

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, AMENDING THE CITY OF CLEARWATER CODE OF ORDINANCES, CHAPTER 30 ARTICLE II – STOPPING , STANDING AND PARKING CREATING A NEW DIVISION 4- RESIDENTIAL PERMIT PARKING PROGRAM; AMENDING THE CITY OF CLEARWATER CODE OF ORDINANCES APPENDIX A SECTION XIX, STREETS, SIDEWALKS, OTHER PUBLIC PLACES CREATING A NEW SUB-SECTION (6)- RESIDENTIAL PARKING PERMITS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, within certain residential areas of the City, there is a heavy concentration of vehicles during certain times of the day which prevents residents of those areas from having reasonable access to their homes; and

WHEREAS, the presence of these vehicles causes vehicular congestion on residential streets, impedes the movement of traffic and unduly restricts travel of residents within the area; and

WHEREAS, to help alleviate these conditions the City will, when it deems advisable to do so, establish a “ Residential Permit Parking Area” as that term is hereinafter defined, within these areas; and

WHEREAS, the establishment of residential permit parking only areas will help alleviate the hardship for those residents who own vehicles and do not have the ability to secure off street parking, will aid in the preservation of the character of these areas as residential neighborhoods and the preservation of property values; and

WHEREAS, the creation of residential permit parking only areas serves a public purpose and is necessary to promote the health, safety and welfare of the inhabitants of the City; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. That Chapter 30 Traffic and Motor Vehicles be amended as follows to create a new Division 4- Residential Parking Permit Program

DIVISION 4- Residential Permit Parking Program.

Sec. 30.110 – Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning;

Vehicle means any device in, upon or by which any person or property is or may be transported upon a street, except those operated on rails or tracks.

Residential Permit Parking Permit areas means those areas where a residential permit system is in effect. Such areas are designated in Sec. 30.111 (b)

Resident vehicle means a motor vehicle owned or leased by a person residing in the residential parking permit area

Residential Permit Parking permit means an identification pass issued to a resident located within the residential parking permit only area by the City in accordance with the provisions of this section.

Residential Guest Parking Permit means an identification pass issued, temporarily, to a resident located within the residential parking permit only area by the City in accordance with the provisions of this section.

Sec. 30.111. - Establishment of areas.

(a) In accordance with the provisions of this division, the City Council is authorized to establish residential permit parking areas where only vehicles with a residential parking permit may park on the public streets. In order for the City Council to establish such an area the city must receive a petition(s) on forms provided by the city signed by at least ____% of the property owners in said area requesting that the residential permit parking area be established. Each sheet of a petition shall have attached to it, when filed, an affidavit executed by the circulator thereof stating: that the circulator personally circulated the petition; that all the signatures were affixed in the circulator's presence; that the circulator believes them to be the genuine signatures of the persons whose names they purport to be; and that each signer had an opportunity before signing to read the full text of the ordinance establishing the residential permit parking program.

(b) The following residential parking permit only areas and their boundaries are hereby established as follows:

(1) North Clearwater beach bounded by:

Juniper Street on the North west of Lantana Avenue

Laurel Street on the North east of Lantana Avenue

Acacia Street on the South

Clearwater Harbor on the East

Gulf of Mexico on the West

Includes all side streets within this boundary

(2) South Clearwater beach including:

Devon Drive

Bayside Drive

When determining a residential parking permit area, the area shall include both sides of the street, drive or avenue listed as a boundary unless the area description clearly indicates to the contrary.

Sec. 30.112- Application

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

(1) Proof of residency in a single-family dwelling within the residential parking permit area.
Proof of residency requires the following:

- i. A picture ID with a current address located within the permit parking area, or a valid lease for rental of a property within the permit parking area.
 - b. If a resident provides proof of residency within a residential parking permit area, then a resident shall be entitled to the following:
 - i. Two residential parking permits per residence. Up to three (3) additional permits may be issued on a case-by-case basis if the property owner can demonstrate there is insufficient off-street parking for the number of resident vehicles in the property owner's household. All permits shall be issued at the cost provided in Appendix A to this code.
- (2) Guest residential parking permits may be requested by a resident of the parking permit area from the Parking Division on an as-needed basis and are limited to the following:
 - a. A maximum of two twenty-four hour guest residential parking permits issued at a cost as provided in Appendix A to this code
 - b. A maximum of two seven day guest residential parking permits issued at a cost as provided in Appendix A to this code.
- (3) Residential Parking permits shall be effective for one year and must be renewed for each subsequent year. Permits will not be prorated. For example, if a permit is purchased on or after July 25, the permit will be valid from August 1 through July 31. That same permit purchased on or before July 24 will be valid for the remainder of July through June 30.
- (4) The residential parking permit does not guarantee that a parking space will be available, the spaces are available on a first come, first served basis for residential permit parking holders.

SECTION 30.113 Denial, honoring and revocation of permits.

- (a) Permits provided for in this division may be denied for the following non- exhaustive reasons:
 - (1) The vehicle does not comply with the requirement stated in this chapter;
 - (2) The applicant has failed to appear in court when summoned for a parking violation or failed to pay a fine or charge for a parking violation;
 - (3) As to a special parking permit, the number of stops made each day for loading and unloading and freight purposes are sufficiently low enough to warrant use of spaces specifically prescribed for such use in other sections of this Code.
- (b) Permits provided for in this division shall not be honored and may be revoked if any of the following non-exhaustive regulations are not observed:

- (1) The permit must be current and properly displayed on the front dash in front of the driver, by hang tag on the vehicles rear-view mirror or displayed on the lower left interior windshield, drivers side if static vinyl permit and must be fully visible from the outside of the vehicle. It is unlawful for the operator of a vehicle to improperly display or display and expired or altered permit as authorization to park in a metered space without depositing coins in the meter.
- (2) It is unlawful to display a permit in such a manner that the pertinent information is obscured.
- (3) It is unlawful to exceed the parking time limit authorized by the permit.
- (4) It is unlawful to use or attempt to use such permit for other than its purpose allowed in this chapter.
- (5) A vehicle displaying a permit must be parked in a legal manner.

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

- (1) Providing false information when applying for the residential parking permit.
- (2) If a residential parking permit issued to an individual for a resident vehicle is revoked due to this section, then that individual or anyone residing in the same residence with that individual shall not be permitted to apply for a residential permit for a one- year period unless good cause can be shown that the act resulting in the revocation was unintentional.

Section 2 That Appendix A to the City of Clearwater Code of Ordinances be amended as follows to create a new sub-section (6), residential parking permits.

(6) Residential parking permits

- (a) Residential parking permit
 \$75/year for the first permit
 \$65/year for the second permit
 \$55/year for the third through fifth permits
- (b) Twenty-four hour guest residential parking permit\$5
- (c) Seven day guest residential parking permit\$25