

Chapter 15

PARKING*

Article I. Administrative Provisions

Division 1. General Provisions; Administrative Authority; Definitions

- Sec. 15-1. Title.
- Sec. 15-2. Applicability.
- Sec. 15-3. Definitions.
- Sec. 15-4. Administrative authority.
- Sec. 15-5. Installation of parking meters; duty of director to maintain; operation.
- Sec. 15-6. Parking meter zones.
- Sec. 15-7. Marking of parking spaces.
- Secs. 15-8—15-25. Reserved.

Division 2. Fee Authority and Types

- Sec. 15-26. Fees—City council to establish.
- Sec. 15-27. Same—Types enumerated.
- Secs. 15-28—15-40. Reserved.

Article II. Regulations; Permits; Penalties

Division 1. General Parking Regulations

- Sec. 15-41. Parking in city lots, garages, public streets and other property.
- Sec. 15-42. Parking within designated spaces.
- Sec. 15-43. Parking in front of residences or public or private driveways.
- Sec. 15-44. Ten feet of roadway to remain open for vehicular traffic.
- Sec. 15-45. Vehicles other than taxicabs, buses, etc., parking in designated stands.
- Sec. 15-46. Trucks occupying more than one parking space.
- Sec. 15-47. Parking trucks over eighty inches wide on certain streets prohibited.
- Sec. 15-48. Freight, loading and unloading spaces restricted.
- Sec. 15-49. Parking vehicles on street for purposes of sale.
- Sec. 15-50. Parking vehicles for primary purpose of vending, displaying or advertising goods, services or place of business.
- Sec. 15-51. Parking on city right-of-way.
- Sec. 15-52. Parking vehicles with altered or expired license tags.
- Sec. 15-53. Parking on housing authority properties.
- Sec. 15-54. Illegal use of license plates, exemption parking permits, or temporary exemption parking permits issued to persons with disabilities.
- Sec. 15-55. Continuous parking in non-metered parking spaces.
- Sec. 15-56. Charging station parking.
- Secs. 15-57—15-80. Reserved.

***Cross references**—Ordinances prescribing parking prohibitions, parking limitations or loading zones saved from repeal, § 1-12(5); police, Ch. 18; vehicle parking in parks, § 16-5; streets and sidewalks, Ch. 22; transportation, Ch. 25; regulation of parking on parade routes, § 25-10; bicycle parking, § 25-184; off-street parking and loading, § 27-283 et seq.

State law references—Stopping, standing or parking prohibited in specified places, F.S. § 316-1945; additional parking regulations, F.S. § 316.195.

TAMPA CODE

Division 2. Parking Meter Regulations

- Sec. 15-81. Hours of operation for parking meters.
- Sec. 15-82. Duty of operators of vehicles to actuate by payment of authorized legal tender; parking beyond time fixed for such vehicle.
- Sec. 15-83. Depositing slugs, etc., in meters.
- Sec. 15-84. Defacing or injuring meters.
- Sec. 15-85. Taxicabs, buses, etc., parking in parking meter areas.
- Secs. 15-86—15-100. Reserved.

Division 3. Permits, Permit Regulations

- Sec. 15-101. Special parking permits.
- Sec. 15-102. Business parking permits and decals.
- Sec. 15-103. Reservation of parking meter spaces and removal of parking meters, posts or parking signs.
- Sec. 15-104. Residential parking permit only area.
- Sec. 15-105. Denial, honoring and revocation of permits.
- Secs. 15-106—15-120. Reserved.

Division 4. Penalties

- Sec. 15-121. Penalties for parking violations; ticket cancellation privileges.
- Sec. 15-122. Vehicles parked in violation of regulations deemed nuisance.
- Sec. 15-123. Contesting a violation.
- Sec. 15-124. Court action for failure to pay.
- Sec. 15-125. Penalties for failure to appear or to pay fines as directed by the court.
- Sec. 15-126. Immobilization or impoundment of vehicles.
- Sec. 15-127. Removal of immobilizing device unlawful.
- Sec. 15-128. Establishment of post-immobilization/impoundment hearings.
- Sec. 15-129. Release of immobilized or impounded vehicle.
- Sec. 15-130. Disposition of unrecovered impounded vehicles.

**ARTICLE I. ADMINISTRATIVE
PROVISIONS***

DIVISION 1. GENERAL PROVISIONS;
ADMINISTRATIVE AUTHORITY;
DEFINITIONS

Sec. 15-1. Title.

This chapter shall be known and may be cited as the "City of Tampa Parking Ordinance." (Ord. No. 89-247, § 2(39-1), 9-28-89)

Sec. 15-2. Applicability.

The provisions of this chapter shall apply throughout the corporate limits of the city and to the use of parking-related property owned or operated by the city. (Ord. No. 89-247, § 2(39-2), 9-28-89)

Sec. 15-3. Definitions.

For the purpose of this chapter, certain abbreviations, terms, phrases, words and their derivatives shall have the following meanings:

Calendar days mean and include Saturdays, Sundays, and legal holidays. Thus, in computing any period of time prescribed or allowed by this chapter, the day of the act, event or default from which the designated period of time begins to run shall not be included; however, the last day of the period so computed shall be included, even if it is a Saturday, Sunday or legal holiday, any provision of this Code to the contrary notwithstanding. If any period of time under this chapter is sought to be complied with by means of mailing, the date of actual receipt of the mail by the parking division, not the date of posting, shall be deemed the date of compliance.

Coin means any coin, authorized for currency by the United States Government, required to be inserted in parking meters by city resolution or ordinance.

Director means the director of the city department of public works or his designee.

***Cross reference**—Administration, Ch. 2.

Park or parking means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Parking division means the city department of public works, parking division.

Parking meter means a mechanical or electronic timing device authorized by ordinance of this municipality to be used for the purpose of regulating or controlling parking and which is actuated by the payment of authorized legal tender by manual or electronic means.

Pay station means a type of parking meter which is electronic and which parking time limits are designated on a receipt issued from the pay station.

Residential guest parking permit means an identification pass affixed to a vehicle issued, temporarily, to a resident located within the residential parking permit only area by the city in accordance with the provisions of this section.

Residential parking permit shall mean an identification pass affixed to a vehicle issued to a resident or business located within the residential parking permit only area by the city in accordance with the provisions of this section.

Residential parking permit only areas shall mean those areas where the residential parking permit system is in effect. Such areas are designated in section 15-104(b).

Resident vehicle shall mean a motor vehicle owned or leased by a person residing in the residential parking permit only area.

Stand or standing means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Stop or stopping, when prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the direction of a law enforcement officer or traffic-control sign or signal.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon any public street within the city, excepting devices moved by human power or used exclusively upon stationary rails or tracks. (Ord. No. 89-247, § 2(39-3), 9-28-89; Ord. No. 94-148, § 1, 8-4-94; Ord. No. 2003-244, § 1, 9-18-03; Ord. No. 2006-255, § 1, 10-19-06; Ord. No. 2011-84, § 1, 7-14-2011)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 15-4. Administrative authority.

The provisions of this chapter shall be administered and enforced by the official. For the purpose of this chapter, the official's designee shall be the director.

(Ord. No. 89-247, § 2(39-4), 9-28-89)

Cross references—Administrative authority of the official, § 1-13; delegation of administrative authority, § 1-14.

Sec. 15-5. Installation of parking meters; duty of director to maintain; operation.

Parking meters shall be placed upon the curb in proximity to the individual parking spaces to be designated, and each of the parking meters, except pay stations, shall be set to show or display a signal indicating whether the space is or may be lawfully occupied. Each pay station shall produce a receipt indicating the lawful parking period. The director shall provide for the installation, control, operation and use of the parking meters provided for in this chapter and shall maintain such meters in good workable condition. Each parking meter, except pay stations, shall be so set as to display a signal showing legal parking upon the actuation by the payment of authorized legal tender by manual or electronic means therein for a period of time conforming to the parking limit as determined by the director for the individual parking space. Pay stations shall be so set as to produce a receipt upon the actuation of payment of authorized legal tender and shall indicate the lawful parking period. Each meter shall by its device clearly set out and continue in operation from the time of actuation by payment until the expiration of the time fixed by the director as to the parking limit for the individual parking space. Each meter, except pay stations, shall also be so

arranged that upon the expiration of the parking limit it will indicate by a proper signal that the lawful parking period has expired. Each pay station will produce a receipt indicating the time of expiration of the lawful parking period. One (1) parking meter may be used for the purpose of regulating or controlling parking for one (1) or more parking spaces in one (1) or more parking zones.

(Ord. No. 89-247, § 2(39-5), 9-28-89; Ord. No. 2011-84, § 2, 7-14-2011)

Sec. 15-6. Parking meter zones.

Certain described parts of streets, city owned and/or operated off-street lots, garages or property and parks, beach and recreation areas or other property within the city limits may from time to time be designated by the director as parking meter zones. In such zones the director shall cause parking meters to be installed in accordance with the provisions of this chapter.

(Ord. No. 89-247, § 2(39-6), 9-28-89)

Sec. 15-7. Marking of parking spaces.

The director shall select and place lines or marks on the curb, property or on the street to designate a parking space for which a parking meter or space is to be used.

(Ord. No. 89-247, § 2(39-7), 9-28-89; Ord. No. 2011-84, § 3, 7-14-2011)

Secs. 15-8—15-25. Reserved.

DIVISION 2. FEE AUTHORITY AND TYPES

Sec. 15-26. Fees—City council to establish.

The city council shall have the authority to set fees by resolution.

(Ord. No. 89-247, § 2(39-21), 9-28-89)

Sec. 15-27. Same—Types enumerated.

Fees may be charged for the following:

- (1) Use of a city owned or operated parking meter zone or space or other parking facility or property;

- (2) Late payments of fees for monthly parking in a city owned or operated parking facility or property;
 - (3) Special parking permits;
 - (4) Business parking permits;
 - (5) Residential parking permits;
 - (6) Guest residential parking permits;
 - (7) Replacement of special parking permits, business parking permits residential parking permits and guest residential parking permits;
 - (8) Adjustments to special parking permits, business parking permits, residential parking permits and guest residential parking permits and such as adjustments required by vehicle tag number changes;
 - (9) Granted requests to reserve parking meter spaces or to remove parking meters or parking signs and reinstallation thereof;
 - (10) Immobilization and impoundment of vehicles as provided for in this chapter;
 - (11) Shuttle service to and from city-owned or -operated parking facility or property.
- (Ord. No. 89-247, § 2(39-22), 9-28-89; Ord. No. 90-217, § 1, 8-16-90; Ord. No. 2006-255, § 2, 10-19-06)

Secs. 15-28—15-40. Reserved.

**ARTICLE II. REGULATIONS; PERMITS;
PENALTIES**

**DIVISION 1. GENERAL PARKING
REGULATIONS**

Sec. 15-41. Parking in city lots, garages, public streets and other property.

(a) Any vehicle stopped, standing or parked in a single parking space on any city owned or operated parking lot, garage, public street or other property shall be parked within the lines marked for such single parking space. It is unlawful to stop, stand or park any vehicle across any such line or mark or to park such vehicle in any

such way that the same shall not be within the area so designated by such lines or markings for that single parking space.

(b) It is unlawful for any person to remove a vehicle from any city owned or operated parking lot, garage, public street or other property after the person shall have parked thereon without first making payment of authorized legal tender by manual or electronic means or for any person to make any attempt thereof to defraud the city.

(c) It is unlawful to fraudulently alter, duplicate, damage, destroy, throw away or copy any control card, spitter ticket, permit, tag, decal or receipt used for parking control issued by the parking division or to make any attempt thereof to defraud the city.

(d) It is unlawful to deposit or cause to be deposited in any meter, pay station, other electronic device, mechanical equipment or change maker or coin receptacle on any city owned or operated parking lot, garage, public street, or other property any slug, device, metallic or other substitute for a coin of the United States of America or to make any attempt thereof to defraud the city.

(e) It is unlawful and an offense for any person to deface, injure, tamper with, open, willfully break, destroy or impair the usefulness of any equipment installed on any city owned or operated parking lot, garage, public street or other property or to make any attempt thereof.

(f) It is unlawful for the operator of a vehicle to stop, park or leave standing a vehicle on a city owned or operated parking lot, garage, public street or other property, using pay stations, other electronic devices, mechanical equipment, meters or gates for revenue control, for a period longer than twenty-four (24) hours without first making arrangements in advance with the parking division.

(g) No vehicle shall enter into a parking garage which exceeds the height restriction posted on the clearance bar at the entrance of each garage.

(h) It is unlawful for an operator of a vehicle to stop, stand or park such vehicle in a space not designated or designed for its size. Standard cars are considered to be vehicles Class 9 or larger, as defined in accordance with the current domestic and imported passenger car size classification.

(i) It is unlawful to stop, stand or park in city owned or operated parking lots, garages or other properties that are reserved for monthly parking without properly displaying appropriate documentation of payment for parking privileges for the current period (hangtag, decal, etc.). (Ord. No. 89-247, § 2(39-35), 9-28-89; Ord. No. 97-20, §§ 1, 2, 1-23-97; Ord. No. 2009-71, § 2, 5-7-09; Ord. No. 2011-84, § 4, 7-14-2011)

Editor's note—Ord. No. 2009-71, § 2, adopted May 7, 2009, changed the title of § 15-41 from "Parking in city lots, garages and other property" to read as herein set out.

Sec. 15-42. Parking within designated spaces.

Any vehicle stopped, standing or parked in or alongside a parking space as designated pursuant to this chapter shall park within the lines or markings designating such parking space. It is unlawful to park any vehicle in any such way that the same shall not be within the area so designated by such lines or markings.

(Ord. No. 89-247, § 2(39-36), 9-28-89; Ord. No. 2011-84, § 5, 7-14-2011)

Sec. 15-43. Parking in front of residences or public or private driveways.

(a) It is unlawful for any person to stop, stand, or park a vehicle, whether occupied or not, for more than five (5) minutes on the street, or on the public right-of-way adjacent to the street, directly in front of or immediately adjacent to the front entrance to any single-family detached dwelling, as defined in section 27-523, without the expressed or implied consent of the owner or occupant of such dwelling.

For purposes of this section, the term "right-of-way" shall be defined as that area between the paved surface of any public street intended or designed for vehicular traffic and the property line of the abutting real property.

In order for this provision to apply, the owner or occupant shall give notice of the restriction by erecting an official sign, of their own making or purchased, which complies with the department of public works, transportation division specifications for such signs. The sign shall be fabricated from a durable weather-resistant material. The sign shall be placed and centered directly in front of the entrance to the dwelling on or slightly behind the property line, parallel to and facing the street. The sign shall designate and protect one (1) parking space twenty-two (22) feet in length along the front of the property directly in front of and eleven (11) feet to either side of the sign.

(b) All taxicabs, buses and motor vehicles for hire are prohibited from stopping, standing or parking at any time in front of any residence without permission from the owner or the occupant of such residence.

(c) It is unlawful for any person to stop, stand or park a vehicle, whether occupied or not, within ten (10) feet from the edge of a public or private driveway except in metered spaces or otherwise marked spaces available for parking or to momentarily pick up or discharge a passenger.

(d) It is unlawful for any person to stop, stand or park a vehicle across the street from a driveway if the street width is twenty-five (25) feet or less except in metered spaces or otherwise marked spaces available for parking or to momentarily pick up or discharge a passenger.

(Ord. No. 89-247, § 2(39-37), 9-28-89; Ord. No. 2001-149, § 1, 7-19-01; Ord. No. 2006-17, § 2, 1-12-06)

Cross reference—Standing or parking vehicle across from or within ten feet of driveway, § 25-194.

Sec. 15-44. Ten feet of roadway to remain open for vehicular traffic.

It is unlawful for any operator to stop, stand or park any vehicle upon a street, in a traffic lane, any alley or other city owned or operated property in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the traffic lane or roadway for free movement of vehicular traffic, except that an operator may stop only during the actual loading or unloading

of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.
(Ord. No. 89-247, § 2(39-38), 9-28-89)

Sec. 15-45. Vehicles other than taxicabs, buses, etc., parking in designated stands.

It is unlawful for the operator of any vehicle other than a bus, taxicab or for-hire automobile to stop, stand or park in an officially designated bus, taxicab or for-hire automobile stand, except that the operator of any passenger vehicle may temporarily stop in any such stop or stand for the purpose of and while actually engaged in the loading or unloading of passengers.
(Ord. No. 89-247, § 2(39-39), 9-28-89)

Sec. 15-46. Trucks occupying more than one parking space.

No truck, tractor truck or trailer shall occupy more than one (1) parking space where designated, except while loading or unloading and while all meters used have been properly activated and/or when proper parking permits have been obtained and except in cases of emergency.
(Ord. No. 89-247, § 2(39-40), 9-28-89)

Sec. 15-47. Parking trucks over eighty inches wide on certain streets prohibited.

No truck or tractor and truck of eighty (80) inches or more in overall width shall be parked on any of the streets of the city designated by Chapter 27 of this Code as a residential district.
(Ord. No. 89-247, § 2(39-41), 9-28-89)

Sec. 15-48. Freight, loading and unloading spaces restricted.

(a) Spaces designated "freight zone, freight trucks only" shall be restricted to freight trucks and other vehicles properly marked and identified and while actually engaged in the loading and unloading of materials or in cases of emergency.

(b) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or

pickup and loading of materials in any place marked as a freight zone. During the hours when the provisions applicable to such zones are in effect, in no case shall the stop for loading and unloading exceed one (1) hour.

(c) This section is applicable only to commercial vehicles which must be identified by permanent or removable markings on both sides of the exterior of the vehicle, in letters not less than three (3) inches high, of the name of the company operating such vehicle.

(d) Spaces designated "load and unload" are restricted to the maximum time indicated on the sign or timing mechanism device while any vehicle is actually engaged in loading and unloading. It is unlawful for any person to permit a vehicle to remain in any space for longer than the designated time. For any continuous parking in the same space, a violation will be deemed to have occurred for each interval of time designated that the vehicle remains in that space.

(e) For the purpose of this section, a "timing mechanism device" is a parking device which does not accept coinage and displays a signal for the amount of parking time allotted. Such device is actuated by the turning of a handle.
(Ord. No. 89-247, § 2(39-42), 9-28-89)

Sec. 15-49. Parking vehicles on street for purposes of sale.

It is unlawful for any person to park any vehicle displayed for sale upon any city owned or operated lot, garage or other property or street.
(Ord. No. 89-247, § 2(39-43), 9-28-89)

Sec. 15-50. Parking vehicles for primary purpose of vending, displaying or advertising goods, services or place of business.

It is unlawful for any person to stop, stand or park on any street or city owned or operated parking lot, garage or other property, any vehicle for the purpose of vending, displaying or advertising goods, services or any place of business.
(Ord. No. 89-247, § 2(39-44), 9-28-89; Ord. No. 92-160, § 1, 10-1-92)

Sec. 15-51. Parking on city right-of-way.

It is unlawful to park in the right-of-way except in designated parking spaces or parking lanes. For the purposes of this section, the term "right-of-way" shall have the definition provided in the city subdivision chapter. (Ord. No. 89-247, § 2(39-45), 9-28-89)

Sec. 15-52. Parking vehicles with altered or expired license tags.

It is unlawful for any vehicle to be stopped, standing or parked in any city owned or operated parking space, parking lot or other parking facility or property if such vehicle is not licensed in accordance with the laws of the state, if it displays a license tag that is expired or altered such that a person cannot reasonably discern the complete license tag number or if it does not display a valid license tag. (Ord. No. 89-247, § 2(39-46), 9-28-89)

Sec. 15-53. Parking on housing authority properties.

(a) It is unlawful for a person to stand or park a vehicle on either side of any public street in or abutting the following Tampa Housing Authority properties without a valid, properly displayed resident parking permit or three-day visitor parking permit issued for that particular property:

<i>Property</i>	<i>Address of Property</i>
Azeele Apartments	2801 Azeele Street Tampa, Florida 33609
Mary Bethune Hi-Rise	1515 Union Street Tampa, Florida 33607
Plantation Apartments	212 South Howard Street Tampa, Florida 33606
St. Louis/St. Conrad	2310 St. Louis Street Tampa, Florida 33607
Azzarelli	5038 Temple Heights Tampa, Florida 33617
Scruggs Manor	11202 North 22nd Street Tampa, Florida 33612
Bay Ceia	3422 South MacDill 3424 South MacDill 3411 South Carter Tampa, Florida 33629

<i>Property</i>	<i>Address of Property</i>
Cutlass Arms	4728 South Trask Tampa, Florida 33611
C. Blythe Andrews	2201 East Osborne Tampa, Florida 33610
Central Park Village	100 India Street Tampa, Florida 33602
Giddens Apartments	4706 Muskogee Court Tampa, Florida 33610
Seminole Park	4706 Muskogee Court Tampa, Florida 33610
Moses White Estates	4706 Muskogee Court Tampa, Florida 33610
North Boulevard Homes	1529 West Main Street Tampa, Florida 33607
Rembrandt Homes	4228 Monet Court Tampa, Florida 33616
Riverview Terrace	202 East Broad Street Tampa, Florida 33604
Tom Dyer Homes	7406 North Dixon Street Tampa, Florida 33604
College Hill Homes	2400 East Lake Avenue Tampa, Florida 33605
J.L. Young Apartments	8220 North Florida Avenue Tampa, Florida 33604
Parkview Apartments	1314 West Sligh Avenue Tampa, Florida 33604
Squire Villa	5817 North Rome Avenue Tampa, Florida 33604
Ponce De Leon	1709 26th Avenue Tampa, Florida 33605
Robles Park Village	3814 North Central Avenue Tampa, Florida 33603

(b) Resident parking permits and three-day visitor parking permits shall be issued by the Tampa Housing Authority, form to be approved by the Tampa Police Department, and shall be valid only for parking in the Tampa Housing Authority property for which they were issued.

(c) A resident parking permit must be conspicuously affixed to the inside upper left corner of the back window of the motor vehicle. A three-day visitor parking permit must be conspicuously displayed on the inside of the front window of the motor vehicle. A three-day visitor parking permit will be valid only for the vehicle for which it is issued. (Ord. No. 92-160, § 2, 10-1-92)

Sec. 15-54. Illegal use of license plates, exemption parking permits, or temporary exemption parking permits issued to persons with disabilities.

(a) It is unlawful for any person to unlawfully use a license plate, an exemption parking permit, or a temporary exemption parking permit issued to persons with disabilities.

As used herein, "unlawful use" of a license plate, exemption parking permit, or a temporary exemption parking permit issued to persons with disabilities means the use or display of such license plate, exemption parking permit, or temporary exemption parking permit by an operator or other person in charge of a motor vehicle other than by the person to whom it was duly issued; provided, that, a person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or a special license plate, momentary parking in any "parking by disabled permit only" public or private parking spaces, for the purpose of loading or unloading such disabled person. No penalty shall be imposed upon the driver for such momentary parking.

(b) When investigating the possibility of a violation of this section, a law enforcement officer or a parking enforcement specialist has the right to demand to be shown the vehicle registration, driver's license, or any state or other forms of identification of the operator or other person in charge of the motor vehicle or of the person eligible for such license plate, exemption permit, or temporary exemption parking permit. If such request is refused, the person refusing shall be issued a citation for a violation of this subsection. That person shall not be found guilty of violating this subsection if, prior to or at time of his court or hearing appearance, he produces in court or to the clerk of the court in which the charge is pending a vehicle registration, driver's license, or any state or other forms of identification which confirms that he is the same person to whom was issued the license plate, exemption parking permit, or temporary exemption parking permit used or displayed at the time of citation or that he is eligible for such license plate, exemption permit, or temporary exemption parking permit.

(c) A law enforcement officer or a parking enforcement specialist has the right to confiscate a license plate, an exemption parking permit, or a temporary exemption parking permit issued to persons with disabilities when, based upon personal investigation, the officer or specialist has reasonable cause to believe that there is a violation of this section. If the operator or other person in charge of the motor vehicle fails or refuses to surrender the license plate, exemption parking permit, or temporary exemption permit, that person shall be issued a citation for a violation of this subsection.

(Ord. No. 95-225, § 1, 10-26-95)

Sec. 15-55. Continuous parking in non-metered parking spaces.

(a) It is unlawful for any person to permit a vehicle to remain in any parking space in violation of sections 15-41, 15-42, 15-43, 15-44, 15-45, 15-46, 15-47, 15-48, 15-49, 15-50, 15-51, 15-52, and 15-53 of this chapter.

(b) It is unlawful for any person to permit a vehicle to remain in any parking space for more than (2) hours after a citation has been issued for violation of subsection (a) of this section.

(c) For any continuous parking in the same parking space, no more than one (1) offense under subsection (a) of this section and one (1) offense under subsection (b) of this section shall be deemed to have occurred on any one (1) date. In the case of any continuous parking in violation of subsection (a) or subsection (b) hereof covering parts of two (2) or more dates, one (1) offense under subsection (b) shall be deemed to have occurred on each of such dates.

(Ord. No. 2003-244, § 2, 9-18-03)

Sec. 15-56. Charging station parking.

No person shall park any vehicle in any parking space located in any city owned or operated parking garage or parking lot which is clearly marked as being reserved for the use of an electric vehicle charging station located within said parking garage or lot, unless such vehicle is actually using the electric vehicle charging station.

(Ord. No. 2011-84, § 6, 7-14-2011)

Secs. 15-57—15-80. Reserved.

DIVISION 2. PARKING METER
REGULATIONS

Sec. 15-81. Hours of operation for parking meters.

It is unlawful to park in a parking meter zone without complying with the provisions of this chapter during the hours of operation for use of metered parking in said parking meter zone. The hours of operation for use of metered parking in parking meter zones shall be as follows:

- (1) 7:00 a.m. to 6:00 p.m., Monday through Sunday, for all metered parking located in beach, park and recreation areas;
- (2) 8:00 a.m. to midnight, Monday through Sunday, for all metered parking located in the area bound by the Garrison Channel to the south, by and including Whiting Street to the north, by and including Ashley Street to the west, and by and including Meridian Avenue to the east;
- (3) 8:00 a.m. to 8:00 p.m., Monday through Saturday, and 1:00 p.m. to 8:00 p.m. Sunday, for all metered parking located in the area bound by and excluding Whiting Street to the south, by and including Kennedy Boulevard to the north, by and including Ashley Street to the west, and by and including Nebraska Avenue to the east;
- (4) Monday through Saturday, from 8:00 a.m. to 3:00 a.m. of the following day, for all metered parking located in Ybor City in the area bound, for purposes of this subsection, by and excluding Palm Avenue on the north, by and excluding 21st Street on the east, by and excluding 6th Avenue on the south, and by and excluding 12th Street on the West;
- (5) 8:00 a.m. to 6:00 p.m., Monday through Friday, for all other metered parking in the city.

(Ord. No. 89-247, § 2(39-50), 9-28-89; Ord. No. 90-217, § 2, 8-16-90; Ord. No. 95-260, § 1, 12-14-

95; Ord. No. 96-230, §§ 1—3, 10-17-96; Ord. No. 96-271, § 1, 12-19-96; Ord. No. 97-70, § 1, 4-10-97; Ord. No. 2011-84, § 8, 7-14-2011)

Sec. 15-82. Duty of operators of vehicles to actuate by payment of authorized legal tender; parking beyond time fixed for such vehicle.

(a) When any vehicle shall be parked in any space controlled by a parking meter, the owner or operator of such vehicle shall, upon entering the parking space, immediately actuate the parking meter in proximity to such parking space by payment of authorized legal tender by manual or electronic means, and the parking space may then be used by such vehicle during the parking time limit prescribed by the director for that part of the street in which such parking is located. If the vehicle shall remain parked in any such parking space beyond the parking limit allowed, the parking meter, except for a pay station, shall display a sign showing illegal parking and, in that event, such vehicle shall be considered as parked overtime.

(b) It is unlawful for any person to permit a vehicle to remain or be placed in any parking space when the parking meter indicates or displays a signal showing that such vehicle is parked overtime or when the pay station receipt indicates that parking time limits have expired.

(c) It is unlawful for any person to permit a vehicle to remain in any parking space for more than two (2) hours after a citation has been issued for violation of subsection (b) of this section.

(d) For any continuous parking in the same parking space, no more than one (1) offense under subsection (b) of this section and one (1) offense under subsection (c) of this section shall be deemed to have occurred on any one (1) date. In the case of any continuous parking in violation of subsection (b) or subsection (c) hereof covering parts of two (2) or more dates, one (1) offense under subsection (b) and one (1) offense under subsection (c) shall be deemed to have occurred on each of such dates.

(e) When signs are erected giving notice of time limits, no person shall park a vehicle in any parking meter space and/or zone for a continuous period of time longer than that period of time designated by such signs. In order to enforce this provision no person shall roll the tires of a vehicle or attempt to remove the markings made by a parking enforcement specialist prior to removing the vehicle from the parking space.

(Ord. No. 89-247, § 2(39-51), 9-28-89; Ord. No. 97-20, §§ 1, 3, 1-23-97; Ord. No. 97-20, §§ 1, 3, 1-23-97; Ord. No. 2000-64, § 1, 3-2-00; Ord. No. 2003-244, § 3, 9-18-03; Ord. No. 2011-84, § 9, 7-14-2011)

Sec. 15-83. Depositing slugs, etc., in meters.

It is unlawful to deposit or cause to be deposited in any parking meter any slug, device, metallic or other substitute for a coin of the United States of America or to make any attempt thereof to defraud the city.

(Ord. No. 89-247, § 2(39-52), 9-28-89)

Sec. 15-84. Defacing or injuring meters.

It is unlawful for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the terms of this chapter or to attach to any meter or post any type of object or thing which may cause damage, concern or safety hazards.

(Ord. No. 89-247, § 2(39-53), 9-28-89)

Cross reference—Damage to city property, § 1-21.

Sec. 15-85. Taxicabs, buses, etc., parking in parking meter areas.

All taxicabs, buses and motor vehicles for hire are hereby prohibited from parking at any place upon city owned or operated streets, lots, garages or other property known as "parking meter spaces" and at any place in those areas in which parking is restricted as to the length of time for such parking, except between the hours of 10:00 p.m. and 7:00 a.m.

(Ord. No. 89-247, § 2(39-54), 9-28-89)

Secs. 15-86—15-100. Reserved.

DIVISION 3. PERMITS, PERMIT REGULATIONS

Sec. 15-101. Special parking permits.

(a) The director may grant and issue, renew, deny or revoke special parking permits that, when properly displayed, will allow parking in a parking meter space without the requirement to make payment in the meter. Fees shall be assessed for a special parking permit. Requests for special parking permits shall be made in writing to the parking division.

(b) Special parking permits may be issued for the following:

- (1) Vehicles owned or leased by federal, state, county or city agencies while on official agency business and engaged in routine delivery services, repair, maintenance and/or inspectional work activities within the city limits;
- (2) Vehicles owned or leased by public utility companies who are actually engaged in the emergency repair of existing public utilities within the city limits. Such vehicles must be identified by permanent or removable markings on both sides of the exterior of the vehicle, in letters not less than three (3) inches high, of the name of the company operating the vehicles. A copy of the vehicle registration verifying company ownership or a copy of the "lease back employee agreement option" identifying such vehicle for company business must be submitted with the written request for such permit.

(c) Permits issued to federal, state, county and city vehicles may be issued for one (1) calendar year. All other permits will be issued for a maximum of six (6) months and will be subject to a close evaluation of need and usage in accordance with policies and procedures developed by the director.

(d) The director may grant and issue, renew, deny or revoke business parking permits or decals to regulate, control or allow parking at a city owned or operated parking facility, property or parking meter space. Fees shall be assessed for a

business parking permit or decal. Requests for business parking permits and decals shall be made in writing to the parking division.

(e) The permits or decals provided for in this section may be used at any parking meter space in the downtown of the city and/or Ybor City area for the specific hours, days and dates authorized.

(f) The permit is to be renewed every three (3) months on the city quarterly schedule (January, April, July and October). The renewal request must be submitted fifteen (15) days prior to the expiration date on the permit. (Ord. No. 89-247, § 2(39-65), 9-28-89; Ord. No. 2001-191, § 1, 8-16-01; Ord. No. 2011-84, § 10, 7-14-2011)

Sec. 15-102. Business parking permits and decals.

(a) The director may grant and issue, renew, deny or revoke business parking permits or decals to regulate, control or allow parking at a city owned or operated parking facility, property or parking meter space. Fees shall be assessed for a business parking permit or decal. Requests for business parking permits and decals shall be made in writing to the parking division.

(b) The permits or decals provided for in this section may be used at any parking meter space in the downtown of the city and/or Ybor City area for the specific hours, days and dates authorized.

(c) The permit is to be renewed every three (3) months on the city quarterly schedule (January, April, July and October). The renewal request must be submitted fifteen (15) days prior to the expiration date on the permit. (Ord. No. 89-247, § 2(39-66), 9-28-89; Ord. No. 2011-84, § 11, 7-14-2011)

Sec. 15-103. Reservation of parking meter spaces and removal of parking meters, posts or parking signs.

(a) The director may grant or deny requests to temporarily reserve a parking meter space or remove a parking meter, post or parking sign. Fees shall be assessed for reserved parking meter spaces and removed parking meters, posts and parking signs, except that the fees may be waived

for the purpose of creating a loading and unloading space, cab space, freight space, bus space, and parking space designated for city, county, state and federal officials. Requests shall be made to the parking division.

(b) A request to reserve a parking meter space may be granted for a vehicle including:

(1) A truck or van which is actively engaged in the transportation of an excess amount of construction material, equipment, office furniture or money. The majority of the truck's cargo must be loaded or unloaded from the truck or van to a work area or building which is no more than two hundred (200) feet from the reserved parking meter space.

(2) A vehicle used for or on official city business.

(c) A request to remove a parking meter, post or parking sign may be granted for circumstances including when construction in the immediate area may cause damage to the parking meter, post or parking sign.

(d) The director may revoke any grant to temporarily reserve a parking meter space or to remove a parking meter, post or parking sign if the use of such grant violates, or conflicts with, any provision of this chapter. (Ord. No. 89-247, § 2(39-67), 9-28-89; Ord. No. 92-160, § 4, 10-1-92; Ord. No. 2011-84, § 12, 7-14-2011)

Sec. 15-104. Residential parking permit only area.

(a) *Application.*

(1) A residential parking permit shall be issued to resident or business of a residential parking permit only area upon meeting the following requirements:

- a. Proof of residency in a single-family or multifamily dwelling within the residential parking permit only area; or
- b. Proof of operation of a business within the residential parking permit only area.

- (2) If a resident provides proof of residency within a residential parking permit only area, then a resident shall be entitled to the following:
 - a. A minimum of one (1) residential parking permit per residence issued at no charge.
 - b. If a residence does not contain any off-street parking, then a minimum of two (2) residential parking permits issued at no charge.
 - c. Residents may purchase a third residential parking permit if needed.
 - (3) If a business provides proof of operation within a residential parking permit only area, then a business shall be entitled to the following:
 - a. A minimum of four (4) residential parking permits per business issued at no charge which are valid from 4:00 a.m. to 9:00 p.m. During said hours the business' employees and their customers may park at designated spaces.
 - b. The residential parking permits may be used interchangeably between the business' employees and their customers.
 - (4) Guest residential parking permits may be requested from the parking division on an as-needed basis and are entitled to the following:
 - a. A maximum one (1) guest residential parking permit per residence issued at no charge.
 - b. Additional twenty-four-hour guest residential parking permits may purchased from the parking division.
 - c. Additional seven (7) day guest residential parking permits may purchased from the parking division.
 - (5) Permits shall be effective for six (6) months from date of issuance and must be renewed for each subsequent six-month period.
 - (6) Unless city signs clearly indicate to the contrary, a vehicle parked in a designated residential parking permit only area which has a valid residential parking permit for that residential parking permit only area affixed to the vehicle in accordance with the regulations of the residential parking permit only system shall not be in violation for overtime parking by virtue of parking for a period of time in excess of those allowed.
 - (b) The following residential parking permit only areas and their boundaries are hereby established as follows:
 - 6th Avenue by the North;
 - Adamo Drive by the South;
 - Nick Nuccio Parkway and North 13th Street by the West;
 - North 21st Street to the East;
 - From 3rd Avenue up to 6th Avenue, between 15th Street and 21st Street;
 - The 100 and 200 block[s] of North 12th Street;
 - The 100 and 200 block[s] of South 12th Street;
 - In the area of Kennedy Boulevard by the North, but excluding Kennedy Boulevard;
 - In the area of Swann Avenue by the South, but excluding Swann Avenue;
 - In the area of Armenia Avenue to the West, but excluding Armenia Avenue;
 - Fremont Avenue to the East;
 - The 100 block of South Packwood Avenue;
 - N. 19th Street, between E. 12th Avenue and E. Palm Avenue;
 - N. 20th Street, between E. 12th Avenue and E. Palm Avenue;
 - E. 11th Avenue, between N. 20th Street and N. 21st Street;
 - E. 12th Avenue, between N. 19th Street and N. 21st Street;
 - The 600 block of South Rome Avenue.
- When determining a residential parking permit only area, the area shall include both sides

of the street, drive or avenue, listed as a boundary unless the area description clearly indicates to the contrary.

(Ord. No. 89-247, § 2(39-68), 9-28-89; Ord. No. 2006-255, § 3, 10-19-06; Ord. No. 2007-235, § 1, 11-15-07; Ord. No. 2008-202, § 1, 12-4-08; Ord. No. 2010-130, § 1, 9-23-2010; Ord. No. 2012-31, § 2, 3-15-2012; Ord. No. 2012-87, § 1, 8-2-2012)

Sec. 15-105. Denial, honoring and revocation of permits.

(a) Permits provided for in this division may be denied for the following no exhaustive reasons:

- (1) The vehicle does not comply with a requirement stated in this chapter;
- (2) The applicant has failed to appear in court when summoned for a parking violation or failed to pay a fine or charge for a parking violation;
- (3) As to a special parking permit, the number of stops made each day for loading and unloading and freight purposes are sufficiently low enough to warrant use of spaces specifically prescribed for such use in other sections of this Code.

(b) Permits provided for in this division shall not be honored and may be revoked if any of the following non-exhaustive regulations are not observed:

- (1) The permit must be current and properly displayed on the front dash in front of the driver, by hang tag on the vehicles rear-view mirror or displayed on the rear window and be fully visible from the outside of the vehicle. It is unlawful for the operator of a vehicle to improperly display or display an expired or altered permit as authorization to park in a metered space without actuating by making payment of authorized legal tender by manual or electronic means into the parking meter.
- (2) It is unlawful to display a permit in such a manner that the pertinent information is obscured.

- (3) It is unlawful to display a permit in a vehicle other than the one for which it was issued.
- (4) It is unlawful to exceed the parking time limit authorized by the permit.
- (5) It is unlawful to use or attempt to use such permit for other than its purpose allowed in this chapter.
- (6) A vehicle displaying a permit must be parked in a legal manner and in a designated parking space.

(c) *Revocation of a residential parking permit.* For any of the following reasons, a residential parking permit may be revoked by the parking division after providing notice to the holder of permit of the reasons for such revocation and providing an opportunity for the pass holder to respond to the parking division:

- (1) Providing false information when applying for the residential parking permit.
- (2) If a residential parking permit is affixed to a vehicle for which it was not issued, it may be immediately revoked by order of the parking division. Such revocation immediately voids the permit.
- (3) If a residential parking permit issued to an individual for a resident vehicle is revoked to this section, then that individual or anyone residing in the same residence with that individual shall not be permitted to apply for a residential parking permit for a two-year period unless good cause can be shown that the act resulting in the revocation was unintentional.

(Ord. No. 2006-255, § 4, 10-19-06; Ord. No. 2011-84, § 13, 7-14-2011)

Secs. 15-106—15-120. Reserved.

DIVISION 4. PENALTIES

Sec. 15-121. Penalties for parking violations; ticket cancellation privileges.

(a) Unless otherwise specifically provided in this section, the violation of any provision of this chapter relating to parking shall be punishable by

a penalty of twenty-nine dollars (\$29.00) if paid to the city within fourteen (14) calendar days of the date of the infraction.

(b) A violation of section 15-82, Duty of operators of vehicles to actuate by payment of authorized legal tender by manual or electronic means; parking beyond time fixed for such vehicle, shall be punishable by a penalty of twenty-four dollars (\$24.00) if paid to the city within fourteen (14) calendar days of the date of the infraction. A violation of F.S. § 316.1955, Enforcement of parking requirements for persons who have disabilities, shall be punishable by a penalty of two hundred fifty dollars (\$250.00) if paid to the city within fourteen (14) calendar days of the date of the infraction. A violation of F.S. § 316.1945(1)(b)2. Stopping, standing, or parking prohibited within fifteen (15) feet of a fire hydrant or F.S. § 316.1945(1)(b)5., Stopping, standing or parking prohibited within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when properly signposted) shall be punishable by a penalty of thirty dollars (\$30.00) plus a three dollars (\$3.00) excess fine. All excess fines collected shall be used by the city for the purpose of funding a firefighter education program. A violation of section 15-54, Illegal use of license plates, exemption parking permits, or temporary exemption parking permits issued to person with disabilities or any subsection thereof, shall be punishable by a penalty of two hundred fifty dollars (\$250.00) if paid to the city within fourteen (14) calendar days of the date of the infraction.

(c) Any penalty provided in this section which is less than twenty-nine dollars (\$29.00) shall increase to twenty-nine dollars (\$29.00) and any penalty provided in this section which is twenty-nine dollars (\$29.00) shall increase to thirty-nine (\$39.00) if not paid to the city without fourteen (14) calendar days of the infraction or result in a fine not to exceed one hundred dollars (\$100.00) plus court costs pursuant to F.S. § 316.1967(4) should any person fail to satisfy the court's directive or elect to appear before a designated official to contest the parking infraction.

(d) The director will establish and maintain a parking ticket cancellation program. All requests for parking ticket cancellation privileges shall be made in writing to the director who shall have the authority to grant, deny or revoke such privileges. This program shall be restricted to unmarked law enforcement vehicles engaged in official business and to vehicles owned or leased by a federal, state, county or city government agency and to private vehicles used on official governmental business. A list shall be maintained for public inspection of those agencies which have been granted cancellation privileges. Other tickets may be cancelled in lieu of court appearance and dismissal by the director when the complainant has a valid complaint. A valid complaint may include but not be limited to an improperly written ticket, a malfunctioning meter or a vehicle which has been sold or stolen and is no longer the property of the registered owner of the license tag affixed to the vehicle when the ticket was written. The burden shall be on the person challenging the validity of the complaint to the satisfaction of the director. The director may reduce a delinquent ticket to the face amount when, in his best judgment, it would be advantageous to the city or the judicial county court system to so dispose of the ticket in that manner.

(e) In addition to the penalties and excess fines provided in this section, a surcharge on parking fines of one dollars (\$1.00), or such amount as may hereafter be set by city council resolution, for each violation shall be imposed for the sole purpose of funding school crossing guard programs.

(f) In addition, for each citation that results in a court summons to be issued for a violation of any provision of this chapter relating to parking, an administrative fee of four dollars (\$4.00) on top of the two dollars (\$2.00) currently provided for in Administrative Order No. 92-11 of the Chief Judge of the 13th Judicial Circuit Court, shall be assessed, collected, and retained by the city for administrative cost. No such fee shall be assessed when the case is dismissed or when the person is adjudicated not guilty. (Ord. No. 89-247, § 2(39-80), 9-28-89; Ord. No. 92-160, § 5, 10-1-92; Ord. No. 93-151, § 1, 9-30-93; Ord. No. 94-190, § 1, 9-29-94; Ord. No. 92-225, § 3, 10-26-95; Ord. No. 2000-65, § 1, 3-2-00; Ord. No.

2000-276, § 1, 10-12-00; Ord. No. 2001-5, § 1, 1-4-01; Ord. No. 2003-244, § 4, 9-18-03; Ord. No. 2011-84, § 14, 7-14-2011)

Sec. 15-122. Vehicles parked in violation of regulations deemed nuisance.

If any vehicle is found upon a street or highway in violation of any provision of this Code or any ordinances or resolutions of the city or executive orders of the mayor regulating the stopping, standing or parking of vehicles and the identity of the driver cannot be determined, the vehicle is hereby declared a nuisance and the owner or person in whose name such vehicle is registered shall be held responsible for such violation.
(Ord. No. 89-247, § 2(39-81), 9-28-89)

Sec. 15-123. Contesting a violation.

Any person who wishes to contest the validity of the violation may request a court hearing by submitting a written request for such hearing to the parking division within seven (7) calendar days of the date of the infraction. A copy of the parking violation must be included with the request for a court hearing; however, this requirement may be waived at the discretion of the director. Upon such request, a summons for court appearance will be issued to confirm the time and date of the court hearing.
(Ord. No. 89-247, § 2(39-82), 9-28-89)

Sec. 15-124. Court action for failure to pay.

If a notice or citation of a parking violation is not satisfied by full payment of the penalty imposed by that notice or citation within a period of fourteen (14) calendar days from the date of issuance of that notice or citation and the citation has not been contested as provided in section 15-123, the parking division shall cause to be sent to the registered or titled owner of the motor vehicle to which the notice or citation was affixed a summons for a court appearance. The court hearing will be cancelled if full payment for all violations is received seventy-two (72) hours prior to the court date.
(Ord. No. 89-247, § 2(39-83), 9-28-89)

Sec. 15-125. Penalties for failure to appear or to pay fines as directed by the court.

(a) If a summoned person fails to appear as directed by the summons, the city police department or the parking division shall and they are hereby authorized to take the following actions:

- (1) Immobilize, by suitable device, the wheels of a motor vehicle owned by such summoned and/or notified person wherever it may be found on any street or right-of-way in the city and thereby impound such motor vehicle for the city;
- (2) Remove a motor vehicle owned by such summoned and/or notified person from wherever it may be found on any street or right-of-way in the city to any other location for the purposes of impoundment on behalf of the city;
- (3) Pursue payment of all fines due by referring the account to a collection agency.

(b) Any person who appears on the date specified in the summons and is found to be guilty of the applicable parking violation and is fined according to the provisions of section 15-121, shall pay such fine immediately or within such time as the court may allow. Failure to pay the fine as directed will result in the following actions:

- (1) Immobilization, by suitable device, of the wheels of a motor vehicle owned by such summoned and/or notified person wherever it may be found on any street or right-of-way in the city, thereby impounding such motor vehicle for the city;
- (2) Removal of the motor vehicle owned by such summoned and/or notified person from wherever it may be found on any street or right-of-way in the city to any other location for the purposes of impoundment on behalf of the city;
- (3) Referral of all fines due to a collection agency to further pursue payment.

(c) The clerk of the circuit court and the county court, or the parking division shall supply the state department of highway safety and motor vehicles with an electronic data file or a magnet-

ically encoded computer tape reel or cartridge, which is machine readable by the installed computer system at that department, listing persons who have three (3) or more outstanding parking violations or who have any outstanding violations of F.S. §§ 316.1955 or 316.1956. The provisions of F.S. § 320.03(8) shall apply to each person whose name appears on such lists.

(Ord. No. 89-247, § 2(39-84), 9-28-89; Ord. No. 92-160, § 6, 10-1-92; Ord. No. 2012-32, § 2, 3-15-2012)

Sec. 15-126. Immobilization or impoundment of vehicles.

The immobilizing device referred to in section 15-125 shall be attached to the motor vehicle at the place where it is found, except that no motor vehicle shall be immobilized on private property or within the traveled portion of any street or on any portion of a street when immobilization at such place would create a hazard to the public or to the traffic on the street. At the same time as the immobilizing device is attached to the motor vehicle, a warning notice shall be applied to the windshield or other prominent place on the motor vehicle stating that the immobilizing device has been so attached, cautioning the operator not to attempt to operate the motor vehicle while the immobilizing device is still attached and informing the owner or operator that the vehicle is under immobilization or impoundment for failure to pay overdue parking violations and where he must go in order to pay the fines and charges or arrange for an administrative hearing.

(Ord. No. 89-247, § 2(39-85), 9-28-89)

Sec. 15-127. Removal of immobilizing device unlawful.

It is unlawful for any person to attempt or to remove, damage, destroy or tamper with an immobilizing device affixed to a vehicle by the city. Release of the vehicle will take place in accordance with section 15-129 of this Code.

(Ord. No. 89-247, § 2(39-86), 9-28-89)

Sec. 15-128. Establishment of post-immobilization/impoundment hearings.

(a) The director shall designate one (1) or more employees of the parking division to serve as hearing officers and shall establish reasonable

administrative rules and regulations necessary to provide for post-immobilization/impoundment hearings.

(b) The hearing officers shall have the power and authority to:

- (1) Schedule, conduct and preside at post-immobilization/impoundment hearings;
- (2) Act as an administrative, quasi-judicial hearing officer at such hearings;
- (3) Make any and all evidentiary findings of fact deemed necessary and relevant at or following hearings held pursuant to this chapter;
- (4) Discretionarily adjudicate at or after a hearing whether vehicle immobilization or impoundment carried out by the city pursuant to this chapter was in accordance with or not in accordance with the applicable ordinances, statutes and regulations.

(c) Any motor vehicle owner contesting the legality of any immobilization or impoundment, towing or storage pursuant to this chapter shall be deemed to have exhausted his administrative remedies under this chapter once an adjudication has been made by a vehicle immobilization/impoundment hearing officer as provided in this section.

(Ord. No. 89-247, § 2(39-87), 9-28-89)

Sec. 15-129. Release of immobilized or impounded vehicle.

Release by the city of a motor vehicle immobilized or impounded under this division by the city may be had after:

- (1) A finding of an immobilization/impoundment hearing officer that the vehicle was improperly impounded; or
- (2) Payment of the following:
 - a. All parking violation fines and court costs or upon satisfactory arrangements for payment thereof;
 - b. All applicable storage fees assessed in accordance with this Code;

c. All applicable towing charges assessed in accordance with this Code;

d. An immobilization fee.

(Ord. No. 89-247, § 2(39-88), 9-28-89)

Sec. 15-130. Disposition of unrecovered impounded vehicles.

If a motor vehicle impounded by the city is not released from impoundment by payment of the penalties described in this chapter within ninety (90) days from the date of the impoundment of the motor vehicle, that motor vehicle may be sold in the manner described in this Code to recover the penalties described in this chapter.

(Ord. No. 89-247, § 2(39-89), 9-28-89)