

MEMORANDUM

Agenda Item No. 7(C)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE:

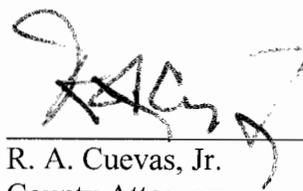
(Second Reading 10-7-08)
July 1, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT:

Ordinance amending Section
30-388.2 of the Code relating
to free public parking for the
physically disabled

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

Memorandum

MIAMI-DADE
COUNTY

Date: October 7, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance amending Section 30-388.2 of the Code relating to free public parking for the physically disabled

The ordinance amending Section 30-388.2 of the Code provides an exemption that allows the Aviation and Seaport Departments to charge for parking for vehicles with disabled parking permits. This ordinance will have a positive fiscal impact to Miami-Dade County of approximately \$1.9 million and \$500,000 annually to the Aviation and Seaport Departments, respectively.



Ysela Llort
Assistant County Manager

fiscal06708



MEMORANDUM

(Revised)

TO: Honorable Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 7, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(C)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)
10-7-08

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 30-388.2 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING THAT CONSISTENT WITH STATE LAW PARKING CHARGES MAY BE IMPOSED ON VEHICLES DISPLAYING A DISABLED PARKING PERMIT OR LICENSE TAG AT ANY COUNTY AIRPORT OR SEAPORT UNDER SPECIFIED CIRCUMSTANCES , BUT THAT SUCH CHARGES MAY NOT BE IMPOSED FOR CERTAIN VEHICLES AS DEFINED IN SUCH STATE LAW; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 30-388.2 of the Code of Miami-Dade County is hereby amended to read as follows:¹

Sec. 30-388.2. Free public parking for the physically disabled.

Any motor vehicle which is qualified to park in a specially marked parking space designated for the physically disabled pursuant to Article II of this chapter shall be permitted to park in any public parking space in >>Miami-
<<Dade County without incurring a fee for parking. For purposes of this section, the term "public parking space" shall mean a parking space provided by >>Miami-<<Dade County and each municipality within >>Miami-<<Dade County, and each agency, instrumentality and authority thereof. >>Notwithstanding anything in the Miami-Dade County Code to the contrary, however, the Aviation Department shall be entitled to charge and collect parking

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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fees for the use of any County airport parking facility, including facilities providing temporary, short-term, or up-close parking sites, and the Seaport Department shall be entitled to charge and collect parking fees for the use of any parking garage, facility, lot, or space, including temporary, short-term, or other up-close parking sites providing timed parking spaces, by vehicles that display a disabled parking permit or license tag issued under Sections 316.1958, 320.084, 320.0842, 320.0843, 320.0845, or 320.0848, as such sections may be amended from time to time, but no parking charges shall be imposed upon any vehicle with specialized equipment, such as ramps, lifts, or foot or hand controls, for utilization by a person who has a disability or whose vehicle is displaying the Florida Toll Exemption permit.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

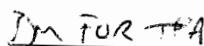
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Thomas P. Abbott

Prime Sponsor: Commissioner Sally A. Heyman