

ORDINANCE NO. 06-2006

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 30, ENTITLED "TRAFFIC AND MOTOR VEHICLES", ARTICLE I, "IN GENERAL", SECTION 30-2 ENTITLED "PROHIBITED PARKING"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has adopted general provisions pertaining to traffic and motor vehicles, including parking regulations and offenses, which have been codified at Chapter 30, Article I, of the Code of Ordinances; and

WHEREAS, the Town Commission has determined that it is in the best interests of the Town and the public safety and general welfare of its residents, to amend the current parking regulations set forth in Section 30-2 of the Town Code, to prohibit the on-street parking of vehicles along Park Avenue except in specifically designated areas (marked by signage) to be used for the temporary stopping and unloading of vehicles for the limited purpose of student and similar passenger drop-off; and

WHEREAS, Town staff has recommended to the Town Commission that Code Sections 30-2 of Chapter 30, Article I, be amended to prohibit on-street parking on Park Avenue within the Town except as expressly; and

WHEREAS, the Town Commission has reviewed the recommendations of the Town staff and has determined that amending Section 30-2 of Chapter 30, Article I, of the Town's Code of Ordinances is necessary to further the public health, safety and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct findings of fact and conclusions of law of the Town Commission.

Section 2. Chapter 30, Article I, Section 30-2 of the Code of Ordinances of the Town of Lake Park, Florida are hereby amended to read as follows:

Sec. 30-2. Prohibited parking.

(a) *Streets and service alleys.*

~~(1) Parking on the street shall not be permitted on Park Avenue within fifty (50) feet of any intersection. No automobile may be parked on the south side of Park Avenue within two hundred (200) feet of its intersection with State Road 5 (U.S. #1).~~

~~(2) No parking shall be permitted at any time on Park Avenue between Ninth Street and Tenth Street.~~

~~(3) No parking shall be permitted at any time on Tenth Street.~~

~~(4) No parking shall be permitted at any time on Park Avenue within sixty (60) feet, in either direction, of the Town Hall driveway thruway from Park Avenue.~~

(1) The on-street parking on any portion of Park Avenue is strictly prohibited except in designated parking stalls areas and or at times areas which are designated by town signage for the temporary stopping or standing of motor vehicles for the limited purpose of passenger drop-off and pick-up.

~~(2 5)~~ No parking shall be permitted on the 100 block of East Jasmine Drive, between the hours of 6:00 a.m. and 6:00 p.m., except Sundays and holidays.

~~(3 6)~~ No parking shall be permitted at any time within the 700, 800 and/or 900 block service alleys, except in designated parking stalls approved by the town commission.

~~(7) No parking shall be permitted at the Lake Park Marina between the hours of 7:00 p.m. and 7 a.m., except that parking shall be permitted for authorized marina tenants whose vehicles display evidence of said authorization as given by the town.~~

(b) *Parks, street medians and swales.*

(1) No parking shall be permitted within public parks throughout the town except in designated parking areas.

~~(2) No parking shall be permitted within the marina facility, between the hours of 7:00 p.m. and 7:00 a.m.; however, this provision shall not apply to vehicle/trailer combinations nor to vehicles displaying a permit therefor.~~

~~(2 3) No parking shall be permitted at any time on public median areas such as those on Seminole Boulevard, Flagler Boulevard, Sixth Street and Date Palm Drive.~~

~~(3 4) No parking shall be permitted at any time in the swale area adjacent to a:~~

- a. Commercial site;
- b. Multi-family residential site other than a duplex; or
- c. [Site] on public property where posted by the town.

~~(4 5) No parking shall be permitted at any time in the swale area adjacent to any single family or duplex site within the one block area immediately west of U.S. Highway 1 between Palmetto Road on the north and Silver Beach Road on the south. In other residential areas, parking in the swale area adjacent to a single family or duplex site is prohibited between 8:00 a.m. and 6:00 p.m.~~

(c) *Exemption.* The provisions of this section shall not apply to:

- a. Emergency vehicles such as police, fire or emergency medical vehicles;
- b. Vehicles of school crossing guards while on duty and parked adjacent to a school crossing; and
- c. Vehicles involved in servicing utility and infrastructure facilities such as roads, traffic signaling, water, sewer, electric, cable television and telephone services.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. **Repeal of Laws in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. **Codification.** The sections of the Ordinance may be made a part of the Town Code of Laws and Ordinances and may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Section 6. **Effective Date.** This Ordinance shall take effect immediately upon adoption.

Upon First Reading this 7 day of June, 2006, the foregoing Ordinance 06-2006, was offered by Commissioner Balius who moved its approval. The motion was seconded by Commissioner Carey, and being put to a vote, the result was as follows:

| | AYE | NAY |
|--------------------------------|----------|-------|
| MAYOR PAUL CASTRO | <u>X</u> | _____ |
| VICE MAYOR ED DALY | <u>X</u> | _____ |
| COMMISSIONER CHUCK BALIUS | <u>X</u> | _____ |
| COMMISSIONER JEFF CAREY | <u>X</u> | _____ |
| COMMISSIONER PATRICIA OSTERMAN | <u>X</u> | _____ |

Upon Second Reading this 21 day of June, 2006, the foregoing Ordinance 06-2006, was offered by Commissioner Carey who moved its adoption. The motion was seconded by Commissioner Osterman, and being put to a vote, the result was as follows:

| | AYE | NAY |
|--------------------------------|----------|-------|
| MAYOR PAUL CASTRO | <u>X</u> | _____ |
| VICE MAYOR ED DALY | <u>X</u> | _____ |
| COMMISSIONER CHUCK BALIUS | <u>X</u> | _____ |
| COMMISSIONER JEFF CAREY | <u>X</u> | _____ |
| COMMISSIONER PATRICIA OSTERMAN | <u>X</u> | _____ |

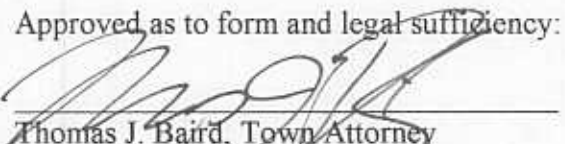
The Mayor thereupon declared Ordinance No.: 06-2006, duly passed and adopted this 21 day of June, 2006.

TOWN OF LAKE PARK, FLORIDA

BY: 
Mayor Paul Castro

ATTEST:


Vivian Mendez
Town Clerk

Approved as to form and legal sufficiency:

Thomas J. Baird, Town Attorney

