CITY OF SANIBEL

ORDINANCE NO. 08-014

AN ORDINANCE AMENDING THE SANIBEL CODE, SUBPART A, GENERAL ORDINANCES, AMENDING CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION II, PERMITS, SECTION 66-85 - *FEES; HOURS,* OF THE CODIFIED ORDINANCES OF THE CITY OF SANIBEL; AMENDING THE FEE SCHEDULE IN SECTION 66-85; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Florida:

SECTION 1. The Code of Ordinances of the City of Sanibel, Chapter 66, Traffic, Article II, Parking, Stopping and Standing, Division 2, Beach Area Parking Restrictions, Subdivision II, Permits, Section 66-85, Fees; Hours, is hereby amended, with underlining indicating additions and strikethrough indicating deletions, to read as follows:

Sec. 66-85. Fees; hours.

(a) The following schedule shall constitute the parking permits schedule of fees:

(1) Resident parking permits ("A" decals) . . . . . ~~$10.00~~ $12.00

(2) Restricted parking permits ("B" decals):

a. Nonresident owners of city real property . . . ~~10.00~~ 12.00

b. Full-time and Part-time City of Sanibel employees . . . . . ~~10.00~~ 12.00
Others . . . . . ~~80.00~~ 90.00

(3) Restricted parking permits ("C" decals) . . . . . ~~80.00~~ 90.00

(4) Combination parking permits

a. Resident ("AC" decals) . . . . . ~~90.00~~ 102.00

b. Nonresident owners of city real property ("BCR" decals). . . . . ~~90.00~~ 102.00

c. Nonresident ("BC" decals). . . . . ~~160.00~~ 180.00

(5) General parking permits ("pay and display" receipts):

a. General parking permits, per hour or any fraction 2.00

b. General parking at Gulfside City Park permits, per hour or any fraction 2.00

c. General parking at Bowman's Beach Park permits, per hour or any fraction. 2.00

d. Resident and restricted parking permits issued shall not be pro-rated. Cost of permits will remain the same throughout.

e. General parking at Lighthouse Park Facility permits, per hour or any fraction. 2.00

f. Transfer or reissue (residential and restricted only) . . . . . .~~10.00~~ 3.00

(b) The fees set forth in this section for general parking permits shall apply from 7:00 a.m. to 7:00 p.m., with the exception of the Lighthouse Park Facility, which fees shall apply 24 hours per day.

(c) The fees for resident and restricted permits shall be effective for the permit year commencing December 1, 2003. The fees for general parking --Paid permits shall become operative when the city manager has established a fee collection system and has posted the applicable fee schedule at the designated parking areas.

(d) Civil penalty . . . $50.00

(e) Filing Fee $10.00

It is unlawful for any vehicle to park in unauthorized locations or without the appropriate parking permit. The driver and the owner of the vehicle in violation of this section shall be subject to the penalty set forth in Subsection (d) plus the filing fee set forth in Subsection (e).

If payment is received within 15 calendar days from the date the ticket is written, a discount of $15.00 will be granted, and the civil penalty shall be $35.00 plus the filing fee set forth in Subsection (e).

SECTION 2. Codification. The City Manager is hereby authorized and directed to indicate these amendments in future City Code publications.

SECTION 3. Conflict. All ordinances and parts of ordinances in conflict herewith shall be and the same hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

SECTION 4. Severance. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

SECTION 5. Effective date. This Ordinance shall be effective immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 7th day of October, 2008.

Mick Denham, Mayor

AUTHENTICATION:

Pamela Smith, City Clerk

APPROVED AS TO FORM: Kenneth B. Cuyler, City Attorney

Date 9/10/08

First Reading: September 6, 2008
Publication Notice: September 18, 2008
Second Reading: October 7, 2008

Vote of Council Members:

Denham	yea
Ruane	yea
Jennings	yea
Johnston	yea
Pappas	unexcused

Date Filed With City Clerk: October 7, 2008