

MEMORANDUM

Agenda Item No. 5(L)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners


DATE: July 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to vehicles and parking; repealing and replacing sections 30-201 through 30-420 of chapter 30 of the Code ("Code") and renumbering sections 30-421, 30-422 and 30-423 of the Code; revising County authority and regulations relating to traffic, private school bus inspections, speed zones, weight and height limits on County roads, bicycle registration, and use of all terrain vehicles on private property to conform to state law; providing for enforcement and penalties; amending articles II and IIA of chapter 30; revising county parking regulations, including violations, enforcement, and penalties, and regulations on impoundment and immobilization of vehicles to conform to state law and advancements in parking payment technology and passenger services, eliminate additional costs for non-payment after 30 days, provide for creation of uniform parking citation form, and provide additional parking rules for Seaport; repealing parking rules and regulations for Aviation, Seaport, Parks and Transit departments; consolidating parking regulations, including for Aviation, Seaport, Parks and Transit Departments, into chapter 30; amending sections 25-8, 26-1, 28a-3.4 and 30b-6; amending section 8CC-10; creating and repealing certain penalties; making technical amendments

Ordinance No. 21-75


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


Geri Bonzon-Keenan
County Attorney

GBK/uw

Date: July 20, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Ordinance Amending Chapter 30 of the County Code Relating to Traffic and Parking

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached ordinance providing for the repeal or amendment of provisions of Chapter 30 of the Miami-Dade County Code (County Code) and enactment of revised provisions dealing with parking regulations, traffic, private school bus inspections, speed zones, weight and height limitations on County roads, bicycle registration, use of all terrain vehicles on private property, enforcement of regulations, impoundment and immobilization of vehicles and updates to the use of advanced technology for payment of parking and enforcement.

The attached ordinance updates Chapter 30 of the County Code to conform to federal and state law, consolidates parking regulations for all streets and public parking facilities including those for the Aviation, Seaport, Transportation and Public Works, and Parks, Recreation and Open Spaces Departments, establishes the Miami-Dade County Parking Code to set forth parking regulations including violations, enforcement and penalties and to provide for advancements in parking payment technology, and to provide for the creation of a uniform parking citation by the County.

In order to provide sufficient time for the Clerk of Courts, law enforcement agencies and parking specialists to reprogram their parking systems and citations, an implementation delay of six months is recommended.

Scope

The scope of this ordinance is countywide.

Fiscal Impact/Funding Source

It is anticipated that the overall fiscal impact of the proposed ordinance to Miami-Dade County will be positive.

State law provides that two-thirds of handicapped parking fines may be used to improve accessibility and equal opportunity to qualified, disabled persons and to conduct public awareness programs concerning disabled persons. The County Code provides that of this two-thirds, 30 percent will be retained by the County for countywide programs that meet the requirements of state law and 70 percent will be allocated to the governmental entity having jurisdiction over the violation. The remaining one-third is to be dedicated to the administration of the provisions of the County Code regulating the use of disabled parking permit spaces. The attached ordinance clarifies that this one-third amount will be used to fund the activities of the County's Internal Services Department (ISD) to administer the provisions of the County Code regulating the use of disabled parking permit spaces, including but not limited to ensuring

that municipalities applying for their 70 percent funding of the two-thirds remaining amount submit an affidavit assuring that the funds will be used in accordance with state law. Previously, this revenue was retained by the Clerk of Courts. In FY 2019-20, this one-third amount was approximately \$220,000.

The proposed changes are not expected to impact the cost of parking enforcement by Miami-Dade County. The cost of operations of the Clerk of Courts’ Parking Violations Bureau will be funded by the State of Florida in accordance with state law.

Track Record/Monitor

The Department of Transportation and Public Works (or successor department responsible for traffic) will be responsible for overseeing traffic regulations and bicycle registration in the County.

The Department of Transportation and Public Works will continue to be responsible for the regulation of private school buses or other vehicles engaged in the transport of children, pursuant to interagency agreement with the appropriate state agency.

The Miami-Dade Police Department and County departments that enforce parking regulations at their facilities, such as Miami-Dade Aviation, Seaport, Transportation and Public Works and Parks, Recreation and Open Spaces Departments will continue to be responsible for parking enforcement for Miami-Dade County. Municipalities are authorized to enforce the provisions off Chapter 30 dealing with parking regulations within their municipal boundaries.

The Clerk of the Court’s Parking Violations Bureau will continue to be responsible for processing parking violations, collecting and distributing related fines, and administering hearings for violators wishing to contest parking citations issued by Miami-Dade County and municipalities.

Delegated Authority

This ordinance does not provide any additional delegated authority beyond that which is already in the Code and currently exists for administration of traffic and parking. This item will allow the administration to implement and enforce, through the Department of Transportation and Public Works, the Miami Dade Police Department, the Aviation Department, the Seaport Department, and the Parks, Recreation and Open Spaces Department, as applicable, the various provisions of Chapter 30 dealing with traffic, parking, private school bus inspections, speed zones, weight and height limits on County roads, bicycle registration, use of all terrain vehicles on private property, impoundment and immobilization of vehicles, and the collection, use and distribution of the crossing guard surcharge and the administrative portion of the fines for violations of regulations pertaining to use of disabled parking spaces.

Social Equity Statement

The ordinance is not expected to have a social equity impact. Fines for parking violations will remain uniform throughout Miami-Dade County.

Background

On December 4, 2018, the Board approved amendments to Chapter 30 of the County Code related to parking enforcement. These amendments, which took effect October 1, 2019, increased certain fines and costs associated with parking violations and made technical changes to the County Code. In the course of implementing the County Code amendments, it became apparent that a comprehensive review and update of Chapter 30 was warranted.

The changes to Chapter 30 of the County Code include, but are not limited to, the following:

1. Provisions of Chapter 30 of the County Code that have been preempted or substantially amended by federal law, state law or both are eliminated or revised as required.
2. The existing parking regulations in Chapter 30 are reorganized into the “Miami-Dade County Parking Code”, to include regulation, enforcement and penalty provisions, to align with state law, current practices and advancements in technology and payment methods.
3. Provisions of the County Code specifically related to parking enforcement at the Airport, the Seaport, County parks and Transit facilities will be consolidated under Chapter 30 and duplicative provisions will be removed from the other respective sections of the County Code. Moreover, certain provisions relating to parking regulations at the Seaport will be modified to be consistent with parking regulations at the airport.
4. Parking enforcement entities utilizing video or license plate reader technology are permitted to mail a parking citation to the registered owner of the vehicle.
5. Provisions related to parking by taxicabs and bus operators are updated to also apply to private vehicles for hire.
6. It is required that all parking citations conform to the requirements of the Clerk of Courts and that the required form of citations will be established by Implementing Order of the Board.
7. Additional costs currently assessed to violators if citations remain unpaid after 30 days are eliminated. Late fines will continue to be assessed.
8. The County will receive the portion of handicapped parking fine revenue dedicated to administration of the handicapped parking program by ISD. Previously, this revenue was retained by the Clerk. The remaining portion of fine revenue will continue to be used to improve accessibility and equal opportunity for people with disabilities and to conduct related public awareness programs.
9. Provisions related to school bus regulation have been revised to reflect that the Department of Transportation and Public Works will continue to conduct inspections of school buses and other motor vehicles engaged in the transport of children, pursuant to interlocal agreement with the State of Florida.
10. The Department of Transportation and Public Works is named as the department responsible for bicycle registration. All obligations placed on the Miami-Dade Police Department (MDPD) with respect to bicycle registration are removed in order to address the impending election of the County Sheriff in 2024 and the limitation on the ability to impose additional duties.
11. Provisions related to the impoundment and immobilization of vehicles have also been updated to address the impending election of the County Sheriff in 2024 and the limitations on the ability to impose additional duties. Law enforcement will continue to be authorized to impound and immobilize vehicles when permitted by law.

12. If approved, the ordinance will go into effect six months after the date of approval. This delay is necessary to provide the Clerk of Courts, law enforcement agencies and parking specialists ample time to update their systems and procedures.

A comprehensive list of all modifications to Chapter 30 is provided in Attachment A.



Edward Marquez
Chief Financial Officer

Attachment A: Modifications to Chapter 30

Current Code Section	New Code Section	Reason for Deletion	Modification/Relocation/Addition
30-201; 30-202 (Title & Definitions)	30-1 and 30-2		Modifications to conform to remove definitions in State law, conform to state law for other definitions, to address new necessary definitions (i.e. Seaport, Transit system, etc.)
30-203 (Applicability of chapter)	30-40		Retains exclusive jurisdiction of the county over parking and violations thereof countywide
30-204 (Enforcement of traffic laws)		Already set forth in chapter 316, Fla. Stat.	
30-205 (arrest authority of officer at scene of accident)		Pre-empted by state law	
30-206 (form of traffic citation)	30-52(2)	Form of traffic citation is governed by State law; form of parking citation for violations of county parking ordinances will be by implementing order	The form of parking citation is to be set forth by IO rather than being codified so that revisions to the forms can be made by resolution and to provide for uniformity in the form
30-207 (fleeing police officer)		Pre-empted by state law	
30-208 (penalties for violations of chapter)	30-5; 30-6; 30-13; 30-15; 30-16; 30-17; 30-44; 30-45; 30-47; 30-50; 8CC-10		The chapter was subject to varying penalties; some are through issuance of violations in chapter 318, some through issuance of a parking citation, others through 8CC and others through civil citations.
30-208.1 (surcharge for school crossing guard)	30-51	The surcharge of \$12.50 for traffic infractions is preempted by state law and set forth in 318.21(9)	Moved the \$4 surcharge to 30-51
30-209 through 30-264 (code sections dealing with traffic violations)		Preempted by state law	
30-264.1 through 30-264.5.6 (dealing with bicycle registration, dealer registrations, and street scooter helmets)	30-13		Removing all obligations placed on MDPD re: bicycle registration and theft in order to address impending 2024 election of Sheriff and limitation on ability to impose additional duties; naming DTPW as department responsible for bicycle registration
30-265 through 30-273 (code sections dealing with traffic violations)		Preempted by state law	
30-274 (permits for parades & processions)	30-7		Modified to reflect actual process that permits are issued pursuant to IO 4-41 for special events
30-275 through 30-291 (traffic regulations including allow buses to make u-turns)		Preempted by state law; section 30-285.1 re: allowing buses to make u-turns where sign says "no u-turns except buses" was deemed unused and obsolete by DTPW	
30-292 (prohibiting parking at certain places)	30-49(2)		Consolidated into section 30-50 so that all parking regulations are largely located in one code section; also modified to conform to state law including section 316.1945, Fla. Stat.

Attachment A: Modifications to Chapter 30

Current Code Section	New Code Section	Reason for Deletion	Modification/Relocation/Addition
30-293 (parallel parking and one-way parking)	30-49(8)		Moved to consolidate with all other parking regulations
30-294 (regulations on funeral processions)		Preempted by state law; section 316.1974	
30-295 (disabled persons & exemption from parking fees) and 30-388.2 (free public parking for physically disabled)	30-44		Moved to consolidate with all other provisions dealing with disabled parking; revised to comply with section 316.1964, Fla. Stat. and chapter 320 re: issuance of disabled parking permit
30-296 through 298 (rural mailbox adjacent to State highway & sate speed zones)		Preempted by state law; section 316.006; 316.008; 316.1965; 316.187	
30-299 (county and municipal speed zones)	30-4		Renumbered as 30-4 and to conform to 316.189; speed zones will be determined in accordance with state law
30-300 (unlawful speeds and penalties)		Preempted by state law	
30-301 (establishment of school speed zones)	30-5		Renumbered as 30-5 and modified to conform to state law (section 316.1895, Fla. Stat.)
30-302 through 30-309 (hazards, racing on highways, weight, load and registration of		Preempted by state law	
30-310 and 310.1(maximum weight & loads and lowering of same)	30-9	Portions of 30-310 dealing with state highways were deleted as preempted by state law (section 316.555, Fla. Stat.)	Renumbered as 30-9 and modified to conform to state law (sections 316.555 and 316.550, Fla. Stat.)
30-310.2 through 30-370 (numerous traffic regulations including for motorcycles,		Preempted by state law	
30-370.1 (child safety alarms)	30-10		Renumbered as 30-10 and minor revisions to conform to balance of chapter
30-371 (school bus regulations)	30-11		Renumbered as 30-14 and revised to remove all provisions preempted by state law but to allow implementation pursuant to interlocal agreement with appropriate state agency
30-372 through 3743(school bus safety bus and farm worker vehicles)		Preempted by state law	
30-374 through 30-374.1 (ATVs)	30-12		Renumbered as 30-12 and revised to conform to state law (316.27) which already requires helmets
30-375 through 30-376 (regulations on wheels, use of red lights)		Preempted by state law	
30-377, 30-380, 30-383 (duties of DTPW, authority to install meters by county and municipalities, collection of money)	30-48		All of the foregoing sections consolidated and renumbered as 30-49; modified to conform to current practices and updated technology
30-384 (impounding vehicles)	30-53		Renumbered to 30-53; removing any obligations on MDPD or law enforcement in light of upcoming election of Sheriff and statutory limitation on imposing additional duties; amended to conform to other sections of the code that allow for impoundment (i.e. ATVs or street scooters); consolidating impoundment procedures that are specific to the airport in this same section

Attachment A: Modifications to Chapter 30

Current Code Section	New Code Section	Reason for Deletion	Modification/Relocation/Addition
30-385 (option to plead guilty/pay fine or appeal)	30-52(4)		Renumbered to 30-52(4) and modified to conform to state law preemptions on arrest for traffic citations or other crimes; giving 30 days to pay or to appeal citation
30-386 and 30-387 (duties of Clerk of Court)		Preempted and already set forth in state law (chapter 316 and 318)	
30-388 (emergency vehicle zones)	30-8		Renumbered to 30-8 and largely unchanged; corresponding penalty/violation in 30-49(7) and fines in 30-50
30-388.1 (prohibitions on parking applying at all times or as indicated on signs)	30-49(1)		Renumbered to 30-49(1) and largely unchanged
30-388.3 (parking prohibited at all times in certain places)	30-49(2)(b)		Renumbered as 30-49(2)(b)
30-888.4 (parking prohibited at all times on certain streets)	30-49(2)(a)(x)		Renumbered as 30-49(2)(a)(x) and largely unchanged.
30-388.5 (parking prohibited during certain hours in municipalities)	30-49(4)		Renumbered as 30-49(4) and applies to parking in contravention to signs and hours in all places, including UMSA
30-88.6 (parking limits on certain streets & municipal authority to erect signs)	30-48(2) and 30-49(2)(a)(x)		Municipal authority to erect signs with DTPW approval is renumbered into 30-49(2) and the violation of posted signs is in 30-49(2)(a)(x)
30-388.7 (parallel parking)	30-49(8)		Renumbered as 30-49(8) and largely unchanged
30-388.8 (moving another vehicle into prohibited space)	30-49(3)		Renumbered as 30-49(3) and largely unchanged
30-388.9 (unattended vehicles)	30-49(9)		Renumbered as 30-49(9) and largely unchanged
30-388.10 and 388.12 (parking so as to obstruct traffic)	30-49(10)		Renumbered as 30-49(10); largely unchanged except reference to minimum of 10 feet of space needed and instead just prohibits parking, stopping or standing such that traffic is being obstructed or impeded
30-388.11 (parking outside of municipality)	30-49		Restrictions are otherwise covered by 30-49 without distinction as to whether it is within or outside of a municipality
30-388.13 (parking in alleys to obstruct)	30-49(11)		Renumbered as 30-49(11) and otherwise largely unchanged
30-388.14 (all night parking)	30-49(12)		Renumbered as 30-49(12) and largely unchanged
30-388.15 (parking prohibited for certain purposes)	30-49(19)		Renumbered as 30-49(19); initial item applies to right-of-ways in UMSA (all county-owned essentially) but revision applies to all County-owned rights of ways anywhere
30-388.16 (schools; parking adjacent to)	30-49(2)(b)(iv)		Renumbered as 30-49(2)(b)(iv) and otherwise largely unchanged
30-388.17 through 30-388.19 (parking on narrow streets, one-way streets and one-way roadways)	30-49(2)(b)(v) and (vi), 30-49(6)		Renumbered and largely unchanged

Attachment A: Modifications to Chapter 30

Current Code Section	New Code Section	Reason for Deletion	Modification/Relocation/Addition
30-388.20 (parking in hazardous or congested places)	30-49(6)		Renumbered as 30-49(6) and largely unchanged
30-388.22 through 388.24 and 388.30 (passenger and freight curb loading zones)	30-49(13)		Renumbered as 30-49(13) and largely unchanged
30-388.25 (restricted parking zones)	30-49(5)		Renumbered as 30-49(5) and largely unchanged
30-388.26 and 30-388.28 (taxicabs and bus operator stands & stops on roadways)	30-49(17)		Renumbered as 30-49(17) and largely unchanged except expanded to not only apply to taxis and bus operators but also to vehicles for hire
30-388.27 (taxicabs and bus stops; use by others prohibited)	30-49(18)		Renumbered as 30-49(18) and otherwise largely unchanged
30-388.29 (angle parking)	30-49(14)		Renumbered as 30-49(14) and largely unchanged
30-388.31 (trucks parking prohibited in residential)	30-49(15)		Renumbered as 30-49(15) and largely unchanged
30-388.32 (Fines and costs for violation of parking regulations)	30-50 and 30-52(6)		Renumbered as 30-50; costs after 30 days deleted; no increase to existing fines and additional violations contained elsewhere in code that were consolidated into chapter 30 (i.e. aviation; seaport regs)
30-389 (unlawful to willfully abandon motor vehicles)	30-49(16)		Renumbered and unchanged except for presumption on owner of vehicle which is now in 30-52(3)
30-389.1 (uniform notice on parked vehicles)	30-52(1) and (2)		Renumbered as 30-52 (1) and (2); revised to have Mayor design form of parking citation to be approved by BCC rather than chief judge and to allow violation notices for issues of non-payment to be mailed to registered address of vehicle; balance largely unchanged
30-389.1A (owner of car presumed to be violator)	30-52(3)		Renumbered as 30-52(3) and concepts are the same
30-389.2 (failure to comply with summons)	30-52(5)		Renumbered as 30-52(5); largely unchanged and requires a hearing for unpaid citations or waiver of hearing and payment of citation
30-889.3 (issuance of arrest warrants)		Deleted; no parking violation is subject to arrest warrant and to the extent that failure to appear before the court is subject to arrest, that is set forth in state law	
30-389.4 (parking enforcement procedures)	30-53(4)		Renumbered as 30-53(4); this section remains largely unchanged
30-389.5 (withhold of license tag or revalidation sticker)	30-52(7)		Renumbered as 30-52(7); this section remains largely unchanged
30-390 through 30-410 (inspections of motor vehicles, dealers, violations)		Preempted by state and federal law	
30-411 (annual Sheriff's report)		Under amendment 10, cannot impose additional duties on Sheriff beyond those set forth in state law	
30-412 (records of traffic violations kept by Clerk)		Preempted and addressed by state law	

Attachment A: Modifications to Chapter 30

Current Code Section	New Code Section	Reason for Deletion	Modification/Relocation/Addition
30-413 (accident studies)	30-6		Renumbered as 30-6 and largely unchanged except for removing required cooperation by Sheriff's Department in light of amendment 10 and obligations of Sheriff
30-414 (Accident reports; preparation) and 30-415 (driver's files to be maintained)		Preempted and addressed by state law	
30-417 (Specific duties of Traffic Director)	30-3		Renumbered as 30-3 with limited revisions requested by DTPW to be consistent with their practice and other sections of the Code and applicable law.
30-418 (Permit to backload merchandise)		Not ever used by County; DTPW advises it is unnecessary	
30-419 (Penalties for violations of traffic code)	30-50		All penalties for violations of parking violations are now set forth in 30-50
30-420 (violations of the Florida Traffic Control Law)		Preempted and addressed by state law	
30-442 (Parking spaces for disabled provided by governmental agencies)	30-41		Renumbered as 30-41 and made changes as shown in ordinance
30-443 (Parking spaces for disabled provided by non-governmental entities)	30-42		Renumbered as 30-42 and made changes as shown in ordinance
30-447 (Penalty for misuse of disabled space)	30-44		Renumbered as 30-44 and made changes as shown in ordinance
30-448 (Out of state vehicles with handicapped identification)	30-45		Renumbered as 30-45 and made changes as shown in ordinance
30-449 (Parking spaces for transport of children in strollers)	30-46		Renumbered as 30-46 and made changes as shown in ordinance
30-450 (Penalty for misuse of stroller parking)	30-47		Renumbered as 30-47 and made changes as shown in ordinance



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 20, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(L)

Please note any items checked.

- ☐ "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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(L)
7-20-21

ORDINANCE NO. 21-75

ORDINANCE RELATING TO VEHICLES AND PARKING; REPEALING AND REPLACING SECTIONS 30-201 THROUGH 30-420 OF CHAPTER 30 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (“CODE”) AND RENUMBERING SECTIONS 30-421, 30-422 AND 30-423 OF THE CODE; REVISING COUNTY AUTHORITY AND REGULATIONS RELATING TO TRAFFIC, PRIVATE SCHOOL BUS INSPECTIONS, SPEED ZONES, WEIGHT AND HEIGHT LIMITS ON COUNTY ROADS, BICYCLE REGISTRATION, AND USE OF ALL TERRAIN VEHICLES ON PRIVATE PROPERTY TO CONFORM TO STATE LAW; PROVIDING FOR ENFORCEMENT AND PENALTIES; AMENDING ARTICLES II AND IIA OF CHAPTER 30; REVISING COUNTY PARKING REGULATIONS, INCLUDING VIOLATIONS, ENFORCEMENT, AND PENALTIES, AND REGULATIONS ON IMPOUNDMENT AND IMMOBILIZATION OF VEHICLES TO CONFORM TO STATE LAW AND ADVANCEMENTS IN PARKING PAYMENT TECHNOLOGY AND PASSENGER SERVICES, ELIMINATE ADDITIONAL COSTS FOR NON-PAYMENT AFTER 30 DAYS, PROVIDE FOR CREATION OF UNIFORM PARKING CITATION FORM, AND PROVIDE ADDITIONAL PARKING RULES FOR SEAPORT; REPEALING PARKING RULES AND REGULATIONS FOR AVIATION, SEAPORT, PARKS AND TRANSIT DEPARTMENTS; CONSOLIDATING PARKING REGULATIONS, INCLUDING FOR AVIATION, SEAPORT, PARKS AND TRANSIT DEPARTMENTS, INTO CHAPTER 30; AMENDING SECTIONS 25-8, 26-1, 28A-3.4 AND 30B-6; AMENDING SECTION 8CC-10; CREATING AND REPEALING CERTAIN PENALTIES; MAKING TECHNICAL AMENDMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Miami-Dade County is authorized, by its Home Rule Charter and state law,
to enact laws regarding the regulation of stopping, standing or parking of motor vehicles; and

WHEREAS, Miami-Dade County has adopted broad legislation regulating stopping, standing and parking of motor vehicles, including the assessment of fines associated with violations of the County's laws regarding same and procedures to challenge the assessment of such fines, contained in chapter 30 of the Code of Miami-Dade County, Florida ("County Code"); and

WHEREAS, chapter 30 applies countywide in both the incorporated and unincorporated areas of the County and supersedes and preempts municipal regulation in this area; and

WHEREAS, many of the provisions in chapter 30 have since been preempted or substantially amended by federal law, state law or both; and

WHEREAS, additionally, the technology associated with payment for parking has evolved; and

WHEREAS, this Board desires to amend and update certain provisions of chapter 30 to conform to applicable law, to address advancements in parking payment technology, and to consolidate all parking regulations for the County into one chapter; and

WHEREAS, this Board also wishes to update sections 25-8, 26-1, 28A-3.4 and 30B-6 to conform to the amendments to chapter 30,

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

Section 1. The foregoing recitals are incorporated into this ordinance and are approved.

Section 2. Sections 30-201 through 30-420 of the Code of Miami-Dade County, Florida, are hereby repealed in their entirety and replaced as follows:¹

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.

>>**Sec. 30-1. – Title and authority.**

This article shall be known and cited as the “Miami-Dade County Traffic Code.” This article is adopted pursuant to the authority in the Miami-Dade County Home Rule Amendment and Charter, and the authority granted to counties in chapters 125 and 316 of the Florida Statutes, as they may be amended from time to time.

Sec. 30-2. – Definitions.

Except as otherwise specifically set forth herein, the definitions in section 316.003, Florida Statutes, as such may be amended from time to time, apply to this chapter. In addition, the following words and phrases, when used in this chapter shall, for the purpose of this chapter, have the meanings given to them in this section:

- (1) *All terrain vehicle or ATV* has the meaning set forth in section 316.2074, Florida Statutes, as such may be amended from time to time.
- (2) *Airport* means any airport now or hereafter owned or operated by the County.
- (3) *Aviation Department* means the Miami-Dade Aviation Department or successor department responsible for airports.
- (4) *County facility* means any property owned or leased as tenant by the County or any of its agencies or instrumentalities, including the Public Health Trust, whether or not such property is located within the boundaries of a municipality. County facility expressly includes, but is not limited to, the seaport, airports, the transit system, and County park and recreation facilities.
- (5) *Day care center* means any licensed building or shelter in Miami-Dade County in which custodial care is rendered to six or more children age five or younger.
- (6) *Department or DTPW* means the Miami-Dade Department of Transportation and Public Works or successor department with jurisdiction and administration over traffic.
- (7) *Director* means the director of DTPW or the director’s designee.

- (8) Law enforcement agency means the Miami-Dade County Police Department or its successor department or agency, or any other law enforcement agency established by the Board.

- (9) Park property means grounds, buildings, and structures in Miami-Dade County that are under the control of or assigned for upkeep, maintenance or operation by the Parks Department including, but not limited to, parks, wayside parks, greenways, bikeways, trails, parkways, playgrounds, recreation fields, museums, auditoriums, ranges and buildings, natural areas, forests or preserves, lakes, streams, canals, lagoons, waterways, water areas and beaches.

- (10) Parks Department means the Miami-Dade County Parks, Recreation and Open Spaces Department or successor department

- (11) Pedestrian means any person afoot, or on roller skates, or riding in or by means of any coaster, non-motorized toy vehicle or similar device.

- (12) Portable street scooter means any non-motorized vehicle consisting of a long footboard between two small end wheels, controlled by an upright steering handle attached to the front wheel.

- (13) Retail bicycle dealer means a person, firm, corporation, partnership or other legal entity engaged in the business of selling bicycles at retail.

- (14) Seaport means the Dante B. Fascell Port of Miami-Dade, also known as the Port Miami, and shall include Dodge Island and Lummus Island, port terminal facilities, and that area described as the Miami Harbor in Port of Miami Terminal Tariff No. 010 or as such may be amended from time to time.

- (15) Transit system means all land, facilities, and improvements utilized by the County for the provision of public mass transportation services by Metrorail, Metrobus, and Metromover including but not limited to, yard and shop, Metrorail and Metromover stations and parking areas, Metrorail guideway including the piers, girders and linear park located thereunder, Metromover guideway and supporting structures, traction power substations, operation and maintenance facilities and buildings, mass transit

vehicles, and land located within the Rapid Transit Zone as defined in chapter 33C, except for those rights and areas of said zone which are leased to private entities for joint development.

Sec. 30-3. – Duties of department.

- (1) It is the general duty of the department to provide, develop, and implement a comprehensive master plan for the control, regulation and movement of traffic; plan and determine the installation and proper timing of traffic-control devices, including but not limited to traffic signals, signs, markings, and street name signs; plan and direct the operation of traffic on the streets of this County, including but not limited to, municipal roadways, streets and parking areas on municipal roadways and streets; conduct investigations of traffic conditions; cooperate with other County, municipal and state officials and make determinations for the improvement of traffic conditions; and carry out the additional powers and duties imposed by ordinances of this County or as directed by the County Commission. These duties are in addition to the duties imposed by the provisions of article XIII of chapter 2 of the Code.
- (2) In accordance with standards adopted by the Federal Highway Administration and the Florida Department of Transportation, the department is hereby authorized to perform the following functions:
 - (a) *Through streets.* Designate streets or parts thereof, as through streets.
 - (b) *Stop streets and stop signs.* Require a stop sign to be erected at any intersections where a particular hazard exists on streets that are not through streets and to determine whether vehicles shall stop at one or more approaches to any such intersection, except at intersections that are controlled by automatic signals or other traffic-control devices. Every stop sign erected pursuant to this chapter shall be a standard sign that complies with the standards adopted by the Federal Highway Administration and the Florida Department of Transportation.

- (c) Crosswalks. Designate crosswalks by appropriate devices, marks or lines upon the surface of the roadways at those places where the department finds that (i) a particular danger is present to pedestrians crossing the roadway, and (ii) the existence of a crosswalk will reduce that danger.
- (d) Safety zones. Establish safety zones of such kind and character and at such places where the department finds that there is particular danger to pedestrians, and the existence of a safety zone, established consistent with state law, will reduce that danger.
- (e) One-way streets, roadways and alleys; signage. Designate one-way streets, roadways and alleys.
 - 1. Whenever the department designates any one-way street, roadway, or alley, it shall cause signs to be placed giving notice to the public and allowing for enforcement. No such designation shall be effective and enforceable unless such signs are in place.
 - 2. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- (f) Prohibit parking on left side of one-way street. Prohibit the standing or parking of motor vehicles upon the left-hand side of any one-way street and erect signs giving notice thereof.
- (g) Permit parking on one-way streets. Determine when standing or parking may be permitted upon the left-hand side of any one-way street which includes two or more separate roadways, and cause to be erected signs giving notice thereof.
- (h) Marking traffic lanes. Require the marking of lanes upon the roadway of any street where the department finds that a regular alignment of traffic is necessary in the interest of safety and efficiency, or such marking is advisable, consistent with the traffic regulations of this County and state law.
- (i) All-night parking. Prohibit all-night parking, and to cause to be erected signs giving notice thereof, upon

any street or portion thereof, whenever in the department's opinion such prohibition is necessary or advisable in the interest of public safety.

- (j) *Play streets.* Declare and establish play streets, whenever the department finds that the public safety and convenience are best served thereby, by so designating any street or part thereof, and have placed appropriate signs and barricades enclosing the roadway indicating and helping to protect the same. Whenever authorized signs and barricades are erected enclosing any street or part thereof as a play street, no person shall drive a motor vehicle upon any such street or portion thereof.
- (k) *Signs, signals and devices; specifications.* Designate traffic-control signs, signals, lane markings and other devices and determine the hours and days during which any traffic-control device shall be in operation or be in effect. In all respects, all traffic-control signs, signals and devices shall conform to the manual and specifications as approved by the Florida Department of Transportation and the Federal Highway Administration, and the department's requirements essential for the function, design, and operations of roadways, streets and highways in Miami-Dade County. All signs and signals required hereunder for a particular purpose shall be uniform as to type and location throughout Miami-Dade County. All traffic-control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic-control devices.
- (l) *Effectuating and experimental regulations; testing.* Make all regulations necessary to make effective the provisions of the traffic laws of this state and to effectuate this chapter and, with the approval of the Director, make and enforce temporary or experimental regulations, consistent with this article and state law, to cover emergencies or special conditions. No such regulations shall be effective and in force until and unless adequate signs, signals or other notices are erected, clearly indicating said regulation. No such temporary experimental regulation shall remain in effect for more than 90 days, except as otherwise approved by the Director.

The department may test traffic-control devices under actual conditions of traffic.

- (m) Designate parking. Determine the location of parking zones.
- (n) Restrict parking in hazardous places. Designate places in which the stopping or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic, and cause to be erected signs giving notice.
- (o) Curb loading zones. Determine the location of passenger and freight curb loading zones and place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.
- (p) Truck and tractor routes. Designate certain streets as truck routes to be used for the expeditious and convenient movement of farm tractors, trailers, semi-trailers, trucks and other commercial vehicular traffic and give notice thereof by means of appropriate signs placed along such streets.
- (q) Bus stops, taxi stands, and other passenger stands. Establish bus stops, bus stands, taxicab stands, stands for transportation network entities as defined in section 31-701 of the Code, and stands for other passenger common-carrier motor vehicles on the public streets, in such places and in such numbers as the department shall determine to be of the greatest benefit and convenience to the public. Each such stop or stand shall be designated by an appropriate sign.
- (r) Prohibited parking. Designate certain streets or places where parking shall be prohibited at all times, and cause to be erected signs giving notice thereof.
- (s) Limited parking. Cause to be erected signs in each block limiting the parking time on certain streets and giving notice thereof.

- (t) Bicycles on sidewalks. Cause to be erected signs on any sidewalk or street prohibiting the riding of bicycles thereon by any person, and when such signs are in place no person shall disobey the same.

Sec. 30-4. - Establishment of County speed zones; enforcement and penalties.

All speed zones on County and municipal streets, roads and highways shall be set in accordance with the provisions of section 316.189, Florida Statutes, as such may be amended from time to time. Pursuant to section 316.189, Florida Statutes, the Board may set speed zones altering the speeds set forth in section 316.189, both as to maximum and minimum, after investigation determines such a change is reasonable and in conformity to criteria promulgated by the Florida Department of Transportation and the Federal Highway Administration, except that no such speed zone shall permit a speed of more than 60 miles per hour. All speed zones shall be posted with clearly legible signs. Violations of speed limits shall be cited as a moving violation, punishable as provided in chapter 318, Florida Statutes, as such may be amended from time to time.

Sec. 30-5. - Establishment of school speed zones; enforcement and penalties.

School zone speed limits shall be 15 miles per hour for all public and private schools. Such speed limit shall be in force only during those times 30 minutes before and 30 minutes after the times necessary and corresponding to the periods of time when pupils are arriving at and leaving regularly scheduled school sessions. All speed zones shall be posted with clearly legible signs. Violations of school zone speed limits shall be cited as a moving violation, punishable as provided in chapter 318, Florida Statutes, as such may be amended from time to time.

Sec. 30-6. - Accident studies.

Whenever the accidents at any particular location become numerous, the department is authorized to conduct any studies it deems necessary to determine remedial measures.

Sec. 30-7. - Parades and processions; special event permit required.

In the unincorporated areas, no procession or parade shall occupy, march, or proceed along any street or roadway except in accordance with a special event permit issued by the department and in accordance with such other regulations as are set forth in the Code, administrative order, or implementing order which may apply, including, but not limited to, any necessary maintenance of traffic plans required by implementing order 4-41. This section shall not apply to any procession or parade by the United States Armed Services, the military forces of this state, the forces of the police and fire departments, and funeral processions.

Sec. 30-8. - Creation of emergency vehicle zones.

- (1) On application of the owner or lessor of real property and payment of the fee established in accordance with subsection (6) below, the County Mayor or designee shall inspect the grounds of any shopping center, shopping mall, parking lot or parking garage and determine whether there are areas that should be kept free of parked motor vehicles in order to facilitate access to buildings by authorized emergency vehicles as defined in section 316.003, Florida Statutes, as such may be amended from time to time. The determination to establish an emergency vehicle zone shall be based on the following factors:
 - (a) The number of people who frequent the property;
 - (b) The accessibility of the property by authorized emergency vehicles;
 - (c) The frequency of calls for emergency services at the property;
 - (d) The need for accessibility to buildings by tenants, vendors and persons making deliveries to the property; and
 - (e) Official acts of County or municipal zoning and planning boards and agencies that relate to the property.

- (2) Upon determining that an emergency vehicle zone is warranted, the County Mayor or designee shall discuss the matter with the owner or lessee of the property, and if there is no objection, order that the owner or lessee of the property erect emergency vehicle zone signs in accordance with subsection (4) below.
- (3) The owner or lessee of a shopping center, shopping mall, parking lot or parking garage who has made application to the County Mayor or authorized designee(s) pursuant to subsection (1) of this section may withdraw the application at any time by notifying the County Mayor or designee in writing of the withdrawal of the application.
- (4) Areas in which parking is to be prohibited pursuant to this section shall be conspicuously posted with signs advising motorists that parking is prohibited. The County Mayor or designee may designate the form of the sign to be used; provided, however, that nothing herein shall prohibit the County Mayor or designee from authorizing the continued use of nonconforming signs that were in place when the property was inspected pursuant to subsection (2) of this section.
- (5) All signs erected or allowed by subsection (4) of this section shall be installed and maintained by the property owner or lessee of the property.
- (6) The County Mayor or designee may, by administrative order or implementing order approved by the Board of County Commissioners, establish a fee for inspection of property and establishment of emergency vehicle zones pursuant to this section.

Sec. 30-9. – Maximum weight, load, height, length and width of motor vehicles and projecting loads; speed limits may be lowered.

- (1) With respect to roads and highways under the County's jurisdiction and maintenance obligations, the department may prescribe, by notice hereinafter provided for, load, weight, and speed limits lower than the limits prescribed in state law, whenever in its judgment any road or part thereof, or any bridge or culvert shall, by reason of its design, deterioration, rain or other climatic or natural causes be liable to be damaged or destroyed by motor vehicles, trailers or semitrailers, if the gross weight or speed limit thereof shall exceed the limits prescribed in said notice.

- (a) The department may, by like notice, regulate or prohibit, in whole or in part, the operation of any specified class or size of motor vehicles, trailers or semitrailers on any highways or specified parts thereof under its or their jurisdiction, whenever in the department's judgment, such regulation or prohibition is necessary to provide for the public safety and convenience on the highways, or parts thereof, by reason of traffic density, intensive use thereof by the traveling public, or other reasons of public safety and convenience.
 - (b) The notice or the substance thereof shall be posted at conspicuous places at terminals of all intermediate crossroads and road junctions with the section of highway and road to which the notice shall apply.
 - (c) After any such notice has been posted, the operation of any motor vehicle or combination contrary to its provisions shall constitute a violation of chapter 316, Florida Statutes, and punishable as a moving traffic violation.
 - (d) Notwithstanding any provision to the contrary, the department shall not establish a limitation that would interfere with or interrupt traffic as authorized hereunder over state roads, including officially established detours for such highways, including cases where such traffic passes over roads, streets, or thoroughfares within the sole jurisdiction of the County, unless such limitations and further restrictions have first been approved by the Florida Department of Transportation.
 - (e) With respect to County roads, except such as are in use as state road detours, the department shall have full power and authority to further limit the weights of motor vehicles upon bridges and culverts upon such public notice as the department deems sufficient.
- (2) No person shall drive, move, stop or park, and no owner shall cause or knowingly permit to be driven, moved, stopped or parked on any street of this County any motor vehicle of a size or weight or gross loaded weight exceeding the maximum limitations specified in the laws of the state as to

such size, weight, or gross loaded weight unless such person or owner is authorized to drive, stop, or park such motor vehicle of a size or weight exceeding the maximum by special permit issued by the department as provided in subsection (3), and violations shall be punishable as provided in section 316.550, Florida Statutes, as may be amended from time to time.

- (3) The load upon any motor vehicle or any projection on any motor vehicle shall not extend for a distance of more than 10 feet from the rear of the motor vehicle, except by permit issued by the department or as otherwise permitted by section 316.515, Florida Statutes, as such may be amended from time to time.
- (4) With respect to roads and highways under the County's jurisdiction and maintenance obligations, the department is authorized to, in its discretion and upon application and good cause shown that the same is not contrary to the public interest, issue a special written permit authorizing the applicant to operate or move a motor vehicle or a combination of motor vehicles having a greater width, height, length or load exceeding the maximum specified in chapter 316, Florida Statutes, as such may be amended from time to time, or otherwise not in conformity with the provisions of said chapter. The department may issue or withhold such permit in its sole discretion and, if such permit is issued, to limit or prescribe the conditions of operation of such motor vehicle or motor vehicles, and may require such undertaking or other security as may be deemed necessary to compensate for any damage to any roadway, highway or road structure.
- (5) The department shall charge and collect permit fees for the movement of oversize and overweight motor vehicles and fees for equipment and personnel at the rates established by separate administrative or implementing order approved by the Board.
- (6) The permittee shall carry the special permit issued in its motor vehicle or combination of motor vehicles to which it refers, and the permits shall be open to inspection by any law enforcement officer or authorized agent of the department. The permittee shall be responsible for the repair of any damage to property resulting from the move. Upon notification from the department, the permittee shall make

arrangements for the expeditious repair of such damage. If the permittee fails to repair the damage within 15 days, the County shall make such repairs, and the permittee shall be liable for all costs incurred. No permit shall be issued for any person or firm who has failed to make the required repairs or who has failed to reimburse the County for such repairs until such repairs or reimbursements are made.

- (7) All moving contractors requesting permits for the movement of any load exceeding the limits established by state law, other sections of the Code, or the department pursuant to this chapter, shall maintain at all times with an insurance company authorized to do business in the State of Florida, the limits of insurance required by applicable law, but no less than bodily injury liability insurance in the minimum amounts of fifty thousand dollars (\$50,000) for one person and one hundred thousand dollars (\$100,000.00) for more than one person in any one accident, and property damage insurance in the minimum amount of five thousand dollars (\$5,000.00) for any one accident including damage to public rights-of-way, and shall file with the department certificates signed by a qualified agent of their insurer showing the type of policy issued, the policy number, name of the insurer, amount and effective date of the policy and any other pertinent information requested by the County.
- (8) The department shall make and prescribe such rules and regulations as may be reasonably necessary and appropriate to properly administer this section.

Sec. 30-10. – Child safety alarm devices for motor vehicles transporting children for licensed day care centers.

- (1) *Child safety alarm.* Effective December 1, 2012, all motor vehicles used by or on behalf of a licensed day care center for the transportation of children must be equipped with a child safety alarm device that prompts the driver to inspect the motor vehicle for children and passengers upon motor vehicle shut-off. The device must be properly maintained in working order at all times. The County Mayor or Mayor's designee, through the department or any other County department, shall develop and adopt standards for the installation and performance of such devices.
- (2) *Violation.*

- (a) Effective December 1, 2012, it shall be unlawful for any day care center to transport a child in a motor vehicle that is not equipped with a child safety alarm device properly maintained in working order that prompts the driver to inspect the motor vehicle for children and passengers upon motor vehicle shut-off.
- (b) Violations shall be subject to the enforcement provisions set forth in chapter 8CC of the Code.
- (c) In addition to any other enforcement authority, the department is authorized to file any action in a court of competent jurisdiction to enforce the provisions of this section and to seek appropriate remedies. In any such action the department shall be entitled to recover its reasonable enforcement costs, including reasonable attorneys' fees.

Sec. 30-11. – Inspection of private school buses.

The department is authorized to conduct inspections, and charge fees associated therewith, of school buses and motor vehicles engaged in the transport of children to and from schools, kindergartens, nursery schools and day care centers, both public and private or used for the transportation of children to and from activities connected with the regular operation of any clubs, associations, institutions or corporations, whether organized for profit or not for profit, in accordance with the terms of any interlocal agreement(s) now existing or hereinafter executed between the County and the State of Florida or any agency thereof.

Sec. 30-12. – All-terrain vehicle (ATV) regulations.

- (1) No all-terrain vehicle shall be operated on lands not owned by the operator or owner of the all-terrain vehicle without written permission signed by the owner(s) of such lands, and such permission shall be on the operator's person while operating the all-terrain vehicle.
- (2) No all-terrain vehicle shall be operated on lands not owned by the operator or owner of the all-terrain vehicle without a

lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others regardless of ownership.

- (3) No all-terrain vehicle shall be operated in such a way as to recklessly create a substantial risk of serious bodily injury to another person.
- (4) Every all-terrain vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.
- (5) Penalty for violation. Every person found guilty of a violation of any of the provisions of this section shall be punished by a fine not to exceed \$200.00 or by impounding such person's all-terrain vehicle for a period not to exceed 90 days, or both.

Sec. 30-13. – Retail bicycle dealer and portable street scooter regulations.

- (1) Voluntary registration of bicycles. Any person owning a bicycle may register it at the nearest County or participating municipal fire station.
 - (a) Registration shall consist of filling out a registration form to contain, if available, the identifying number permanently stamped or cast on the bicycle's frame and affixing a plastic sticker to the registered bicycle.
 - (b) The department shall furnish the registration forms and plastic stickers to all County fire stations and to the fire stations of any municipality wishing to participate in the County voluntary registration program.
- (2) Required registration of bicycles sold by retail bicycle dealers. Every retail bicycle dealer shall fill out a registration form for each bicycle sold containing the identifying number permanently stamped or cast on its frame, as required by section 316.2065, Florida Statutes, as such may be amended from time to time. The department shall furnish registration

forms to all retail bicycle dealers engaging in the sale of bicycles. The retail bicycle dealer shall forward the completed registration form to the department within two (2) weeks of the sale of any bicycle.

(3) Registration files to be maintained. The department shall maintain a suitable record of all bicycles registered pursuant to this section.

(4) Defacing or removing identifying numbers.

(a) It shall be unlawful for any person to deface or remove from any bicycle the identifying number imprinted thereon.

(b) It shall be unlawful to sell or purchase any bicycle on which the identifying number has been defaced or removed.

(5) Portable street scooter regulations. A portable street scooter rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the person's head by a strap, and that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203, as may be amended from time to time.

(6) Penalties for violation.

(a) Violations of section 30-13(2) of the Code shall be subject to the enforcement provisions set forth in chapter 8CC of the Code and subject to a fine of \$100.00.

(b) Every person found guilty of a violation of section 30-13(4)(a) or (b) of the Code shall be punishable by a fine not to exceed \$250.00 or imprisonment not to exceed 30 days in the County jail, or both, at the discretion of the County Court.

(c) Every person found guilty of a violation of section 30-13(5) of the Code shall be punishable by a fine not to exceed \$100.00, or by impounding of such person's portable street scooter for a period not to exceed 90 days, or both.<<

Section 3. Sections 30-421, 30-422 and 30-423 of the Code of Miami-Dade County, Florida, are hereby renumbered as sections 30-14, 30-15 and 30-16, respectively.

Section 4. Articles II and IIA of chapter 30 of the Code of Miami-Dade County, Florida, are hereby amended to read as follows:

**ARTICLE II. – >>MIAMI-DADE COUNTY PARKING CODE<<
[[SPACES FOR DISABLED PERSONS]]**

>>Sec. 30-39. – Title, authority and definitions.

This article shall be known and cited as the “Miami-Dade County Parking Code.” This article is adopted pursuant to the authority in the Miami-Dade County Home Rule Amendment and Charter, and the authority granted to counties in chapters 125 and 316, Florida Statutes, as they may be amended from time to time. Except as otherwise specifically set forth herein, the definitions in section 316.003, Florida Statutes, as such may be amended from time to time, and those definitions in article I of this chapter apply to this article.

Sec. 30-40. – Rules and regulations governing stopping, standing or parking; applicability and jurisdiction.

The Miami-Dade Parking Code is intended to, and shall:

- (1) Govern vehicles stopping, standing or parking on County and municipal streets, highways, and roads, and County facilities in the incorporated and unincorporated areas of the County and municipal parking facilities in the incorporated areas of the County; and
- (2) With respect to the matters covered in sections 30-41 through 30-52 of this article, including with respect to the issuance of citations, collection of fines, and handling of appeals for violations of the regulations set forth herein, be the sole and exclusive ordinance applicable to County and municipal streets, highways, and roads; County facilities located, or intended to be located, within the boundaries of a municipality; and municipal parking facilities in the incorporated areas of the County.<<

Sec. >>30-41<<[[30-442]]. - Parking spaces provided by governmental agencies for certain disabled persons.

[[~~(a)~~]]>>(1)<< Miami-Dade County and each municipality within Miami-Dade County, and each agency, instrumentality and authority thereof, having jurisdiction over street parking or publicly owned and operated parking facilities shall provide a minimum number of specially designated and marked motor vehicle parking spaces for the exclusive use of those severely physically disabled individuals who have permanent mobility problems that substantially impair their ability to ambulate and who have been issued an exemption entitlement parking permit pursuant to ~~[[Section]]~~>>sections<< 316.1958 ~~[[, Florida Statutes, or Section]]~~ >>or<< 320.0848, Florida Statutes >>, as may be amended from time to time, or a license plate issued under sections 320.084, 320.0842, 320.0843, or 320.0845, Florida Statutes, as may be amended from time to time<<.

[[~~(b)~~]]>>(2)<< The following minimum number of such parking spaces shall be provided:

[[~~(1)~~]]>>(a)<< One ~~[[1]]~~ space in the immediate vicinity of a building which houses a governmental entity or a political subdivision, including, but not limited to, state office buildings and courthouses, if no parking for the public is provided on the premises of such building;

[[~~(2)~~]]>>(b)<< One ~~[[1]]~~ space for each one hundred fifty (150) metered on-street parking spaces; and

[[~~(3)~~]]>>(c)<< For publicly maintained and operated parking facilities intended for public use and not subject to paragraph >>(2)(a)<<~~[[1]]~~, the number of parking spaces for disabled persons as set forth in the following table:

<i>Total Parking in Lot</i>	<i>Required Number of Accessible Spaces</i>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4

101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
Over 1000	20
plus 1 for each 100 over 1000	

However, when parking spaces are leased at such publicly maintained and operated parking facilities, the number of parking spaces for disabled persons shall be increased or decreased on demonstrated and documented need. A minimum of four ~~[(4)]~~ parking spaces for disabled persons shall be provided at a physical restoration rehabilitation center or a hospital.

~~[(e)]~~>>(3)<< Such parking spaces shall be designed and located as follows:

~~[(4)]~~>>(a)<< All spaces shall have accessible thereto a curb-ramp or curb-cut, when necessary to allow access to the building served, and shall be located so that users will not be compelled to wheel behind parked vehicles.

~~[(2)]~~>>(b)<< Diagonal or perpendicular parking spaces shall be a minimum of ~~[[twelve-(12)]]~~ >>12<< feet wide.

~~[(3)]~~>>(c)<< Parallel parking spaces shall be located either at the beginning or end of a block or adjacent to alley entrances. Curbs adjacent to such spaces shall be of a height that will not interfere with the opening and closing of motor vehicle doors.

~~[(d)]~~>>(4)<< Each such parking space shall be prominently outlined with paint and posted with a permanent above-grade sign of a color and design approved by the Florida Department of Transportation, bearing the international symbol of accessibility and the caption "PARKING BY DISABLED PERMIT ONLY." In addition, each such

parking space shall be provided with a sign stating "TOW-AWAY ZONE AND FINE UP TO \$250.00."

Sec. >>30-42<<[[30-443]]. - Parking spaces provided by nongovernmental entities for certain disabled persons.

[[~~(a)~~]] >>(1)<< Any business, firm, or other person licensed to do business with the public >>in Miami-Dade County and in any municipality thereof<< may provide specially designed and marked motor vehicle parking spaces for the exclusive use of physically disabled persons who have been issued parking permits pursuant to ~~[[Section]]~~>>sections<< 316.1958 ~~[[, Florida Statutes or Section]]~~ >>or<< 320.0848, Florida Statutes >>, as may be amended from time to time, or a license plate issued under sections 320.084, 320.0842, 320.0843, or 320.0845, Florida Statutes, as may be amended from time to time<<.

[[~~(b)~~]] >>(2)<< Each such parking space shall conform to the requirements of Section ~~[[30-442(e) and (d)]]~~ >>30-41<< of this Code.

>>Sec. 30-43. - Disabled persons, exemption from payment of parking fees and penalties; free public parking for the physically disabled.

- (1) Any motor vehicle that is qualified to park in a specially marked parking space designated for the disabled pursuant to this article both in the unincorporated areas of the County and within municipalities shall be permitted to park in any public parking space in Miami-Dade County without incurring a fee for parking.
- (2) For purposes of this section, the term "public parking space" shall mean a parking space at a County facility or any parking space provided by any municipality within Miami-Dade County, and each agency, instrumentality and authority thereof.
- (3) Neither Miami-Dade County nor any municipality or any agency thereof shall exact any fee for parking on the public streets or highways or in any metered parking space from the driver of a vehicle that displays:
 - (a) A disabled parking permit or a license plate issued under sections 316.1958 or 320.0848, Florida Statutes, as may be amended from time to time; or

- (b) A license plate issued under sections 320.084, 320.0842, 320.0843, or 320.0845, Florida Statutes, as may be amended from time to time.
- (4) The privileges and exemptions provided in this section shall apply only if the vehicle is transporting the person who has a disability and to whom the disabled parking permit or license plate was issued, and shall not apply to persons who are not disabled using the vehicle of a disabled person for their own use.
- (5) No penalty shall be imposed upon any such disabled person or driver of a vehicle that is parked as permitted in this section, except if parked in excess of posted time limits or parked in areas that are clearly defined as one of the following: bus loading zones; fire zones or fire lanes; emergency vehicle zones; access aisles adjacent to parking spaces for persons who have disabilities; or in areas posted as “No Parking” zones.
- (6) A parking facility that restricts the number of consecutive days that a vehicle may be parked may impose that same restriction on a vehicle that displays a disabled parking permit issued to a person who has a disability.
- (7) Notwithstanding any provision of this section to the contrary:
 - (a) The Seaport Department shall be entitled to charge and collect parking fees for the use of any County facility made available for parking by the Seaport Department in connection with an event at a cruise-port terminal by vehicles that display a disabled parking permit or license plate issued under state law in the same manner and amount as it charges other persons;
 - (b) The Aviation Department shall be entitled to charge and collect parking fees for the use of any County facility made available for parking by the Aviation Department, including County facilities providing temporary, short-term, or up-close parking, by vehicles that display a disabled parking permit or license plate issued under state law in the same manner and amount as it charges other persons; and
 - (c) The County, a municipality, or any agency thereof, including the Public Heath Trust, may charge and collect parking fees for parking in a parking facility

that provides timed parking spaces by any vehicle that displays a disabled parking permit or license plate issued under state law in the same manner and amount as it charges other persons,

except that any such vehicle: (i) with specialized equipment, such as ramps, lifts, or foot or hand controls, or for utilization by a person who has a disability or whose vehicle is displaying the Florida Toll Exemption permit; (ii) displaying a license plate for disabled veterans issued under sections 320.084, 320.0842 or 320.0845, Florida Statutes, as may be amended from time to time; or (iii) exiting a County facility made available for parking by the Aviation Department, the Seaport Department or the Public Health Trust less than two hours from entering the facility shall not be charged parking fees. Any such vehicle exiting the County facility made available for parking by the Aviation Department or the Seaport Department more than two hours from entering the facility shall be charged for the entire time the vehicle uses the facility, but any vehicle exiting a parking facility made available by the Public Health Trust shall be charged for the time the vehicle uses the facility, except for the first two hours that the vehicle uses the Public Health Trust parking facility.<<

~~[[Sees. 30-444—30-446.—Reserved.]]~~

Sec. >>30-44<<[[~~30-447~~]]. - Penalty for misuse of specially marked parking spaces.

>>(1)<< It is unlawful for any person to stop, stand, or park a vehicle within any parking space >>in Miami-Dade County, including within any municipality thereof,<< designated with an above-grade sign bearing the international symbol of accessibility or the caption "PARKING BY DISABLED PERMIT ONLY," or with both such symbol and caption, unless such vehicle displays a parking permit issued pursuant to ~~[[Section]]~~>>sections<< 316.1958 ~~[[, Florida Statutes, or Section]]~~ >>or<< 320.0848, Florida Statutes, >>as may be amended from time to time, or a license plate issued under sections 320.084, 320.0842, 320.0843, or 320.0845, Florida Statutes, as may be amended from time to time<< and such vehicle is transporting ~~[[a]]~~>>the<< person ~~[[eligible for]]~~ >>to whom<< the parking permit >>was issued<<. However, any person who is chauffeuring a person eligible for a disabled parking permit >>or license plate<< shall be allowed, without need for ~~[[an~~

~~identification]]~~ >>a disabled<< parking permit >>or license plate<<, momentary parking in any such parking space for the purpose of loading or unloading a disabled person >>and a vehicle that is transporting a person who has a disability and that has been granted a permit under section 320.0848(1)(a) may be parked for a maximum of 30 minutes in any such parking space<<. No penalty shall be imposed upon the driver for such momentary parking.

>>(2) Except when necessary to avoid conflict with other traffic or to comply with law or the direction of a law enforcement officer or official traffic control device, it is unlawful for any person to obstruct the path of travel to an accessible parking space, curb cut, curb ramp, ramp or access aisle by standing or parking a vehicle within any such designated area.

(3)<< Whenever a law enforcement officer or a parking enforcement specialist finds a vehicle in violation of this section, that officer >>or parking enforcement specialist<< shall:

[[~~(4)~~]]>>(a)<< Have the vehicle in violation removed to any lawful parking space or facility or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the parking space. Whenever any vehicle is removed by a law enforcement officer, parking enforcement specialist, or agency to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle.

[[~~(2)~~]]>>(b)<< Charge the motor vehicle owner >>or other person in charge of the vehicle<< in violation with a [[~~noncriminal traffic infraction.~~]] >>parking violation pursuant to this section. The owner of a leased vehicle is not responsible for a violation of this section if the vehicle is registered in the name of the lessee.

(4)<<[[~~(a)~~]] Whenever evidence shall be presented in any court of the fact that any automobile, truck, or other vehicle was found to be parked in a properly designated handicapped parking space in violation of this section, it shall be prima

facie evidence that the vehicle was parked and left in the space by the person, firm, or corporation in whose name the vehicle is registered and licensed according to the records of the Division of Motor Vehicles.

>>(5)<<[[~~(b)~~]] Violators of >>subsection (2) of section 30-44 shall be punished by a mandatory fine of \$150.00 and all other violators of<< this [[~~article~~]]>>section<< shall be punished by a mandatory fine of >>\$250.00<<[[~~two hundred fifty dollars (\$250.00)~~]].

>>(6)<<[[~~(e)~~]] All fines collected in excess of >>\$25.00<<[[~~twenty-five dollars (\$25.00)~~]] for each violation shall be deposited in a separate account to be used in the following manner:

>>(a)<<[[~~(i)~~]] One-third to be used >>by the Miami-Dade Internal Services Department or any successor department responsible for administration of this section<< to defray expenses for the administration of this [[~~article~~]] >>section<<.

>>(b)<<[[~~(ii)~~]] Two-thirds to be used to provide funds to improve accessibility and equal opportunity to qualified [[~~physically disabled~~]] persons >>who have disabilities<< and to provide funds to conduct public awareness programs concerning [[~~physically disabled~~]] persons >>who have disabilities<<.

The two-thirds shall be distributed in the following manner:

>>i. 30<<[[~~Thirty (30)~~]] percent to be retained by the County for county-wide purposes in accordance with state law, and

>>ii. 70<<[[~~seventy (70)~~]] percent to be allocated to the governmental entity having jurisdiction over the violation.

>>(c)<<[[~~(iii)~~]] To be eligible to receive funds>>₁<< each participating city >>shall<<[[~~would be required to~~]] submit an affidavit sworn by the chief administrative official which would assure that these funds would be used in accordance with state law. Monies not distributed to a city because of the failure of such city to submit an affidavit shall be placed in a fund for

disbursement to other cities which have submitted affidavits in proportion to the percentage of citations issued by the complying city.

~~[[All fines collected in excess of twenty five dollars (\$25.00) for each violation of Section 30-292(1)(a)12, shall be eligible for inclusion in the fund described in Section 30-447(2)(c).]]~~

Sec. >>30-45<<[[30-448]]. - Out-of-state vehicles bearing handicapped identification.

- >>(1)<< Motor vehicles displaying a special license plate or parking permit issued to a physically disabled person by any other state or district subject to the laws of the United States >>or by a foreign country that issues disabled parking permits that display the international symbol of accessibility<< shall be recognized as a valid license plate or permit, allowing such vehicle the special parking privileges allowed pursuant to the provisions of this article >>if the other state or district grants reciprocal recognition for residents of this state who have disabilities.
- (2) It is provided, however, that when an individual is required by law to have a Florida driver license or a Florida vehicle registration, a special motor vehicle license plate or parking permit issued by another state, district, or country to persons who have disabilities is not valid, and the individual whose vehicle displays such an invalid plate or permit is subject to the same penalty as an individual whose vehicle does not display a valid plate or permit.
- (3) A law enforcement officer or parking enforcement specialist may not ticket a vehicle for a violation of section 30-45 without first determining whether the vehicle is transporting a resident of another state who is the owner of the out-of-state placard<<.

~~[[ARTICLE II. - PARKING SPACES FOR PERSONS TRANSPORTING YOUNG CHILDREN AND STROLLERS]]~~

Sec. >>30-46<<[[30-449]]. - Parking spaces for persons transporting young children and strollers.

Parking spaces specifically designed for persons transporting young children under the age of three ~~[[3]]~~ and strollers, shall be required

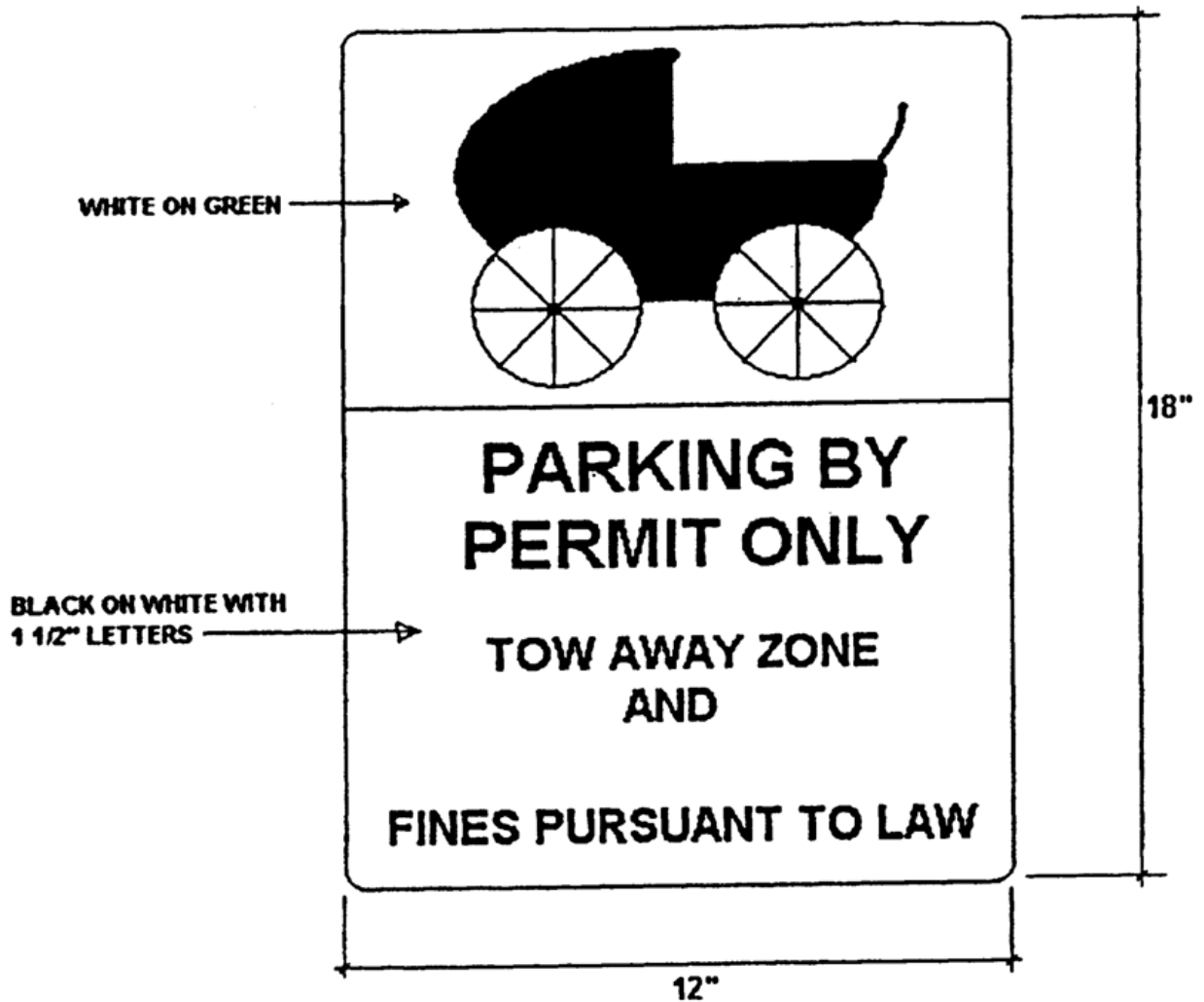
for all uses other than single-family, duplex, townhouse or multifamily; provided, however, industrial zoned properties shall not be required to comply with this section. >>This section is applicable in the incorporated and unincorporated areas of the County.<< Such baby stroller parking spaces shall be provided as follows:

~~[(a)]~~>>(1) Number<< ~~[(Quality)]~~ of specially designated parking spaces:

Total Parking Spaces in Lot	Required Number of Spaces
Up to 100	0
101 to 500	2
501 to 1,000	3
Over 1,000	One [(4)] additional space for each 500 parking spaces over 1,000

~~[(b)]~~>>(2)<< Location of parking spaces. Such spaces shall be located as closely as possible to parking spaces designated for the physically handicapped and/or disabled persons; provided however, parking spaces designated for the physically handicapped and/or disabled persons shall take precedence. Where no parking spaces designated for the physically handicapped and/or disabled persons have been provided, parking spaces for persons transporting young children and strollers shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.

~~[(c)]~~>>(3)<< Signage and markings. All parking spaces reserved for persons transporting young children and strollers shall be prominently outlined with green paint and posted with an approved permanent above-ground sign which shall conform to the figure entitled "Baby Stroller Parking Sign" hereby incorporated in this section. The bottom of the sign must be at least five ~~[(5)]~~ feet above grade when attached to a building, or seven ~~[(7)]~~ feet above grade for a detached sign.



~~[(4)]~~>>(4)<< *Parking permit required.* Such parking spaces shall only be utilized by parking permit holders as specified in >>section 30-47<<[[~~Section 30-450~~]] of this Code and only when the permit holder is transporting a young child and a stroller; provided, however, physically handicapped and/or disabled persons displaying a valid handicapped parking permit shall be permitted to utilize parking spaces designated for persons transporting young children and strollers.

>>(5) *Use of parking permit fees.* There shall be an implementing order providing standards for producing and issuing parking permits for persons transporting young children and strollers. The implementing order shall also provide a fee for such permits, one-third of which shall be distributed to private, not-for-profit non-denominational agencies providing services for severely abused or neglected children

on a countywide basis, throughout all of Miami-Dade County, thus evincing a countywide purpose. The implementing order shall provide procedures for application and distribution of such funds. The implementing order shall become effective upon approval by the Board.<<

Sec. >>30-47<<[[~~30-450~~]]. - Penalty for misuse of specially marked parking spaces.

It is unlawful for any person to stop, stand, or park a vehicle within any parking space designated for persons transporting young children and strollers, unless such vehicle displays a parking permit decal issued pursuant to ~~[[administrative]]~~ >>implementing<< order, and such vehicle is transporting a child aged two ~~[[2]]~~ years or less; provided, however, physically handicapped and/or disabled persons displaying a valid handicapped parking permit shall be permitted to utilize parking spaces designated for persons transporting young children and strollers. Whenever a law enforcement officer or a parking enforcement specialist finds a vehicle in violation of this section, that officer or enforcement specialist ~~[[shall]]~~ >>is authorized to<<:

- (1) Have the vehicle in violation removed to any lawful parking space or facility or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the parking space. Whenever any vehicle is removed by a law enforcement officer, parking enforcement specialist, or agency to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle, or
- (2) Charge the motor vehicle owner in violation with a ~~[[noncriminal traffic infraction]]~~ >>parking violation under this section<<.
 - (a) Whenever evidence shall be presented in any court of the fact that any automobile, truck, or other vehicle was found to be parked in a specially designated parking space in violation of this section, it shall be prima facie evidence that the vehicle was parked and left in the space by the person, firm, or corporation in whose name the vehicle is registered and licensed according to the records of the Division of Motor Vehicles.
 - (b) Violators of this ~~[[article]]~~ >>section<< shall be punished by a fine of \$48.00.

>>Sec. 30-48. - Parking meters and signs; determining zones; installation of meters and signs.

- (1) Authority of department. The department is hereby authorized to restrict or prohibit parking, standing or stopping vehicles on County and municipal roads, streets and highways; along any other roads over which the County has jurisdiction for traffic control; and in County facilities. Such areas shall be posted with signs specifying the restrictions or prohibitions of parking, standing or stopping.
 - (a) The department is hereby authorized to determine and designate metered parking zones, and to install and maintain upon any of the streets or parts of streets within the incorporated and unincorporated areas of Miami-Dade County as many parking meters as necessary, where it is determined that the installation of parking meters shall be necessary to aid in the regulation, control and inspection of the parking of vehicles.
 - (b) The parking meters may be of whatever type as determined by the department.
- (2) Authority of municipalities. With the prior written approval of the department to ensure that the signs meet all local, state and federal engineering requirements, municipalities may erect signs permitting parking, standing or stopping vehicles on any other streets or other locations within such municipality.
 - (a) Notwithstanding the provisions of subsection (1) above, municipalities or other governmental authorities now existing in this County shall retain the power to establish parking meter zones and install parking meters therein, to select the type of parking meters, and to install and maintain upon any of the municipal streets, highways, and roads, or parts thereof, within the boundaries of the municipality as many parking meters as necessary; provided, however, that the municipality or governmental authority first obtains the approval of the department as to the installation and location of such parking meters to ensure that the meters meet all local, state and federal engineering requirements.

- (b) No provision of this section shall affect in any way the maintenance and operation of parking meters now located within the municipalities or installed by other governmental authorities.
- (c) Municipalities and other governmental authorities shall be under a duty to properly operate and maintain parking meters within their jurisdiction and shall be entitled to the proceeds therefrom.
- (d) Municipalities do not need the prior written approval of the department to install signs and parking meters within municipal parking facilities.
- (3) Length of spaces. Parking meter spaces shall be approximately 22 feet in length.
- (4) Installation of meters. The department, or municipality with approval from the department, shall cause to be fastened to the curb or sidewalk bordering upon said parking metered spaces a parking meter.
- (5) Condition of meter; indicator or receipt. Each such parking meter shall be maintained in good working order and shall: (a) be equipped with an indicator showing the length of time which will elapse before the indicator shall show a violation, and the meter shall operate the time shown by such indicator before showing a violation; or (b) provide each customer a paper or electronic receipt showing the length of time which will elapse prior to, or the exact time upon which, a violation will be issued, and no violation shall be issued prior to such time.
- (6) Deposit of payment. Permission to park in a metered parking space shall be granted for the length of time indicated upon the deposit of a sum as required and indicated on the meter in U.S. currency or by use of a credit card or other authorized electronic payment for such space or on the paper or electronic receipt for such space.
- (7) Collection of money. The department shall make or cause to be made regular collections of moneys deposited in meters under the jurisdiction of the County, and the receipts thereof shall be turned over to the County Finance Department or successor department.

Sec. 30-49. – Parking regulations.

- (1) Generally. The provisions of this section prohibiting the stopping, standing or parking of a vehicle shall apply at all times or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or official traffic-control device.
- (2) Stopping, standing or parking prohibited at all times in certain places. No person shall:
 - (a) Stop, stand or park a vehicle:
 - i. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - ii. On a sidewalk.
 - iii. Within an intersection.
 - iv. On a crosswalk.
 - v. 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 Florida Department of Transportation indicates a different length by signs or markings.
 - vi. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
 - vii. Upon any bridge or other elevated structure upon a highway, causeway or within a highway tunnel, where parking is not provided for thereon.
 - viii. On any railroad tracks.
 - ix. On a bicycle path.
 - x. On any streets, roads, highways, municipal parking facilities and County facilities where official traffic control devices, pavement marking or posted signs prohibit stopping, standing or parking.

- xi. On any County facilities or areas of municipal parking facilities that are not designated or authorized for parking, stopping or standing or that are not designated or authorized for parking for that particular type of vehicle.
 - xii. On the roadway or shoulder of a limited access facility, except as provided by regulation of the Florida Department of Transportation, or on the paved portion of a connecting ramp; except that a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or crash may be parked on such shoulder for a period not to exceed 6 hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a law enforcement officer or to a person stopping a vehicle in compliance with applicable traffic laws.
 - xiii. For the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.
- (b) Stand or park a vehicle at any time on any of the following parts of streets, highways, sidewalks or sidewalk areas, where signs are erected giving notice thereof:
- i. In front of a theater entrance.
 - ii. In front of the entrance or exit of a hotel.
 - iii. In front of the entrance of any public building.
 - iv. Either or both sides of any street adjacent to any school.
 - v. Narrow streets.

- vi. Left-hand side of any one-way street.
 - vii. Fire lanes.
- (c) Park or stop a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- i. Within 15 feet of a fire hydrant.
 - ii. Within 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 75 feet of said entrance (when property sign-posted).
 - iii. Within 20 feet of a crosswalk at an intersection.
 - iv. Within 30 feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of a roadway.
 - v. In front of a public or private driveway.
 - vi. On an exclusive bicycle lane.
 - vii. Or for the purpose of and while actually engaged in loading or unloading merchandise within 50 feet of the nearest rail of a railroad crossing, or bridge unless the Florida Department of Transportation establishes a different distance due to unusual circumstances.
- (3) *Moving another's vehicle into prohibited parking place.* No person shall move a vehicle not owned by such person or lawfully under their control and use such vehicle to stop, stand or park in a manner prohibited by this section.
- (4) *Parking prohibited during certain hours.* When signs are erected giving notice of the limitation of time for parking or limiting parking to only certain hours, no person shall stop, stand or park a vehicle for longer than the time specified by such signs or at times other than the hours specified by such signs.

(5) Restricted parking zones, use.

- (a) No person shall stop, stand or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose to which parking in such zone is restricted, except that a driver of a passenger vehicle may stop temporarily in such zone for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purpose to which parking is restricted.
- (b) When official signs are erected designating a parking space, area or lot for restricted parking for authorized vehicles only, no person shall park an unauthorized vehicle in violation of such sign. For purposes of this section, "authorized" means that the vehicle bears an official decal provided by the department or that the vehicle is one of a class of vehicles given said authorization by the department to park in the space, area, or lot so designated.

(6) Hazardous or congested places, parking near. When official no-parking signs are erected at hazardous or congested places, no person shall stop, stand, or park any vehicle other than an authorized emergency vehicle in any such designated place.

(7) Emergency vehicle zones. When signs are erected or allowed pursuant to section 30-10 of the Code, no person shall stop, stand or park a vehicle other than an authorized emergency vehicle in any such designated emergency vehicle zone.

(8) Parallel parking required.

- (a) Except where expressly designated, every vehicle stopped or parked upon a two-way roadway, shall be parallel parked and so stopped or parked in the direction of authorized traffic movement. When so parked or stopped, a vehicle's right-hand wheels shall be parallel to and within 12 inches of the right-hand curb where parking is permitted.

(b) Except where expressly designated, every vehicle stopped or parked upon a one-way roadway shall be parallel parked and so stopped or parked in the direction of authorized traffic movement. When so parked or stopped, a vehicle's right-hand wheels shall be parallel to and within 12 inches of the right-hand curb or edge of the roadway, or its left-hand wheels shall be parallel to and within 12 inches of the left-hand curb, where parking is permitted.

(9) Unattended vehicles; stopping engine, setting brakes, parking on hill.

(a) No person driving or in charge of any motor vehicle, except a licensed delivery truck or other delivery vehicle, shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key, and securing the vehicle so as to prevent movement. No person driving or in charge of a licensed delivery truck or other delivery vehicle shall permit it to stand unattended for a period of time longer than five (5) minutes.

(b) Notwithstanding the provisions of paragraph (a), no vehicle shall be permitted to stand unattended upon any perceptible grade, without stopping the engine and effectively setting the brake thereon, and turning the front wheels to the curb or side of the street.

(10) Obstruction of traffic or public streets by parking, standing or stopping.

(a) No person shall park, stand or stop any vehicle upon a street, highway or road in such a manner or under such conditions where sight visibility is compromised for free movement of vehicular traffic.

(b) No person shall park, stand or stop any vehicle upon a street, highway or road, whether or not completely paved or with curbs provided, in such a manner or under such conditions so as to obstruct the free, convenient and normal use of any public street, highway or road by impeding, hindering, stifling, retarding or restraining traffic or passage thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon.

(11) Parking, stopping or standing in or obstructing alleys.

- (a) No person shall stop, stand or park a vehicle within an alley in a business district except for the expeditious loading or unloading of materials, and in no event for a period of more than twenty minutes, and no person shall stop, stand or park a vehicle in any other alley in such a manner as to obstruct the free movement of vehicular traffic.
- (b) No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway or entrance to any abutting property.

(12) All night parking. No person, except physicians or other persons on emergency calls, shall park a vehicle overnight on any street, road or highway marked to prohibit all night parking between the hours so prohibited on the signs for a period of time longer than 30 minutes.

(13) Curb loading zones.

- (a) No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the provisions applicable to such passenger curb loading zone are effective, and then only for a period not to exceed five minutes.
- (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 curb loading zone during the hours when the provisions applicable to such freight curb loading zones are in effect. The stop for unloading and delivery or pickup and loading of materials shall not exceed twenty minutes except in specially marked "parcel truck" loading zones where the stop shall not exceed one hour.
- (c) The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or

unloading passengers, when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone.

(d) No person shall stop, stand or park any vehicle at right angles to the curb for the purpose of loading or unloading of merchandise without written permission issued by the department.

(14) Angle parking, obedience to signs. Upon the streets, roads, or highways that have been signed or marked by or following the written approval of the department for angle parking, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

(15) Trucks; parking prohibited in residential zones. In areas zoned residential districts, it shall be unlawful for a truck of one-ton capacity or over to be parked for more than one hour, unless engaged in the loading or unloading of materials.

(16) Unlawful to willfully abandon motor vehicles; notice; presumptions. It is unlawful for any person to willfully abandon a motor vehicle upon the public streets, roads, and highways including shoulders of the road, within this County, at municipal parking facilities, and at County facilities.

(17) Taxicab, vehicle for hire and bus operators; parking or stopping in other than stands and stops. The operator of a bus, vehicle for hire, or taxicab shall not stop, stand or park upon any street in any business district, in any municipal parking facility or in any County facility at any place other than at a bus stop, vehicle for hire stand, or taxicab stand, respectively, except that this provision shall not prevent:

(a) The operator of any such vehicle from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers; and

(b) Any bus operator operating over a regular route providing scheduled local transit service from temporarily stopping the bus on the travelled or

paved portion of the roadway for the expeditious loading and unloading of passengers at any regularly designated stop unless a paved pullout bay or parking area has been provided and is unoccupied by other vehicles at the time such passengers are discharged; it is further provided that nothing in this paragraph shall prohibit the operator of such bus from pulling off the roadway berm or to the unpaved portion at specified designated layover stops.

(18) *Taxicab stands and bus stops; use by other than taxicabs and buses.* No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when such stop or stand has been officially designated and marked, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in the expeditious loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

(19) *Parking, stopping, and standing prohibited for certain purposes.* No person shall stop, stand or park a vehicle upon any public road, street or public right-of-way, including the sidewalk and swale located within unincorporated Miami-Dade County, except outside the urban development boundary, for the purpose of and intent of:

- (a) Displaying such vehicle or other personal property thereon for rental, hire or sale.
- (b) Greasing, or repairing such vehicle, except repairs necessary in an emergency.
- (c) Displaying advertising.
- (d) Selling merchandise from such vehicle except in a duly established market place, or when so authorized or licensed under applicable law.
- (e) Storage, or as junkage or dead storage for more than 24 hours.

(20) *Parking and payment; maximum period; days effective.*

- (a) No person shall park any vehicle or permit any vehicle to remain parked in any parking metered

space when the parking meter for the space occupied by such vehicle shows a violation.

(b) No person shall stop, stand, or park any vehicle or permit any vehicle to remain parked in any parking metered space or in any metered parking zone, including those in County facilities and municipal parking facilities, for a continuous period of time greater than:

i. The maximum provided for on the meter;

ii. On any posted signs near the metered parking space; or

iii. The length of time permitted on the printed or electronic parking receipt.

(c) No person shall park any vehicle or permit any vehicle to remain parked in any parking metered space or similarly for-charge controlled parking areas without depositing United States currency of the designated denomination in the parking meter, without making electronic payment on the parking meter or through other electronic means, or without having properly secured a required parking claim ticket, any day unless otherwise posted upon any of the streets so marked by designation of the department, in any County facilities, or in any municipal parking facilities.

(d) No person shall remove or attempt to remove a vehicle from a County facility or municipal parking facility open to the public without making payment of the required parking charge for such vehicle.

(e) No person shall:

i. Remove or attempt to remove a parking ticket from a County facility or municipal parking facility ticket dispensing machine other than as an operator of a vehicle entering such parking facility, in which case, such person shall remove only one parking ticket from the dispensing machine; or

- ii. Otherwise operate a ticket dispensing machine for the purpose of avoiding or enabling another person to avoid payment of the lawful charge for the use of said parking facilities.
- (f) No person shall present a parking ticket requiring payment of parking fees upon exiting a parking facility that does not indicate an accurate record of the length of time said vehicle was actually within the parking facility for which the time and charges have accrued, except for inaccuracies of the facility's time recording equipment.
- (g) The driver of a vehicle entering a parking space that has an individual, unique parking meter for such space at a time when the meter for such space shows unexpired time may permit such vehicle to remain parked in such space for the amount of unexpired time shown on such meter, or may, by depositing the proper coin, remain parked in such space for the maximum amount of time allowed by the deposit of said coin as indicated on said meter.
- (21) *Meter to be visible; parking within spaces.* Every vehicle parked:
 - (a) In a parking metered space that has individual parking meters for each space, shall be parked with the front end or front part of such vehicle immediately opposite the parking meter for such space, and in such manner that the meter shall be visible from the street side of the vehicle;
 - (b) On a street, road or highway where parking is permitted or within a County facility or municipal parking facility, shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted, and, where applicable, with the front end of such vehicle immediately opposite the parking meter for such space; and
 - (c) On a street, road or highway where parking is permitted or within a County facility or municipal parking facility, shall be positioned and parked

wholly within a single designated stall or area so designated for parking in such a manner so as not to obstruct the proper movement of other vehicles or utilization by other vehicles of adjacent parking spaces or driveways.

(22) Airport; landside traffic and parking.

(a) No person shall stop, stand, or park a vehicle on the upper or lower vehicle drives of the Terminal Building at Miami International Airport or on any roadways in an airport:

- i. In violation of any official traffic-control device, posted signs or an oral directive provided by an authorized law enforcement officer or authorized uniformed traffic enforcement personnel;
- ii. For the purpose of making deliveries of goods, wares or merchandise to the Terminal Building except during times or in areas designated by posted signs or an oral directive provided by an authorized law enforcement officer or authorized uniformed traffic enforcement personnel; or
- iii. In such a manner as to block any airport roadway or otherwise impede the normal flow of vehicular traffic on any airport roadway, including those roadways to, from or within any airport facility except as permitted by an oral directive provided by an authorized law enforcement officer or authorized uniformed traffic enforcement personnel or with the prior written authorization issued by the Aviation Department.

(b) No person operating a commercial vehicle for hire shall stop, stand or park a vehicle to load or unload persons at curbside loading zones not designated for such purpose, as indicated by appropriate traffic-control devices and signs, for such classification of service within the Terminal Building area of Miami International Airport.

- (c) No person shall stop, stand, or park a vehicle on any airport roadway or in a curbside area at the Terminal Building, unless so permitted or required by an official traffic-control device or sign.
- (d) No person shall park or stop a trailer, semitrailer, cargo trailer or other vehicle at any loading pier or dock at the airport except for the purpose of the immediate loading or unloading of such vehicle, unless otherwise authorized by an authorized law enforcement officer or authorized uniformed traffic enforcement personnel.
- (e) No person shall enter or park a vehicle in any airport parking facility established or authorized for the use of persons employed at the airport unless so employed by the airport or unless authorized by the Aviation Department, which authorization shall be evidenced by the possession and display of any and all persons in such vehicle of a valid identification badge issued or approved by the Aviation Department.
- (f) No person shall leave any vehicle unattended for a period of 48 hours or more at the airport, except one properly parked in an airport parking facility, in a parking facility under the control of an airport tenant of the County or other area authorized by the Aviation Department for parking.
- (g) No person shall park or store a vehicle in an airport parking facility, in a parking facility under the control of an airport tenant of the County, or other area authorized for parking by the Aviation Department, which shall have been left unattended or inoperable at the airport for a period of 60 days or more without a written permit from the Aviation Department or its authorized agent. Vehicles so left unattended shall be presumed to have been abandoned and may be considered and treated as such.

(23) Seaport.

- (a) No person operating a commercial vehicle for hire shall stop, stand or park a vehicle to load or unload persons at the seaport at curbside loading zones not designated for such purpose, as indicated by appropriate traffic-control devices and signs, for such classification of service.
- (b) No person shall stop, stand, or park a vehicle on any seaport roadway or in a curbside area at the seaport unless so permitted or required by an official traffic-control device or sign.
- (c) No person shall park or stop a trailer, semitrailer, cargo trailer or other vehicle at any loading pier or dock at the seaport, except for the purpose of the immediate loading or unloading of such vehicle, unless otherwise authorized by an authorized law enforcement officer or authorized uniformed traffic enforcement personnel.
- (d) No person shall leave any vehicle unattended for a period of 48 hours or more at the seaport, except one properly parked in a seaport parking facility, in a parking facility under the control of a seaport tenant of the County or other area authorized by the Seaport Department for parking.
- (e) No person shall park, stop or stand any vehicle within the seaport in a manner that will interfere with the use of a facility or area by others or obstruct passage or movement of emergency vehicles or other vehicles.
- (f) No person shall stop, stand, or park a vehicle at the seaport in such a manner as to:
 - i. Obstruct traffic or reasonably likely cause a hazard to the health or safety of persons lawfully on the seaport property; or
 - ii. Impede or likely impede the movement or handling of freight or passengers by reason of its position or condition.
- (g) No personnel employed in the area of cargo operations or in other restricted areas of the seaport shall park a vehicle in any areas, parking facilities or

property of the seaport other than those expressly designated by the seaport director in writing to be available for such personnel parking.

- (h) No person shall park or store a vehicle in a seaport parking facility, in a parking facility under the control of a seaport tenant of the County, or other area authorized for parking by the Seaport Department, which shall have been left unattended or inoperable upon the seaport for a period of 60 days or more without a written permit from the Seaport Department. Vehicles so left unattended shall be presumed to have been abandoned and may be considered and treated as such.

(24) Transit System.

- (a) In transit system parking facilities:

- i. No person shall park or leave a vehicle unattended for any purpose other than for a public transit related use, except as may be authorized in writing by the Director.
- ii. No person shall park or leave unattended a truck tractor, trailer or semi-trailer beyond one hour after said facility closes, except as may be authorized in writing by the department.
- iii. All vehicles shall park head-in only.
- iv. Only compact cars shall park in spaces marked "compact cars only."
- v. No vehicle which requires more than one parking space, as defined in section 33-122 of the Code, may be parked or left unattended, except as may be authorized in writing by the department.

- (b) In other transit system property, any of which has areas that are designated for employee parking only, no person other than an employee of the department shall stop, stand or park a vehicle thereon.

- (c) No person shall stop, stand, or park a vehicle in any transit system right-of-way.
- (25) Park Property. No person shall park or permit to remain parked any vehicle on any park property while such park property is closed, except:
 - (a) County employees on official County business while such employees are conducting the official County business;
 - (b) In areas designated as 24-hour boat launching areas or as otherwise designed by the Director of the Parks Department;
 - (c) For patrons or employees of restaurants and other leased facilities on park property if such restaurants or other leased facilities are open for business and such patrons or employees park in the areas designated for such use by said restaurants and leased facilities; and
 - (d) As otherwise permitted in writing by the Director of the Parks Department.
- (26) Damaging meters. It is unlawful to deposit in any parking meter anything other than lawful currency of the United States, or any coin that is bent, cut, torn, battered or otherwise misshapen. It is unlawful for any unauthorized person to remove, deface, tamper with, open, break, destroy or damage any parking meter. It is unlawful for any person willfully to manipulate any parking meter in such a manner that:
 - (a) The indicator will not operate and continue to show the correct amount of unexpired time before a violation; or
 - (b) That the parking meter is unable to accept payment for parking, provide important information to a person seeking to park, or to print or issue a receipt to a person paying or seeking to pay for parking.

Sec. 30-50. – Penalties for violations of parking regulations.

Violations of section 30-49 shall be punishable by civil parking citations at the fines indicated below. If not paid within 30 days of the civil parking citation, the fines shall be increased as indicated below:

Schedule of Parking Fines

<u>Section No.</u>	<u>Initial Fine</u>	<u>Fine After 30 Days</u>	<u>Violation Charged</u>
<u>30-49(2)(a), (b)(i)-(vi), and (c)(iii)- (vii)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking prohibited at all times in certain places and on certain streets</u>
<u>30- 49(2)(b)(vii), (c)(i)-(ii)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking or standing in a fire safety zone</u>
<u>30-49(3)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Moving other person's parked vehicle without authority</u>
<u>30-49(4)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking during prohibited hours or parking longer than time designated on signs</u>
<u>30-49(5)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Parking in restricted parking zone</u>
<u>30-49(6)</u>	<u>\$120.00</u>	<u>\$150.00</u>	<u>Parking near hazardous or congested places</u>
<u>30-49(7)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking in emergency vehicle zones</u>
<u>30-49(8)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking in other than parallel position in the direction of authorized traffic movement within 12 inches of curb</u>
<u>30-49(9)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Leaving vehicle unattended without stopping engine, locking ignition, removing key, and securing vehicle</u>
<u>30-49(10)</u>	<u>\$120.00</u>	<u>\$150.00</u>	<u>Parking so as to obstruct traffic on street</u>

<u>30-49(11)</u>	<u>\$120.00</u>	<u>\$150.00</u>	<u>Unlawful parking or obstructing traffic in alley</u>
<u>30-49(12)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking during night hours prohibited by sign</u>
<u>30-49(13)(a)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking in passenger curb loading zone or using passenger curb loading zone for more than 5 minutes to load or unload passengers</u>
<u>30-49(13)(b)</u>	<u>\$75.00</u>	<u>\$94.00</u>	<u>Parking in freight curb loading zone or using freight curb loading zone for more than 30 minutes</u>
<u>30-49(13)(d)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Loading or unloading at angle to curb without required permit</u>
<u>30-49(14)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Improper angle parking</u>
<u>30-49(15)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking truck of one ton or more in residential area for more than one hour</u>
<u>30-49(16)</u>	<u>\$75.00</u>	<u>\$94.00</u>	<u>Willfully abandon a vehicle on public streets, roads and highways</u>
<u>30-49(17)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Bus, for hire vehicle or taxicab parked in business district other than at bus stop, for hire vehicle or taxicab stand, respectively</u>
<u>30-49(18)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking in bus stop or taxicab stand</u>
<u>30-49(19)</u> <u>*First violation</u>	<u>\$100.00</u>	<u>\$130.00</u>	<u>Parking vehicle on public right-of-way for a prohibited purpose (first violation)</u>
<u>30-49(19)</u> <u>*Second and all subsequent violations</u>	<u>\$500.00</u>	<u>\$500.00</u>	<u>Parking vehicle on public right-of-way for a prohibited purpose (per vehicle for each additional vehicle beyond first vehicle and any repeat violation)</u>
<u>30-49(20)(a)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Parking after violation shows on meter</u>

<u>30-49(20)(b)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Parking continuously in excess of maximum time permitted</u>
<u>30-49(20)(c)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Parking for a period longer than designated on instrument giving notice thereof</u>
<u>30-49(20)(d)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Removing or attempting to remove vehicle without making required payment for parking</u>
<u>30-49(20)(e)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Remove or attempting to remove more than one parking ticket or parking ticket for the purpose of avoiding payment</u>
<u>30-49(20)(f)</u>	<u>\$32.00</u>	<u>\$42.00</u>	<u>Presenting parking ticket that does not reflect accurate parking time</u>
<u>30-49(21)(a)</u>	<u>\$25.00</u>	<u>\$38.00</u>	<u>Parking improperly by not having front of vehicle next to meter or by making meter not visible from street</u>
<u>30-49(21)(b) and (c)</u>	<u>\$25.00</u>	<u>\$38.00</u>	<u>Parking improperly by not parking wholly within meter parking space, designated stall or parking space</u>
<u>30-49(21)(c)</u>	<u>\$25.00</u>	<u>\$38.00</u>	<u>Parking improperly by not parking wholly within designated stall or parking space</u>
<u>30-49(22)(a)-(e)</u>	<u>\$150.00</u>	<u>\$160.00</u>	<u>Parking in violation of airport restrictions</u>
<u>30-49(22)(f) and (g)</u>	<u>\$250.00</u>	<u>\$250.00</u>	<u>Abandoning vehicle in airport</u>
<u>30-49(23)(a)-(g)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking in violation of seaport restrictions</u>
<u>30-49(23)(h)</u>	<u>\$250.00</u>	<u>\$250.00</u>	<u>Abandoning vehicle in seaport</u>
<u>30-49(24)(a) and (b)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking or leaving unattended vehicle in violation of transit system restrictions</u>

<u>30-49(24)(c)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking, stopping or standing in transit system right-of-way</u>
<u>30-49(25)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Parking in violation of park property restrictions</u>
<u>30-49(26)</u>	<u>\$42.00</u>	<u>\$52.00</u>	<u>Improper use of, manipulation or damage to parking meters</u>

Sec. 30-51. - Additional surcharge for parking violations; school crossing guard programs.

- (1) The assessment of a surcharge of \$4.00 for the parking violations set forth in sections 30-44, 30-47 and 30-49 of the Code, as authorized by section 318.21(11)(c), Florida Statutes, as may be amended from time to time, is approved for the purpose of funding school crossing guard programs. This surcharge shall also be applicable to all municipal parking violations within Miami-Dade County.
- (2) The monies collected from the surcharge provided for in this section shall be placed in the school crossing guard trust fund administered by Miami-Dade County. The County will distribute the funds in the school crossing guard trust fund quarterly to local governmental entities within Miami-Dade County administering a school crossing guard program based on each local governmental entity's percentage of the school crossing guards in the county school district.

Sec. 30-52. – Liability for payment of parking citations; enforcement and procedures.

- (1) Law enforcement officers and parking enforcement specialists. A law enforcement officer or parking enforcement specialist who discovers a vehicle in violation of this article, may issue a parking citation to the driver. If the vehicle is unattended, the law enforcement officer or parking enforcement specialist shall attach such parking citation to the vehicle in a conspicuous place. If, using video or license plate reader technology, the law enforcement officer or parking enforcement specialist discovers a vehicle in violation of the provisions of section 30-49(20)(a)-(f) such that the required payment for parking is not made, the law

enforcement officer or parking enforcement specialist may mail a parking citation to the registered owner of the vehicle or the registered lessee when the cited vehicle is registered in the name of the person who leased the vehicle, to the address given on the motor vehicle registration.

(2) *Form of parking citations.* The County Mayor or Mayor's designee shall prepare an implementing order providing a standardized form to be used by all law enforcement officers and parking enforcement specialists enforcing the Miami-Dade Parking Code.

(a) The implementing order shall require that the parking citation advise violators that:

- i. Payment on a parking violation or request for a hearing before a hearing officer shall be made within 30 days of the date of the parking citation; and
- ii. Payment can be made on the parking citation, including locations countywide, in person, by mail or by electronic means, and all payment shall be made to the Clerk of Court.

(b) The implementing order shall become effective upon approval by the Board.

(c) All parking citations shall be issued and transmitted to the County Court or its traffic violations bureau in a manner that conforms to the filing and technology requirements of the County Court.

(3) *Owner of car presumed to be violator.* For parking violation citations for any of the violations set forth in sections 30-44, 30-47 and 30-49 of the Code, the owner of a vehicle is responsible and liable for payment of any parking violation citation unless the owner can furnish timely evidence, in accordance with the appeal and hearing provisions herein provided, that the vehicle was, at the time of the parking violation, in the care, custody, or control of another person.

(a) In such instances, the owner of the vehicle is required, within a reasonable time after notification of the parking violation, to furnish to the appropriate law enforcement authority with jurisdiction an affidavit setting forth the name, address, and driver license number of the person who leased, rented, or otherwise had the care, custody, or control of the vehicle.

- (b) The affidavit submitted under this subsection is admissible in a proceeding charging a parking ticket violation and raises the rebuttable presumption that the person identified in the affidavit is responsible for payment of the parking ticket violation.
- (c) The owner of a vehicle is not responsible for a parking ticket violation if the vehicle involved was, at the time, stolen or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle.
- (d) The owner of a leased vehicle is not responsible for a parking ticket violation and is not required to submit an affidavit or the other evidence specified in this section, if the vehicle is registered in the name of the person who leased the vehicle.
- (4) Option of to pay fine or appeal the citation. Any person who is issued a parking citation under this article shall have the option to:
 - (a) Pay such fine within 30 days, thereby entering a plea of guilty and waiving appearance before a hearing officer; or
 - (b) Request, in writing, a hearing before a hearing officer within 30 days in the manner specified on the parking citation and appearing before a hearing officer to present evidence and answer to the violation charged.
- (5) Additional notice and increased fine. If payment is not received or a written response to the parking citation requesting a hearing is not made within 30 days of the date of the parking citation, the fine due and payable shall increase as provided in section 30-49, and the County Court or its traffic violations bureau shall notify the registered owner of the vehicle that was cited, or the registered lessee when the cited vehicle is registered in the name of the person who leased the vehicle, by mail to the address given on the motor vehicle registration, of the parking citation.
 - (a) Mailing the notice to this address constitutes notification.
 - (b) Upon notification, the registered owner or registered lessee shall comply with the court's directive. Any

person who fails to comply with the court's directive waives his or her right to pay the applicable fine.

(6) Hearing officers; disposition of hearings. All violations of this article shall be heard by a hearing officer designated by the County Court to preside over parking violations in accordance with section 318.325, Florida Statutes, as may be amended from time to time.

(a) Any person who elects to appear before a hearing officer to present evidence waives his or her right to pay the fine set forth on the parking citation.

(b) The hearing officer, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose the fine amount designated by this article for the designated violation, plus court costs.

(c) Any person who fails to pay the fine within the time allowed by the court is deemed to have been convicted of a parking ticket violation, and the court shall take appropriate measures to enforce collection of the fine.

(7) Withholding of license tag or revalidation sticker.

(a) The Clerk of Courts or the traffic violations bureau shall supply the Florida Department of Highway Safety and Motor Vehicles monthly with a magnetically encoded computer tape reel or cartridge or shall send by other electronic means data which is machine readable by the installed computer system at the Florida Department of Highway Safety and Motor Vehicles, listing persons and tags of persons who have three or more outstanding parking violations under this article or who have any outstanding violations of section 30-44 of the Code or section 316.1955, Florida Statutes, as may be amended from time to time.

(b) The Florida Department of Highway Safety and Motor Vehicles shall mark the appropriate registration records of persons who are so reported and no license plate or revalidation sticker shall be issued until such person's name no longer appears on

said list or until the person presents a receipt from the Clerk of Courts showing that such parking fines have been paid.

- (c) As costs for implementing and administering this subsection (7), the Miami-Dade Tax Collector shall be entitled to receive, monthly, 10 percent of the civil penalties and fines recovered from such persons in accordance with this subsection. If the Tax Collector has private tag agents, such tag agents shall be entitled to receive a pro rata share of the amounts paid to the Tax Collector, based upon the percentage of license plates and revalidation stickers issued by such tag agent compared to the total issued within the County.

Sec. 30-53. – Impoundment or immobilization of vehicles; authorization; payment of costs.

- (1) Law enforcement officers, and such other employees as may be designated by the governmental entity with jurisdiction, are authorized to remove a vehicle to the nearest garage or other place of safety, or to a garage designated or maintained by the governmental entity with jurisdiction, under the circumstances hereinafter enumerated.
 - (a) When any vehicle is left unattended upon any bridge, causeway, or viaduct, or where such vehicle constituted an obstruction to traffic.
 - (b) When a vehicle upon a street is so disabled as to constitute an obstruction to traffic, or the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.
 - (c) When a vehicle is found upon the streets or the public right-of-way and is not in proper condition to be driven.
 - (d) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
 - (e) Where such vehicle has been parked or stored on the public right-of-way for a period exceeding 48 hours,

in other than designated parking areas, and is within 30 feet of the pavement edge.

- (f) When the driver of such vehicle is taken into custody by a law enforcement officer and such vehicle would thereby be left unattended upon a street; provided, however, that the officer may, prior to impounding a vehicle, afford the owner or the driver at his or her option, a reasonable opportunity in light of the circumstances in which to provide for the removal of the vehicle within a reasonable length of time. For purposes of this paragraph, the driver of the vehicle shall be conclusively presumed to be the authorized agent of the owner.
- (g) When removal is necessary in the interest of public safety because the vehicle is parked on the sidewalk or a bicycle path, or because of fire, flood, storm, or other emergency reason.
- (h) When a vehicle is left unattended in violation of section 30-44 of the Code relating to disabled parking or section 316.1955(1) or (2), Florida Statutes, as may be amended from time to time.
- (i) When any vehicle is subject to impoundment pursuant to subsection (6) in the manner prescribed therein.
- (j) When a vehicle is left unattended in an area in which Miami-Dade County or any municipality has posted a sign indicating that parking is prohibited and stating "TOW-AWAY ZONE", "No Parking Zone," or "Parking Prohibited."
- (k) When a vehicle is used by an individual for temporary living quarters on the public right-of-way, County facility or other public property not designated and authorized as a campsite. Prior to impounding such vehicle pursuant to this paragraph, the law enforcement officer or other authorized individual may attempt to afford the driver or owner of such vehicle the opportunity to remove such vehicle from the public property so as to avoid impoundment of the vehicle. This paragraph shall not apply to vehicles occupied or possessed by

persons awaiting entrance to sporting events as spectators.

- (l) When a vehicle is used by a person engaging in the commission of a violation of section 21-30.01(d) of the Code relating to graffiti.
- (m) When a vehicle is determined to have been stolen.
- (n) When a vehicle is displayed on a private street, vacant lot, parking lot or private property for the principal purpose of displaying such vehicle or other personal property thereon for sale or rental in violation of section 30-54 of the Code.
- (o) When a vehicle is parked upon any street or County facility or within the right-of-way in violation of section 30-49(19) of the Code.
- (p) When a vehicle is parked upon any street or public right-of-way in a residential zone in violation of section 30-49(15) of the Code.
- (q) When a vehicle is left unattended in violation of section 30-47 of the Code.
- (r) When an ATV is used in violation of section 30-14 of the Code.
- (s) When a portable street scooter is used in violation of section 30-13 of the Code.
- (t) When a vehicle is left unattended or so disabled on any airport roadway or other airport property in such a manner as to block any airport roadway or otherwise impede the normal flow of vehicular traffic on any airport roadway, including those roadways to, from or within any airport facility in violation of section 30-49(22) of the Code.
- (u) When a vehicle is left abandoned, unattended or inoperable at the airport, including at any parking facility, in violation of section 30-49(22) of the Code.
- (v) When a vehicle is left unattended or so disabled on any seaport roadway or other seaport property such

that it obstructs the normal flow of vehicular traffic, is reasonably likely to cause a hazard to the health or safety of persons lawfully on seaport property, or impedes or is likely to impede the movement or handling of freight or passengers by reason of its position or condition in violation of section 30-49(23).

(w) When a vehicle is left abandoned, unattended or inoperable at the seaport, including at any party facility, in violation of section 30-49(23).

(x) When a vehicle is left unattended, disabled or inoperable on a transit system right-of-way in violation of section 30-49(24).

(2) No vehicle impounded in a facility as herein provided shall be released therefrom until the charges for towing such vehicle into the facility and storage charges have been paid. Charges for towing and removal shall be fixed and approved by the governing board of the agency with jurisdiction and posted for public inspection in the County facilities and municipal parking facilities affected.

(3) *Airport.*

(a) Notwithstanding and prevailing over subsection (1) herein, vehicles removed from an airport in accordance with this section shall be temporarily impounded on airport property until the owner has complied with recovery provisions established by the Aviation Department or the vehicle is disposed of in accordance with applicable state or local requirements.

(b) Whenever any vehicle is moved to the aforementioned temporary impoundment area on airport property, the Aviation Department shall promptly make a written report of such removal in accordance with operational directives issued by the Aviation Department.

(c) The owner of any vehicle so removed from an airport to a temporary impoundment area on airport property, or the owner's authorized representative, may recover possession of such vehicle within seven days, unless such period is extended by the Aviation Department, upon acceptable proof of ownership and

payment of appropriate parking charges accrued up to the time of removal and further payment of storage and towing charges incident to such removal at the airport. Charges for towing and storage of removed vehicles shall be those approved or authorized by the Board from time to time and posted at the vehicle recovery area.

(d) In the event the owner or authorized representative does not recover any such vehicle from the temporary impoundment area within the period established in paragraph (c) above, such vehicle may be considered as abandoned and removed from the temporary impoundment area in accordance with section 705.184, Florida Statutes, as may be amended from time to time.

(e) The owner or authorized representative of any vehicle removed from the temporary impoundment area as abandoned may recover possession of such vehicle upon proof of ownership and payment of appropriate charges accrued against such vehicle for parking, towing and storage on the airport in addition to the charges provided in this section 30-54, unless state law provides otherwise.

(f) County law enforcement agency officers, designated employees of the County, and authorized persons under contract to the County shall have the right to relocate properly parked private vehicles, when such is necessary to protect such vehicle or when such vehicle is so parked as to interfere with construction or other like activities on the airport.

(4) Outstanding parking violations; impoundment and immobilization.

(a) When it appears that five or more parking violation citations under section 30-49 of the Code or one or more parking violation citations involving a violation of section 30-44 of the Code have been issued to the same motor vehicle owner, and said motor vehicle owner has failed to pay the fine, respond, or appear before a hearing officer, the governmental entity with jurisdiction is authorized to send to the motor vehicle owner notification that an order authorizing either impoundment or immobilization will be sought because of the five outstanding citations or the one or more citations

involving a violation of section 30-44 of the Code issued to the same motor vehicle owner.

- i. This notification shall be sent by certified mail to the address which appears on the records of the Florida Department of Motor Vehicles.
- ii. If, after contacting the Florida Department of Motor Vehicles, the governmental entity with jurisdiction is unable to determine the motor vehicle owner's address, it shall not be necessary to mail notice before the motor vehicle may be immobilized.
- iii. If the motor vehicle owner fails to account for his or her parking violations within 10 days of the sending of the letter of notification, or if the Clerk of Courts is advised that the address of the registered owner of the motor vehicle is unknown, the Clerk shall notify the Chief Judge of the Eleventh Judicial Circuit Court.

(b) The Chief Judge or his or her designee, upon receipt of notice from the Clerk of Court, pursuant to paragraph (a) above, may issue an order to all law enforcement officers and parking enforcement specialists in the Eleventh Judicial Circuit for the State of Florida, commanding such law enforcement officers and parking enforcement specialists to impound or immobilize any motor vehicle registered to the person to whom the notice was directed.

- i. The order to impound or immobilize may specify the registration or tag number(s) of said vehicle(s), the make(s) or trade name(s) of the vehicle(s), and if known, the serial number(s) of the vehicle(s).
- ii. The order to impound or immobilize may also require the law enforcement officer or parking enforcement specialist who causes the motor vehicle to be immobilized to attach a notice to the motor vehicle, on the form prescribed by the Court, advising the owner of the motor vehicle of the information necessary to enable the owner to have the immobilization device removed and

identifying, by name and badge number, the law enforcement officer or parking enforcement specialist who caused the immobilization.

- (c) Any vehicle having a tag that has been reported by the registered owner of the tag, in a sworn affidavit, as stolen or unauthorized for use prior to the issuance of a parking citation may be immobilized, without notice, in accordance with this section.
- (d) At intervals to be determined by the Chief Judge, the Clerk of Court shall publish and transmit to all police and parking enforcement departments within Miami-Dade County a list of motor vehicles which have been ordered impounded or immobilized pursuant to the preceding paragraph.
- (e) Any law enforcement officer or parking enforcement specialist of the County or any municipality who comes into contact with an unoccupied parked motor vehicle which he or she reasonably believes to be a vehicle for which there is outstanding an impoundment or immobilization order, is authorized to impound the vehicle in the manner prescribed in this section.
- (f) Impoundment of vehicles pursuant to paragraph (b) above shall be accomplished by means of removal of the vehicle to the nearest facility or other place of safety, or to a facility designated or maintained by the agency with jurisdiction. Immobilization of vehicles pursuant to paragraph (b) above shall be accomplished by means of a Denver boot or other nondestructive device which prevents the vehicle from moving under its own power.
- (g) A prompt and adequate post impoundment or post-immobilization hearing will be provided to the owner of an immobilized or impounded motor vehicle, enabling him or her to contest the impoundment or immobilization as being unjustified. In the course of this hearing, the burden will be on the governmental entity to prove the parking violations and the legality of the impoundment or immobilization. During the course of this hearing, the owner of the vehicle can obtain the release of the vehicle by posting bond as required by the Court.

- (h) A motor vehicle which has been impounded or immobilized shall be released when the owner or operator has complied with the terms of the impoundment or immobilization order and presented proof of such compliance to the governmental agency which impounded or immobilized the vehicle.

Sec. 30-54. - Parking prohibited for display for sale or rental.

- (1) No person shall park a vehicle upon a private street, parking lot, vacant lot, or private property for the principal purpose of displaying such vehicle or other personal property thereon for sale or rental in violation of the zoning provisions of chapter 33 of the Code or the applicable licensing provisions of Florida Law, unless said property is properly zoned for that type of business at that location and the vendor is duly licensed to transact such business at that location.
- (2) Law enforcement agency officers, code enforcement officers, or such other persons designated by the County Mayor, shall be authorized to have the vehicle towed to a garage designated or maintained by the County or a County contracted towing company.
- (3) Penalty for violation.
 - (a) Violations of this section shall be punishable by a fine of \$100.00 for the first vehicle on a first offense and \$500.00 per vehicle for each additional vehicle and any repeat violation of this section.
 - (b) Any vehicle in violation of this section shall be towed if not removed immediately by the owner.
 - i. Vehicle owners will be responsible for all fines, towing fees, storage fees, and any administrative and enforcement fees that result from the enforcement of this section.
 - ii. The County may lien the vehicle and any real property owned by the violator in Miami-Dade County until all fines, enforcement costs, and administrative costs are paid by the violator.<<

Section 5. Section 25-8 of the Code of Miami-Dade County, Florida, is hereby

amended to read as follows:

Chapter 25 – AVIATION DEPARTMENT RULES AND REGULATIONS.

* * *

Sec. 25-8. - Control of landside traffic.

25-8.1 *Governing law.* The regulation of all traffic using Airport roadways and parking facilities shall be governed by the applicable provisions (including definitions) of the Florida Statutes, >>chapter<<[[Chapter]] 30 of >>this Code<<[[the Code of Metropolitan Dade County, Florida]], and this chapter.

25-8.2 *Traffic-control devices.* No person shall operate a vehicle on the upper or lower vehicle drives of the Terminal at Miami International Airport or on any roadways on an Airport, in violation of official traffic-control devices.

25-8.3 ~~[[Parking.~~

- (a) ~~No person shall stop, stand or park a vehicle on the upper or lower vehicular drives at the Terminal Building at Miami International Airport, in violation of any official traffic control device or an oral directive provided by an authorized law enforcement officer or an authorized uniformed traffic enforcement employee of the Department.~~
- (b) ~~No person operating a commercial vehicle for hire shall load or unload persons at curbside loading zones not designated for such purpose for such classification of service within the Terminal Building area of Miami International Airport. Such loading and unloading zones and any restricted use by authorized commercial vehicles, or other vehicles shall be established by the Department and shall be designated by appropriate traffic control devices, signs or Operational Directives.~~
- (c) ~~No person shall stop, stand or park a vehicle on any Airport roadway or in a curbside area at the terminal, unless so permitted or required by an official traffic-control device or pursuant to subsection 25-8.3(b) above.~~
- (d) ~~No person shall stop, stand or park any vehicle on the upper or lower vehicular drives at the Terminal Building at Miami International Airport, for the~~

~~purpose of making deliveries of goods, wares or merchandise to the Terminal Building except during times or in areas designated by the Department, or as otherwise posted.~~

- ~~(e) No person shall park or stop a trailer, semitrailer, cargo trailer or other vehicle at any loading pier or dock at the Airport except for the purpose of the immediate loading or unloading of such vehicle, unless otherwise authorized by the Department.~~
- ~~(f) No person shall park or stop a vehicle at the Airport in such a manner as to block any Airport roadway or otherwise impede the normal flow of vehicular traffic on any Airport roadway, including those roadways to, from or within any Airport facility, without prior notification of and authorization by the Department.~~

~~25-8.4]] Airport parking facilities.~~

- ~~(a) No person shall enter or use an Airport motor vehicle parking facility or parking space contrary to its posted or restricted use.~~
- ~~[[(b) No person shall stop, park or leave a vehicle unattended in any Airport motor vehicle parking facility or parking space or area without having positioned said vehicle in a designated stall or area in such a manner as not to obstruct the proper movement of other vehicles in the parking facility or area or utilization by other vehicles of driveways or adjacent parking spaces.~~

~~(e) Public parking facilities.~~

- ~~(1) No person shall park or leave a vehicle unattended in any motor vehicle parking facility, open to the public, without having properly secured a required parking claim check or having paid the required toll, in the case of metered or similarly controlled parking areas.~~
- ~~(2) No person shall remove or attempt to remove any vehicle from an Airport parking facility open to the public without making payment of the parking charge established by the Board, unless authorized by the Department.~~

- (3) ~~No person, unless authorized by the Department, shall remove or attempt to remove a claim check from an Airport parking facility claim check dispensing machine, other than as an operator of a vehicle entering an Airport parking facility, in which case, such person shall remove only one (1) claim check from the dispensing machine.~~
- (4) ~~It shall be unlawful for any person to remove a claim check or checks from, or to otherwise operate, an Airport parking facility claim check dispensing machine, for the purpose of avoiding or enabling another person to avoid payment of the lawful charge of the use of said parking facilities.~~
- (5) ~~No person shall remove or attempt to remove a vehicle from an Airport parking facility by presenting a claim check other than the claim check originally dispensed to the operator of such vehicle at the time that vehicle entered the parking facility.~~
- (6) ~~No person shall present a parking claim check requiring payment of parking fees upon exiting a motor vehicle parking facility which does not indicate an accurate record of the length of time said vehicle was actually within the parking facility for which the time and charges have accrued, in accuracies of time recording equipment excepted.]]~~

[[~~(d)~~]]>>(b)<< Employee parking facilities.

- (1) ~~[[No person shall park or operate a vehicle on any Airport parking facility established or authorized for the use of persons employed at the Airport without complying with all procedures established by the Department for the control of such vehicle and for the use of such parking facility.~~
- (2)] No person shall ~~[[enter such employee parking facilities or]]~~ use the transportation service provided in support ~~[[thereof]]~~ >>of the employee parking facility<< unless possessing and displaying, if requested a

valid identification badge issued or approved by the Department.

~~[(3)]~~>>(2)<< No person shall allow any other person to use their identification badge, their vehicle and/or vehicle parking decal in order for the other person to use any Airport public or employee parking facility or any employee transportation service.

~~[[25-8.5—Removal of vehicles.~~

- (a) ~~Either law enforcement officers employed by the County's Police Department or specifically designated employees of the Department are authorized to immediately remove or cause the removal of any vehicle, when such vehicle is parked in violation of any provision of these rules and regulations. The operator of any Airport parking facility is authorized to remove or cause the removal of any vehicle from such parking facility to said designated impoundment area when such vehicle is parked in violation of any provision of subsection 25-8.4 of this chapter. Vehicles so removed shall be temporarily impounded on Airport property until the owner has complied with recovery provisions established by the Department or the vehicle is disposed of in accordance with applicable state or local requirements. Without limiting the generality of the foregoing provisions, a vehicle parked in any area or zone designated by signs as a "no parking zone," or "tow away zone," or "parking prohibited" may be removed in accordance with this section.~~
- (b) ~~Whenever any vehicle is moved to the aforementioned temporary impoundment area, a written report of such removal shall promptly be made in accordance with Operational Directives issued by the Department.~~
- (c) ~~The owner of any vehicle so removed to a temporary impoundment area, or his authorized representative, may recover possession of such vehicle within seven (7) days after its removal to the temporary impoundment area (unless such period is extended by the Department), upon acceptable proof of ownership and payment of appropriate parking charges accrued up to the time of removal and further payment of storage and towing charges incident to~~

~~such removal at the Airport. Charges for towing and storage of removed vehicles shall be those approved or authorized by the Board from time to time and posted at the vehicle recovery area.~~

- (d) ~~In the event any such vehicle is not recovered by its owner or his authorized representative from the temporary impoundment area within the period established in subsection 25-8.5(c) above, such vehicle may be considered as abandoned and removed from the temporary impoundment area in accordance with Airport procedures for abandoned vehicles.~~
- (e) ~~The owner or authorized representative of any vehicle removed from the temporary impoundment area as abandoned may recover possession of such vehicle upon proof of ownership and payment of appropriate charges accrued against such vehicle for parking, towing and storage on the Airport in addition to the charges provided in the Code of Metropolitan Dade County, unless state law provides otherwise.~~
- (f) ~~Relocation of vehicles. Either law enforcement officers employed by the County's Police Department, designated employees of the County, or authorized persons under contract to the County shall have the right to relocate properly parked private vehicles, when such is necessary to protect such vehicle or when such vehicle is so parked as to interfere with construction or other like activities on the Airport.~~

~~25-8.6]]>>25-8.4<<Abandoned~~ ~~[[vehicles—and]]~~ *equipment removal.*

- (a) No person shall abandon any ~~[[vehicle—or]]~~ equipment on the Airport. Either law enforcement officers employed by the County's Police Department or designated Department personnel are authorized to remove or cause the removal, in accordance with applicable state or County regulations, of any abandoned ~~[[vehicles—or]]~~ equipment to the area of the Airport designated for the impoundment of such by the Department. For the purposes of this section, any ~~[[vehicle—or]]~~ equipment, except one properly ~~[[parked in an Airport parking facility, in a parking facility under~~

~~the control of an Airport tenant of the County, or other]]~~ >>left in an<< area authorized by the Department, which shall have been left unattended upon the Airport for a period of forty-eight (48) hours or more shall be presumed to have been abandoned and may be considered and treated as abandoned.

- (b) No person shall park or store ~~[[a vehicle or]]~~ equipment in an Airport parking facility, in a parking facility under the control of an Airport tenant of the County, or other area authorized for parking by the Department, which shall have been left unattended or inoperable upon the Airport for a period of sixty (60) days or more without a written permit from the Department or its authorized agent. ~~[[Vehicles]]~~>>Equipment<< so left unattended shall be presumed to have been abandoned and may be considered and treated as such, in accordance with provisions ~~[[of subsections 25-8.5 and 25-8.6(a)]]~~ of this chapter >>and state law<<; however, the Department may approve the removal of ~~[[an]]~~ abandoned ~~[[vehicle]]~~ >>equipment<< to a location off the Airport and not require the interim storage of such ~~[[vehicle]]~~ >>equipment<< in the Airport impoundment area.
- (c) Upon the removal of such abandoned ~~[[vehicle or]]~~ equipment to the Airport impoundment area the provisions of ~~[[subsection 25-8.5(b), (c), (d) and (e) of this chapter]]~~ >>section 30-54 of the Code<< shall be observed to the extent applicable.

25-~~[[8.7]]~~>>8.5<< *Certain vehicular traffic prohibited.*

- (a) No person shall operate any truck, trailer, semitrailer, truck tractor, special mobile equipment, house trailer, dump truck, truck-mounted shovel, crane, transit mixer, or any other vehicle designated for the transportation of property to which machinery has been attached, on any Airport roadway for the purpose of utilizing such roadway as a short-cut thoroughfare between any points outside the boundaries of the Airport, unless otherwise directed by a Police Officer, or pursuant to a written permit issued by the Department.
- (b) No person shall operate any vehicle on the Airport contrary to posted load or height limits.

- (c) Separate crane clearance authorization is required for all vehicles with a height of fifteen (15) feet or higher operating at any Airport.

25-[[8.8]]>>8.6<< *Pedestrians.*

- (a) No pedestrian shall cross the upper or lower vehicular drives at the Terminal Building, Miami International Airport, except at marked crosswalks.
- (b) No pedestrian shall cross any Airport roadway having marked intersection crosswalks, except at such crosswalks.
- (c) No pedestrian shall cross or walk upon any other Airport roadway except in conformance with the applicable provisions of ~~[[Section 30-221 of the Code of Metropolitan Dade County, Florida]]~~ >>chapter 316, Florida Statutes<<, as it may be amended from time to time.
- (d) Every person operating a vehicle on the Airport roadway shall yield the right-of-way to any pedestrian in a marked pedestrian crosswalk.

Section 6. Section 26-1 of the Code of Miami-Dade County, Florida, is hereby amended to

read as follows:

**Chapter 26 – PARK AND RECREATION DEPARTMENT
RULES AND REGULATIONS.**

ARTICLE I. – IN GENERAL.

Sec. 26-1. – Rules and regulations adopted.

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Rule 6. Parking >>gratuities.<<

- [[~~(a) No person shall park a vehicle any place on park property other than in the designated facilities provided for that particular type of vehicle, unless directed otherwise by police officers or department employees who are authorized to designate other areas for parking when conditions so warrant. The provisions of this subsection shall not apply to the use of self propelled wheelchair, power wheelchair,~~

~~electric scooter, or other mobility device by an individual with a mobility impairment.~~

- ~~(b) Except for County vehicles or those on official County business no operator of any vehicle shall park or permit to remain parked any vehicle on any driveway, parkway, parking area or other park property except in areas designated as twenty four hour boat launching areas between sunrise and sunset or as otherwise posted.~~
- ~~(c) Exception to the provisions of the two (2) foregoing subsections is to be made in reference to the restaurants and leased facilities to permit patrons of these privately operated concessions to enter in and remain in same at any hour when open for business and to use the parking areas set aside for these concessions during the same hours. The Department Director may from time to time designate other similar use areas as exempt from general park closing hours.~~
- ~~(d)] No Department employee shall be permitted to accept any fee or gratuity for any service concerning the parking of a vehicle except those employees assigned to areas where a stated fee is charged by the Department.~~

Section 7.

Section 28A-3 of the Code of Miami-Dade County, Florida, is hereby

amended as follows:

Chapter 28A – SEAPORT SECURITY AND OPERATIONS.

* * *

Sec. 28A-3. – Procedures governing the area of cargo operations and other restricted areas.

* * *

~~[[28A 3.4. *Parking.*~~

- ~~(a) No person shall park any vehicle or motor vehicle within the port in areas other than those designated or authorized by the Director or by operational directive, or in any other manner contrary to any posted Department sign, traffic control device or pavement marking. No person shall park any vehicle or motor vehicle within the port in a manner that will interfere with the use of a facility or area by others or~~

~~obstruct passage or movement of emergency vehicles or other vehicles.~~

- (b) ~~Parking, to the extent available, may be provided for personnel employed in the area of cargo operations or other restricted area, but will be restricted to areas designated by the Director. It shall be a violation of the provisions of this chapter for such personnel to park a vehicle in any area other than those expressly designated by the Director.~~
- (c) ~~Whenever any vehicle or motor vehicle is improperly or illegally parked or positioned as to obstruct traffic, or is reasonably likely to cause a hazard to the health or safety of persons lawfully on the property, or impedes or is likely to impede the movement or handling of freight or passengers by reason of its position or condition, or is apparently abandoned on the port (as defined in Chapter 705, Florida Statutes), then the Director, his agents or a Law Enforcement Officer may remove the offending vehicle or motor vehicle.~~
- (d) ~~The owners of vehicles or motor vehicles removed pursuant to subsection 28A-3.4(c) may reclaim same and shall be required to pay appropriate charges accrued against such vehicle for parking, removal and storage on the port.~~
- (e) ~~Parking enforcement specialists and law enforcement officers are hereby authorized to issue uniform parking tickets. If the vehicle is unattended, the ticket may be attached to the vehicle in a conspicuous place. The owner of said motor vehicle must answer to the charge placed against him within thirty (30) days as provided in Section 30-389.2 of this Code.]]~~

Section 8. Section 30B-6 of the Code of Miami-Dade County, Florida, is hereby

amended as follows:

Chapter 30B – TRANSIT AGENCY RULES AND REGULATIONS.

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Sec. 30B-6. – Parking.**(1) *Transit system parking facilities.***

- [[**(a)** No person shall park or leave a vehicle unattended in any transit system parking facility for any purpose other than for a public transit related use, except as may be authorized in writing by the Director of MDTA. No person shall enter or use a transit system parking facility or parking space at such facility contrary to its posted or restricted use. Except when authorized in writing by MDTA, it shall be unlawful for any truck tractor, trailer or semi-trailer as defined in Section 316.003, Florida Statutes, as the same may be amended from time to time, to be parked or left in any transit system parking facility beyond one hour after such facility closes.
- (b)** No person shall park or leave a vehicle unattended in any transit system parking facility or parking space without having positioned said vehicle wholly within a single designated stall or area in such a manner as not to obstruct the proper movement of other vehicles in the parking facility or utilization by other vehicles of driveways or adjacent parking spaces. All vehicles shall park head in only. Only compact cars shall park in spaces marked "compact cars only." Whenever any police officer finds an unauthorized vehicle parked on transit right of way or in other than a marked space, such officer is authorized to provide for removal of the vehicle to the nearest storage lot, garage or other place of safety, cost of such removal to be a lien against the motor vehicle. No vehicle which requires more than one parking space, as defined in Section 33-122 of the Code of Metropolitan Dade County, may be parked or left unattended in any transit system parking facility without the express written consent of MDTA.
- (c)** No person shall park or leave a vehicle unattended in any transit system parking facility without having properly secured a required parking ticket or having paid the required parking fee, if any. The parking ticket shall be placed face up on the dashboard inside the vehicle. A monthly decal shall be appropriately placed inside the vehicle on the lower left rear windshield.]] MDTA will establish one of the

following methods for payment at each transit system parking facility:

~~[[1.]]~~>>(a)<< Electronic Pay/Ticket Issued: Purchase parking ticket at electronic parking ticket machine inside the transit station area, receive parking ticket ~~[[and surrender parking ticket at exit]]~~ or pay a parking fee >>through any other electronic means, in each instance in the amount<< as established by ~~[[Dade County Ordinance 86-37]]~~ >>the Board<<, and as may be amended from time to time. ~~[[Failure to display either a parking ticket or a monthly parking permit, or to pay the applicable parking fee before exiting a parking facility utilizing this parking fee collection method shall constitute a violation of this section and shall be subject to the penalties provided in Section 30B-6(3) hereunder.]]~~

~~[[2.]]~~>>(b)<< Pay In/~~[[Free-]]~~Out: Pay parking fee to cashier at manned booth >>or electronic machine at unmanned booth<< upon entrance to >>or exit from<< parking lot >>.<< ~~[[, exit free. Failure to pay the parking fee upon entering the parking facility shall constitute a violation of this section and shall be subject to the penalties provided in Section 30B-6(3) hereunder.]]~~

~~[[3.]]~~>>(c)<< Manual Deposit Box: Park in numbered space, pay inside the transit station area at parking deposit box with numbered slot which corresponds to the numbered parking space. ~~[[Any vehicle parked in a numbered space for which parking fee payment has not been deposited in the corresponding numbered deposit slot inside the station, shall be in violation of this section and shall be subject to the penalties provided in Section 30B-6(3) hereunder.]]~~

~~[[4.]]~~>>(d)<< Electronic Deposit Box: Park in numbered space, pay at electronic deposit box inside the transit station area and enter corresponding parking space number. Electronic deposit box records the fee paid for the individual parking space and issues a receipt. ~~[[Whenever a vehicle is parked in a numbered space for which payment has not been registered in the electronic deposit machine, said vehicle shall be in violation of this section and shall be subject to the penalties provided in Section 30B-6(3) hereunder.]]~~

~~[[5.]]>>(e)<<~~ Monthly Parking Permit: Parking permit purchased in advance of parking ~~[[and displayed from the rearview mirror of parked vehicle]]~~. This method of parking payment shall be accepted at all transit system parking facilities.

~~[(d) No person, shall remove or attempt to remove any vehicle from a transit system public parking facility without paying the required parking charge.~~

~~(e) Except when authorized by MDTA or the parking facility operator, no person shall remove a parking ticket from a transit system public parking facility parking ticket dispensing machine, other than as an operator of a vehicle entering such facility.~~

~~(f) It shall be unlawful for any person to remove a parking ticket from, or to otherwise operate, a transit system parking facility parking ticket dispensing machine, for the purpose of avoiding or enabling another person to avoid payment of a parking fee.~~

~~(2) Employee parking areas and facilities. No person shall utilize an employee parking area or facility except as authorized by MDTA.~~

~~(3) Parking fines. Violations of this section shall be punishable by the fine indicated below:~~

<i>Section violated</i>	<i>Initial Fine</i>	<i>Fine after 30 days</i>	<i>Costs after 30 days</i>
30B-6(1)(a)	\$15.00	\$20.00	\$7.00
30B-6(1)(b)	15.00	20.00	7.00
30B-6(1)(c)	10.00	15.00	7.00
30B-6(1)(d)	10.00	15.00	7.00
30B-6(1)(e)	10.00	15.00	7.00
30B-6(1)(f)	10.00	15.00	7.00

30B-6(2)	10.00	15.00	7.00
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~~(4) *Enforcement.* The enforcement of this section is vested in the Metro Dade Police Department throughout Dade County in both the incorporated and the unincorporated areas thereof, in the Police Department of each municipality as to those Metrorail public parking facilities which are located in that municipality, and in parking enforcement specialists who are employed in accordance with Section 316.640, Florida Statutes.~~

~~(5) *Form of parking citations.* Prosecution for violation of this section shall be by a uniform traffic ticket in the form provided by Section 30-206 of the Code of Metropolitan Dade County, Florida.]]~~

Section 9. Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-10. Schedule of civil penalties.

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

* * *

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
	* * *	
[[25-8.3 Parking		\$150.00
25-8.4]] >>25-8.3<< Airport parking facilities		\$150.00
[[25-8.5 Removal of vehicles		\$150.00

25-8.6]] >>25-8.4<<	Abandoned [[vehicles and]] equipment removal	\$250.00
[[25-8.7]] >>25-8.5<<	Certain vehicular traffic prohibited	\$150.00
[[25-8.8]] >>25-8.6<<	Pedestrians	\$150.00
	* * *	
[[26-1	Rule 6(a), Parking in undesignated space or location	\$100.00
26-1	Rule 6(b), Violation of overnight parking restriction	\$100.00]]
	* * *	
[[30-263.11(b)	Failure to follow posted regulatory sign	50.00
30-370.4]] >>30-10<<	Day care center transporting children without >> <u>properly maintained</u> << child safety alarm device	200.00
>>30-13(2)	Failure of retail bicycle dealer to complete or forward <u>bicycle registration form</u>	\$100.00<<

Section 10. 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 11. 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 12. This ordinance shall become effective six (6) months 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:

July 20, 2021

Approved by County Attorney as
to form and legal sufficiency:

GKS for GBK
MRP

Prepared by:

Monica Rizo Perez