

CLERK OF RECORD
R. B. SHORE

2006 JUN -7 AM 11:22

ORDINANCE NO. 06-33

CLERK OF COURT
MANATEE CO FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING SECTION 2-22-2, CODE OF LAWS OF MANATEE COUNTY; PROVIDING FOR REQUIREMENTS FOR REPORTING UNPAID PARKING AND DISABLED PARKING VIOLATIONS; PROVIDING FOR A LISTING OF PERSONS WHO HAVE THREE OR MORE OUTSTANDING PARKING VIOLATIONS TO BE SUPPLIED BY THE CLERK TO THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES; PROVIDING THAT A LICENSE PLATE OR REVALIDATION STICKER SHALL NOT BE ISSUED UNTIL THE APPLICANT'S NAME NO LONGER APPEARS ON SAID LIST; AND PROVIDING FOR INCREASED FINES ASSESSED FOR ILLEGAL PARKING.

WHEREAS, Manatee County enacted a comprehensive parking ordinance that provides, pursuant to Section 320.03(8), Fla. Stat., in Section 2-22-2, Code of Laws of Manatee County, that persons who fail to pay five outstanding parking tickets shall be reported to the tax collector or license tag agent who shall deny the renewal of tag registrations when parking tickets remain unpaid; and

WHEREAS, Section 320.03(8), Fla. Stat. now provides that a county may enact an ordinance that directs the clerk to provide a list of persons with three or more outstanding parking tickets or any outstanding violation of a ticket for parking in places designated for disabled persons; and

WHEREAS, amending Section 2-22-2, Code of Laws of Manatee County to the standards set forth in Section 320.03(8), Fla. Stat. will increase compliance by persons issued parking tickets or violations of provisions prohibiting parking in spaces designated for disabled persons; and

WHEREAS, the collection of fines for outstanding parking violations is in the public interest; and

WHEREAS, the Board of County Commissioners has determined to amend the Manatee County Code of Laws as provided herein to incorporate these changes by enacting this ordinance.

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

Section 1. Section 2-22-2, Code of Laws of Manatee County, Florida is amended to read:

(a) Any person who is charged with violating any county ordinance regulating the stopping, standing or parking of motor vehicles on county streets, highways, roadways and parking areas of said county shall be deemed to be charged with a noncriminal violation and, upon conviction or admission thereof, shall be deemed to have committed a traffic infraction and, where such infraction does not result in a hearing, shall be assessed the following civil penalties:

(1) Illegal parking, stopping or standing, in specially designated and marked parking spaces provided for certain disabled persons: Two hundred fifty dollars (\$250.00).

(2) Illegal parking, stopping or standing in nondisabled parking locations on county streets, highways, roadways and parking areas of said county:

a. Twenty dollars (\$20.00) if paid within ten (10) calendar days of date of issue.

b. Twenty five dollars (\$25.00) if paid after the tenth calendar day after issue and up to the twentieth day after issue.

c. Thirty dollars (\$30.00) if paid after the twenty-first calendar day and the issuance of a court directive assigning a court appearance date.

(3) If the parking ticket is contested, and results in a hearing, the amount of said civil penalty shall be assessed as provided by Section 316.1967, Florida Statutes, and by other applicable sections or general law.

(b) The owner of a vehicle is responsible and liable for the payment of any parking ticket issued pursuant to said ordinances unless the owner can furnish evidence that the vehicle was, at the time of the parking violation, in the care, custody or control of another person. In such instances, the owner of the vehicle is required, within a reasonable time after notification of the parking violation, to furnish the issuing law enforcement authority the name and address of the person, firm, corporation or company who leased, rented or otherwise had the care, custody or control of said vehicle. The owner of the vehicle is not responsible for any parking violation if the vehicle involved was, at the time, stolen or in the care, custody or control of some person who did not have permission from the owner for the use of said vehicle.

(c) On an monthly basis, the clerk of the court shall supply through electronic transmission to the Department of Highway Safety and Motor Vehicles , a listing of persons who have three or more outstanding parking violations, including violations of Section 2-22-2 of this chapter. The clerk of the court shall also include a separate listing of persons who have any outstanding violations of

Section 2-22-25 of this chapter regulating parking in spaces designated for use by persons who have disabilities. The Department of Highway Safety and Motor Vehicles shall mark the appropriate registration records of persons who are so reported. Section 320.03(8) applies to each person whose name appears on the lists.

(d) Under the authority of Section 320.03(8), Florida Statutes, as amended, if the name of an applicant for a license plate or revalidation sticker appears on the listing referred to in paragraph (c) of this subsection and Section 316.1967(6), Florida Statutes, as amended, the license plate or revalidation sticker shall not be issued until the applicant's name no longer appears on said list or until the applicant presents a receipt from the clerk showing the parking fines, assessments, costs and fees have been paid. The tax collector and the clerk of the court shall receive monthly payment as provided in Section 320.03(8), Florida Statutes, as amended.

Section 2 Effective Date: This Ordinance shall take effect immediately upon filing with the Department of State.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA



Second Vice-Chairman

5/23/06

Attest:

R.B. SHORE
CLERK OF THE CIRCUIT COURT

By: [Signature]



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 30th day of May, 2006
R.B. SHORE
Clerk of Circuit Court
By: [Signature] D.C.



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF LIBRARY AND INFORMATION SERVICES

FILED FOR RECORD
R. B. SHORE

2006 JUN -7 AM 11:21

CLERK OF CIRCUIT COURT
MANATEE CO FLORIDA

June 2, 2006

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Diane E. Vollmer, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 30, 2006 and certified copies of Manatee County Ordinance Nos. 06-33, 06-36 and 06-42, which were filed in this office on June 1, 2006.

As requested, the date stamped copies are being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/mp

Enclosures