



**TOWN OF REDINGTON BEACH
BOARD WORKSHOP MEETING AGENDA
Monday, April 18, 2022
5:30 P.M.**

Town Hall

Assembly Hall

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC FORUM: Non-Agenda Items Only NOTE:** A three-minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.
- 6. UNFINISHED BUSINESS**
 - A. Discussion of Ordinance 2022-05 Residents Only Parking Areas**
- 7. NEW BUSINESS**
- 8. OTHER BUSINESS**
- 9. ADJOURNMENT**

Note: The Town of Redington Beach Board of Commissioners meet the First and Third Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. (F.S. 286.0105) **Notice Regarding Special Accommodations: (F.S. 286.26)**

ORDINANCE NO. 2022-05

**AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA,
AMENDING § 21-33 OF THE TOWN CODE (RESIDENTS ONLY
PARKING AREAS) TO REVISE PARKING AND PARKING PASS
REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY,
AND FOR AN EFFECTIVE DATE.**

WHEREAS, § 21-33 of the Town Code provides for certain regulations with respect to the locations where motor vehicles may park, and establishes a parking pass system for residents and their guests; and

WHEREAS, § 21-1 of the Town Code defines “motor vehicle” as “a self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, electric bicycle, motorized scooter, electric personal assistive mobility device, mobile carrier, personal delivery device, swamp buggy, or moped, as those devices are defined in F.S. § 316.003”; and

WHEREAS, recent experience in the Town has demonstrated that the current parking pass program is not having the intended effect of reasonably ensuring that Town residents are afforded a reasonable and primary opportunity to park their motor vehicles in certain locations in the Town; and

WHEREAS, the Board of Commissioners has determined that it is in the interest of the Town’s residents to adopt the amendments to the Town’s parking regulations set forth in this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Section 21-33 of the Town Code of the Town of Redington Beach is hereby amended to read as follows:

Sec. 21-33. – Residents-only parking areas.

(a) Designated areas.

- (1) ~~15916 Gulf Blvd~~^{60th} ~~Avenue Beach Town Park area.~~ The town commission shall establish a vehicle parking area to be located at the 160th Avenue Town Park area, which vehicle parking area shall contain signs warning that parking in this area shall be by a correctly displayed ~~designated by proper signs for use of resident of the town permit only.~~
- (2) 155th Avenue—164th Avenue area. It shall be unlawful for motor vehicles to park on the pavement or right-of-way on any street or avenue between 155th Avenue north to 164th Avenue and between Gulf Boulevard and First Street, unless the vehicle’s owner has been issued, and is correctly displaying a valid, current town-resident parking

permit as provided for in subsection (b) below. ~~The town is area shall install signs warning that parking in these areas shall be by designated by proper signs for use of residents of the town permit only.~~

- (3) 161st Avenue. It shall be unlawful for motor vehicles to park on the pavement or right-of-way on 161st Avenue between Gulf Boulevard and 2nd Street East, regardless of whether a ~~town resident parking permit is displayed. The town is area shall install signs warning that parking in this area be designated by proper signs indicating that parking is prohibited at all times.~~

(b) Town resident parking pPermit program.

- (1) ~~The town clerk is authorized to issue a town parking permit to every rResidents who competes and submits an application form. Applications must be made in person at town hall. The application form, which shall be developed by the town clerk, shall, at a minimum, contain:of the town shall be permitted to park motor vehicles in a parking area designated by this section only when displaying a current resident permit appropriately displayed on the motor vehicle.~~

(A) ~~the applicant's name, address, phone number and email address.~~

(B) ~~a statement of the applicant affirming she or he is a resident of the town as defined in this section.~~

(C) ~~the year, make, model and color of the vehicle, and~~

(D) ~~the vehicle's license plate number.~~

- (2) ~~The town clerk shall, in addition to obtaining a completed application, require the applicant to show proof that the vehicle is registered in the applicant's name, and permit shall be furnished by the town clerk upon proof of residency of the applicant and vehicle registration. Town residency may be proven by any of the following:~~

(A) ~~a current voter registration card.~~

(B) ~~a current Florida driver's license issued under Florida Statutes § 322.18, or~~

(C) ~~a current Florida vehicle registration.~~

- (3) ~~Town parking permits shall be valid for the annual permit cycle established by the town clerk, and must be re-applied for annually. Residents who obtain a permit mid-term must obtain a new permit at the expiration of that term. No more than two (2) permits may be issued for residents of any single residential address unless the town commission, in its sole discretion, authorizes an additional permit.~~

- ~~(4)~~ Permits cannot be sold, rented, loaned, given, or in any other way transferred to any other person or entity. Doing so is a violation of this section and will, in addition to the potential of a code violation, result in the resident's loss of ability to obtain further town parking permits.
- ~~(4)~~(5) Town parking permits may not be moved from one motor vehicle to another. Rather, they must remain affixed to and correctly displayed on the vehicle listed on the resident's application form.
- (6) The term "resident", as used in this section, shall mean a person who has actually lived in and maintained a residence in the town continuously for at least six (6) months and one (1) day in the year prior to making application. The term "resident" shall also mean a natural person who owns at least one parcel in the town. Notwithstanding the foregoing, the clerk is authorized to issue a one time permit to a new resident of the town upon the applicant's providing sufficient evidence to the clerk that she or he has established a residence in the town. ~~Visitor parking permits. Any resident who has obtained from the town clerk a valid beach park resident parking permit as provided in this chapter shall be entitled to receive one visitor parking permit per household.~~
- ~~(2)~~(7) The term "correctly displaying", as used in this section, shall mean that the permit is completely affixed using the adhesive on the permit (not scotch-taped, affixed only by one corner, or loosely propped on the dash), is not obstructed from being clearly read from outside of the vehicle by a window tint, sticker, or other item or material, and that the permit:
- (A) as to golf carts, cars, trucks, vans or other motor vehicles with four or more wheels which are not two or three-wheeled motorcycles, is affixed to the lower left area of the front windshield; and
 - (B) as to two or three-wheeled motorcycles, the permit need not be affixed. Rather, the code enforcement deputy will compare the license plate to the clerk's database to determine if a permit has been issued for the motorcycle.
 - (C) Failure to correctly display a permit will constitute a separate violation of this section.
- (8) To facilitate a resident's ability to correctly display a town parking permit, the town will provide permit decals which are uniquely colored, numbered or coded, and which will be designed as a 'peel-and-stick' permit, capable of being securely affixed to the vehicle's window. Permit stickers may be required to be affixed to the interior or exterior of the window depending on the products offered by the town's permit printing vendor.
- (c) *Program suspension.* The town parking permit program established in this section shall not be considered a vested right to participate in the program, or the continuous operation of the program. The town commission may, by resolution, suspend the program for a set, or

indefinite period of time if it determines, in its sole discretion, that doing so would be in the best interests of the town.

(d) *Violations.* No motor vehicle, other than those with a correctly displayed town the proper resident or temporary parking permit displayed, shall be permitted to park or stand in the areas set forth in subsection (a)(1) and (2) above ~~designated motor vehicle parking areas~~. In any code enforcement proceeding concerning ~~prosecution charging a violation of this section, proof that the particular vehicle described in the citation, notice of violation, or notice to appear~~ complaint was parked or left standing in violation of this section, together with proof that the person issued the citation, notice of violation, or notice to appear ~~defendant named in the complaint was, at the time of such parking or standing, the registered owner of such vehicle or the person issued the improperly used or displayed permit, shall constitute a prima facie presumption that such person the registered owner of such vehicle was the person who stopped, left standing or operated such vehicle at the point where and for the time during which the violation occurred, or was the person who improperly used or displayed the permit.~~

(e)(c) *Fines and disqualification.* A violation of this section shall be punishable by a \$50.00 fine for a first offense, a \$100 fine for a second offense within 12 months of a first offense, and a \$500 fine for an offense within 12 months of a second offense. Persons with three or more violations of this section, regardless of the dates of occurrence, shall not be eligible for a town parking permit.

Section 2. For purposes of codification of any existing section of the Redington Beach Code herein amended, words **underlined** represent additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 3. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 4. The Codifier shall codify the substantive amendments to the Redington Beach Town Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 5. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the 16th day of March, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the 6th day of April, 2022, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Missy Clarke, CMC, Town Clerk