

CITY OF SPRINGFIELD
ORDINANCE NO :357

AN ORDINANCE AMENDING ORDINANCE NO : 347 OF THE CITY OF SPRINGFIELD PROHIBITING STOPPING, STANDING, OR PARKING IN SPECIFIED PLACES WITHIN THE CITY LIMITS OF THE CITY OF SPRINGFIELD; PROVIDING A PENALTY FOR VIOLATIONS; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND RECITING AN EFFECTIVE DATE.

WHEREAS, the city Commission of the City of Springfield adopted Ordinance No: 347 On July 1, 1996; and

WHEREAS, a scrivener's error omitted a portion of section 4 . Enforcement Procedures, Paragraph (2) fines; and

WHEREAS, the amended Ordinance is fully set forth below,

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF SPRINGFIELD IN BAY COUNTY, FLORIDA.

SECTION 1. Stopping, standing, or parking prohibited in specified places.

(1) Except when necessary to avoid conflict with other traffic control device, no person shall:

(a) Stop, stand or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
2. On a sidewalk.
3. Within an intersection.
4. On a crosswalk.
5. 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 Department of Transportation indicates a different length by signs or markings.
6. Alongside or opposite any street, excavation or obstruction when stopping, standing, or parking would obstruct traffic.
7. Upon any bridge or other elevated structure upon a highway.
8. On any railroad tracks.
9. On a bicycle path.
10. At any place where official traffic control devices prohibit stopping.

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

1. In front of a public or private driveway.
2. Within 15 feet of a fire hydrant.
3. Within 20 feet of a crosswalk at an intersection.
4. Within 30 feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of a roadway.
5. 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 signposted).
6. On an exclusive bicycle lane.
7. At any place where official traffic control devices prohibit standing.

- (c) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers:
1. Within 50 feet of the nearest rail of a railroad crossing unless the Department of Transportation establishes a different distance due to unusual circumstances.
 2. At any place where official signs prohibit parking.

- (2) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

Section 2. Impounding of vehicle violating parking provisions.

Members of the police department shall be vested with the authority, and it shall be their duty, to impound any unoccupied vehicle parked in violation of any of the parking regulations of the city and to release any such vehicle to the duly identified owner thereof, subject, however, to the payment of a court fine and to the payment of storage, towing and other impounding charges.

Section 3. Parking in fire and safety lanes prohibited.

(1) Definitions. The following words, terms or phrases, when used in this section, shall have the meanings respectively ascribed to them:

Motor vehicle shall mean any self-propelled device, in, upon, or by which any person or property is or may be transported or drawn upon a highway.

Park or Parking shall mean the standing or halting of a motor vehicle, whether occupied or not, otherwise than momentarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Registered Owner shall mean the person or entity that is registered by state law as the title holder of a Motor Vehicle on the date that a violation of this section occurs.

Fire and Safety Lane shall mean a fire apparatus or emergency vehicle access way to or beside a commercial building, having an all-weather driving surface of not less than ten (10) feet of unobstructed width and required by governmental authority.

Marked Fire and Safety Lane shall mean a Fire and Safety Lane marked by a pavement stripe and posted at intervals of fifty feet (50') or less by signs which state: "Fire and Safety lane. Parking of a motor vehicles prohibited at all times."

(a) Prohibited. No person shall Park a Motor Vehicle within any Marked Fire and Safety Lane. Violation of this subsection shall be punishable as provided in section 4 of this ordinance.

Section 4. Enforcement Procedures.

(1) If a law enforcement officer discovers a Motor Vehicle Parked in a no parking zone established by state or local authority or in a Marked Fire and Safety Lane, he may:

(a) Issue a ticket or notice of violation to the driver on a Uniform Traffic Citation, or similar form; or

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(b) If the Motor Vehicle is unattended, issue a ticket or notice of violation, on a form to be provided by the City, to the Registered Owner of the Motor Vehicle and attach such ticket or notice of violation to the Motor Vehicle in conspicuous place.

A copy of the notice shall then be filed with the Bay County Clerk of the Circuit Court's Traffic Violations Bureau who shall process it in accordance with Section 316.1967 (1-4), F.S. The ticket or notice of violation shall identify the Motor Vehicle, license plate number, time, date, location, and violation charged. Additionally, the ticket or notice of violation shall inform the violator that he has been charged with a non-criminal infraction and that he may within thirty (30) days elect to either:

1. Pay the appropriate fine in accordance with paragraph (2) of this section; or
2. waive the scheduled fine and request a hearing with the Clerk of the Circuit Court, Traffic Violations Bureau. At such hearing the presiding judge shall, upon a finding that the violator committed the infraction charged, impose a civil penalty not to exceed one hundred dollars (\$100) plus court costs.

(2) Fine - Each individual act of Parking a Motor Vehicle in a Marked Fire and Safety Lane, or any violation as stated in Section 1 of this ordinance shall constitute a separate non-criminal, civil infraction punishable by a fine in the amount of \$32.00

(3) Registered Owner presumed to be violator. The Registered Owner of a Motor Vehicle is responsible and liable for payment of any ticket or notice of violation unless Registered Owner can furnish evidence that the Motor Vehicle was, at the time of the parking violation, in the care, custody, or control of another person. In such instances, the Registered Owner of the Vehicle is required, with a reasonable time after notification of the parking violation, to furnish to the appropriate law enforcement authorities an affidavit setting forth the name, address, and driver's license number of the person who leased, rented, or otherwise had the care, custody, or control of the Motor Vehicle. The affidavit submitted pursuant to this paragraph shall be admissible in a proceeding charging a parking ticket violation and shall raise the rebuttable presumption that the person identified in the affidavit is responsible for payment of the parking ticket violation. The Registered Owner of a Motor Vehicle is not responsible for a parking ticket violation if the Motor Vehicle involved was, at the time, stolen or in the care, custody, or control of some person who did not have permission of the Registered Owner to use the Motor Vehicle.

(4) Towing. When the towing of a Motor Vehicle is necessary to provide access for emergency vehicles including, but not limited to, law enforcement, fire fighting, rescue squad, ambulance, or other emergency vehicles which are marked as such, the Springfield Fire Department or the Springfield Police Department shall have the right to any Motor Vehicle parked in violation of law removed at the expense of the Registered Owner regardless of whether tow away signs as required elsewhere in the Code are posted.

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(5) Section Cumulative. The provisions, prohibitions, penalties and procedures of the section are cumulative and in addition to all others nor or hereafter provided by law.

Section 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

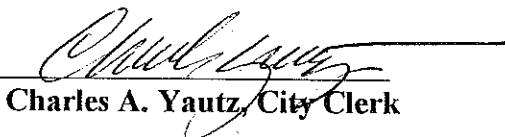
Section 6. This ordinance shall take effect as provided by law.

Passed in Official Session this 6 day of Jan, 1997



Jerre Deason, Mayor

ATTEST:



Charles A. Yautz, City Clerk

Examined and approved by me this 6 day of Jan, 1997



Jerre Deason, Mayor