

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 PROVIDE FOR THE USE OF ELECTRONIC PARKING ENFORCEMENT TECHNOLOGY; 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 notices 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.

(A) (1) Whenever any motor vehicle is found parked, stopped, or standing, in violation of any of the restrictions imposed by city ordinance or applicable state statute, the law enforcement officer or parking enforcement specialist or code enforcement officer who is certified to issue such citations finding the vehicle shall take its license tag number, and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a parking citation on a form provided by the Chief of Police or his designee for the driver to answer to the charge against him within the time

prescribed below. Each day a vehicle is found in violation shall constitute a separate offense.

(2) In addition to the provisions contained in subsection (A)(1) above, utilization of electronic parking technology including, but not limited to, cameras, is authorized to assist law enforcement officers, parking enforcement specialists, Code Enforcement officers and third-party parking enforcement services authorized through contract with the city to monitor and identify parking violations within the city. Electronic evidence of any such violations may be utilized to issue parking citations and also be utilized as evidence of violation in any proceeding to contest the citation. Electronic evidence may also serve as the basis for issuance of a parking citation by city law enforcement officers, parking specialists, Code Enforcement officers and by third-party parking enforcement services authorized by contract with the city utilizing citation forms approved by the city's Parking Manager. However, no such citation shall be issued by an approved third-party parking enforcement service unless the city's Parking Manager or their designated parking enforcement specialist first reviews the electronic evidence and approves issuance of the citation.

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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 _____, 2023.

PASSED SECOND READING this _____ day of _____, 2023.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

MEB/jrm
9/5/23
l:ord/ch70/2023-227