

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 70, "GENERAL PROVISIONS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 70.11, "ILLEGALLY-PARKED VEHICLES," TO MODIFY FINES AND CLARIFY PROCEDURES FOR PARKING VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 70.11, "Illegally-Parked Vehicles," of Chapter 70, "General Provisions," of the Code of Ordinances of the City of Pompano Beach, Florida, is hereby amended to read as follows:

**§ 70.11 ILLEGALLY-PARKED VEHICLES.**

...

(B) The owner or operator of any motor vehicle receiving a notice as provided in subsection (A) above shall pay to the city as a penalty for and in satisfaction of the violation the sum of ~~\$35~~ \$45 within fourteen (14) days after issuance of the citation. The penalty for parking in a space reserved for disabled persons without the parking permit, license plate, taglet or other statutorily

recognized standard as required by law shall be the sum of \$250. In the event the city is not noticed pursuant to the provisions as contained in subsection (C)(1) below within 14 days of the issuance of the parking citation and the penalty assessed for the parking violation is not satisfied within 14 days of the issuance thereof, the penalty for the violation shall be increased by the sum of ~~\$12~~ \$15. In the event the city is not noticed pursuant to the provisions as contained in subsection (C)(1) below within 30 days of the issuance of the parking citation and the penalty assessed for the parking violation is not satisfied within 30 days of the issuance thereof, the penalty for the violation shall instead be increased by the total sum of \$30. Failure to pay any penalty for parking violations shall be a violation of this chapter and the responsible parties shall be subject to appropriate action which shall include, but not be limited to, the matter being turned over to a collection agency, having an immobilizing device placed on the vehicle, ~~commonly known as the "boot,"~~ or have a hold placed on the license plate, until such time as all unpaid citations have been paid.

(C) (1) Any person who chooses to contest the citation and elects to appear before a county judge or other officially designated individual to present evidence regarding a parking citation shall be deemed to have waived ~~his~~ their right to pay the civil penalty provisions as provided for in this section. All such persons shall provide notice to the city of their request to contest the parking citation within fourteen (14) days after the citation is issued as directed on the citation. Failure to timely request the right to contest the citation before a judge or other authorized official shall constitute a waiver of the right to do so.

(2) The county judge, after a hearing, shall make a determination as to whether a parking violation has been committed and shall impose a civil penalty not to exceed \$100, plus court costs for parking violations, and \$250, plus court costs for disabled parking violations as permitted by Section 316.008(4), F.S. The court may direct all or part of any parking fines and court costs imposed be paid directly to the city. Both the city and the court are authorized to take appropriate measures to enforce the collection of any fines and costs imposed from Aany person or owner of any motor vehicle found to be in violation who fails to pay the civil penalty within the time allowed by the court shall be deemed to have been convicted of a parking ticket violation, and the court shall take appropriate measures to enforce collection of the fine.

(D) The city administration is authorized to pursue satisfaction of outstanding parking citations in any manner authorized by law including, but not limited to, the use of a collection agency to accomplish same. Collection fees assessed by a collection agency may also be added and collectable as permitted by law. All owners of motor vehicles shall be responsible for payment of all penalties, fines and costs associated with the unlawful parking of their vehicles, unless they can establish any such vehicle was utilized without their consent including, but not limited to, documented proof of theft or of other unauthorized use.

(E) ~~The City's Police Department is~~ Law Enforcement Agency and designated parking enforcement division are hereby directed to supply the Department of Highway Safety and Motor Vehicles with a magnetically encoded computer tape or by other current designated means, listing persons who have, or owners of vehicles with, three or more outstanding parking violations, or any single or multiple outstanding disabled parking violations, pursuant to the provisions of F.S. § 316.1967 (1994 Supp.) as currently enacted or as amended from time to time.

**SECTION 2.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 3.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

**REX HARDIN, MAYOR**

**ATTEST:**

---

**ASCELETA HAMMOND, CITY CLERK**

MEB/jrm  
1/13/21  
L:ord/2021-100