting pursuant to this section.
- (b) After the posting of the signs signifying no parking in fire lanes, the public shall be prohibited from parking any vehicles within such 25-foot fire lane.
- (c) The police department of the city shall be authorized to issue a parking citation to any person who violates the provisions of this section.

(Code 1979, § 19-4)

Cross reference— Fire protection and prevention, ch. 34.

Sec. 82-64. - Parking in direction of traffic movement required, generally.

Except when otherwise provided in this Code, every vehicle parked on any street or public right-of-way shall be parked in the direction of the authorized traffic movement.

(Code 1979, § 19-4.1)

Sec. 82-65. - Parking for certain purposes prohibited; presumption.

- (a) No person shall park a vehicle upon any street or public right-of-way for the purpose of:
 - (1) Displaying such vehicle for sale.
 - (2) Washing, greasing or repairing such vehicle except when such repairs are necessitated by emergency.
 - (3) Displaying advertising.
 - (4) Selling merchandise from such vehicle except in a duly authorized marketplace or when so authorized or licensed under other provisions of this Code.
 - (5) Storage, such as junkage or dead storage, for more than 24 hours.

(b) It shall be *prima facie* evidence that a vehicle is parked for the purpose of dead storage when such vehicle is parked upon any street or public right-of-way for more than 24 consecutive hours.

(Code 1979, § 19-4.2)

Sec. 82-66. - Obstruction of bicycle paths and sidewalks prohibited.

No person shall park any vehicle upon a bicycle path or sidewalk or park such vehicle in such a manner so as to obstruct any portion of a bicycle path or sidewalk.

(Code 1979, § 19-4.3)

Sec. 82-67. - No parking of trucks, commercial vehicles or recreational vehicles overnight in public right-of-way.

It shall be unlawful to park a truck, a vehicle with commercial lettering on the sides describing such vehicle as a business vehicle, or a recreational vehicle as defined in section 54-31 of this Code in the public right-of-way any where within the city limits between the hours of 9:00 p.m. and 6:00 a.m. on the following day.

(Code 1979, § 19-13(a))