

ORDINANCE NO. 1029-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 70-10, PARKING RESTRICTED IN CERTAIN AREAS; TO PROVIDE CLARIFIED PROVISIONS ON PERMITTED PARKWAY PARKING, PROHIBITED PARKWAY USE; PROHIBITED PARKWAY PARKING EXCEPTIONS, ENFORCEMENT AND SIGNAGE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, The City Code Enforcement Department and the City Council have endeavored to correct, clarify, revise, repeal and correspondingly amend City Code Sections that present difficulties in understanding and enforcement; and,

WHEREAS, the Code Enforcement Department has suggested that Code of Ordinance Section 70-10 regarding parking in City parkways needs to be considered for appropriate corrective legislation by the City Council; and,

WHEREAS, the provisions of this Ordinance section have been reviewed and discussed by the City Council and the Code Enforcement Department Director; and,

WHEREAS, the City Council has determined that it is in the best interests of the City and its citizens to correct, clarify and revise the provisions of Code of Ordinance Section 70-10:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 70-10, Parking Restricted in Certain Areas, is hereby amended as follows:

ARTICLE II. SPECIFIC REGULATIONS

Sec. 70-10. ~~Parking restricted in certain areas.~~ Regulations for City Parkways.

It shall be lawful to park motor vehicle on Curtiss Parkway and Morningside Drive in the center parkway of the public right-of-way of the City, provided that such vehicles are parked parallel with the pavement, and as close to the edge of the pavement as is reasonably practicable, but not to exceed a distance of ten feet from the edge of the pavement to the farther side of the vehicle. Any other use of any part of such parkways or the use of the parkways in any other manner, and any such use as is hereby allowed on Curtiss Parkway and Morningside Drive on the parkways of any other street in the City is hereby prohibited.

- (A) Permitted Parkway Parking. Motor vehicles may be parked in the public right-of-way median areas of Curtiss Parkway, Morningside Drive Parkway, and Westward Drive Parkway in accordance with the following rules and regulations:
- (1) Parking must be parallel with the adjoining street pavement.
 - (2) Parking must be as close to the adjoining street pavement as is reasonably practicable.
 - (3) Parking shall not exceed the distance of ten feet from the adjoining street pavement to the side of the motor vehicle farthest from the pavement.
 - (4) Parking is prohibited in all areas of the Parkway median that are curbed.
- (B) Prohibited Parkway Use. Curtiss Parkway, Morningside Drive Parkway, Westward Drive Parkway and all other City Parkways shall not be used for any other purpose, unless specifically authorized in writing by the City.

- (C) Prohibited Parkway Parking Exceptions. Parking is prohibited on all other public right-of-way median Parkway areas in the City, except as set forth below:
- (1) Parking for special events authorized in writing by the City.
 - (2) Parking for limited short-time use by service vehicles such as the United States Postal Service, lawn service companies, repair service vehicles, emergency police vehicles and similar uses.
- (D) Enforcement. It is the policy of the City to provide courtesy notices of prohibited parking before any punitive enforcement action is taken by the City Code Enforcement Department or Police Department in regard to parking on the prohibited parkway areas of the City.
- (E) Signage. Nothing contained herein shall in any way prohibit, restrict or limit the placement of no parking signs in prohibited parkway areas of the City in the future.

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

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PASSED AND ADOPTED by the City Council of the City of Miami Springs,

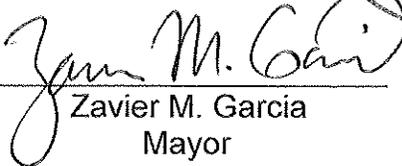
Florida this 28th day of November, 2011.

The motion to adopt the foregoing ordinance was offered on second reading by Councilman Lob, seconded by Vice Mayor Espino, and on roll call the following vote ensued:

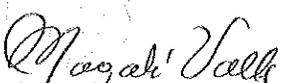
Vice Mayor Espino
Councilman Best
Councilman Lob
Councilwoman Ator
Mayor Garcia

“aye”
“absent”
“aye”
“no”
“aye”




Zavier M. Garcia
Mayor

ATTEST:


Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


Jan K. Seiden, Esquire
City Attorney

First reading: 11/14/2011
Second reading: 11/28/2011

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.