

ORDINANCE 18- 35

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY REVISIONS TO SECTIONS 122-32 AND 122-35 OF SAID CODE; REPEALING THE REFERENCES TO BACKING INTO PARKING SPACES; CLARIFYING THE AREAS EMBRACED; PROVIDING FOR SEVERABILITY; PROVIDING FOR REMOVAL FROM THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners prohibited backing into parking spaces in 1986 to further public safety and orderly traffic flow;

WHEREAS, the benefits to public safety and orderly traffic flow from prohibiting backing into parking spaces appear to be de minimus;

WHEREAS, County staff has advised that backing into parking spaces will likely not materially compromise public safety or orderly traffic flow and has recommended the removal of the prohibition; and

WHEREAS, the Board of County Commissioners accordingly wishes to remove the prohibition of backing into parking spaces.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

Section 1. Section 122-32 of the Pinellas County Code is hereby amended to read as follows:

Sec. 122-32. - Fines.

For a violation of the prohibitions set forth in this article, the following fines shall be imposed:

- (1) All overtime parking, whether meters or pay stations, \$25.00.
- (2) All improper parking, including but not limited to taking two spaces, left side to curb, parallel in diagonal space, diagonal in parallel space, more than maximum allowed distance from curb, \$25.00.
- (3) Double parking, \$25.00.
- (4) No parking zone, including but not limited to parking without permit, parking at or near fire hydrant, parking in reserved space, parking in alley, parking on sidewalk, parking on or near intersection, parking in driveway, parking in loading zone, parking over curb in parkway, parking when prohibited by signage, \$25.00.
- (5) Any other violation in this article, \$25.00.

(6) In addition to the other penalties provided for in this section, there is hereby imposed a surcharge of \$5.00 on all parking fines to be used for funding a school crossing guard program. Funds resulting from the surcharge may be used to pay start-up costs and recurring administrative costs related to printing new tickets or other means of implementing the program. All other funds resulting from the surcharge on parking shall only be used for the school crossing guard program. This surcharge shall be placed by the clerk of the circuit court into the school crossing guard trust fund, a special revenue fund. Funds collected from this surcharge shall be distributed quarterly to fund the school crossing guard programs provided in F.S. § 318.21(3).

Section 2. Section 122-35 of the Pinellas County Code is hereby amended as follows:

Sec. 122-35. - Prohibited in specified places.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a law enforcement officer or official traffic control device, no person within the unincorporated area of Pinellas County shall:

- (1) Stop, stand, or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - b. On a sidewalk;
 - c. Within an intersection;
 - d. On a crosswalk;
 - e. 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 county indicates a different length by signs or markings;
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - g. Upon any bridge or other elevated structure upon a highway, road, or street;
 - h. On any railroad tracks;
 - i. On any bicycle path;
 - j. At any place where official signs prohibit stopping;
 - k. In any area containing the raised or painted traffic separator or median;
 - l. On the roadway or shoulder of a limited access facility, except as provided by regulation of the 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 accident may be parked on such shoulder for a period not to exceed six 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;

m. 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.

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

a. In front of a public or private driveway;

b. Within 15 feet of a fire hydrant;

c. Within 20 feet of a crosswalk at an intersection;

d. Within 30 feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of a roadway;

e. 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 such entrance (when properly signposted);

f. At any place where official signs prohibit parking or standing.

(3) Park a vehicle, whether occupied or not, except momentarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers:

a. Within 50 feet of the nearest rail of a railroad crossing;

b. At any place where official signs prohibit parking.

(4) Park a vehicle in such a way that said vehicle shall not be within the parking space as designated by lines or markings.

(5) Park a vehicle without a boat trailer in a designated boat trailer parking zone.

Section 3. Severability

If any Section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgement or decree shall be rendered.

Section 4. Inclusion in Code.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Code.

Section 5. Filing of Ordinance: Effective Date

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within 10 (ten) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.

APPROVED AS TO FORM

By: 
Office of the County Attorney