

ORDINANCE NO. O-3-16

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA; AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 82, "WATERWAYS," ARTICLE II, "BEACH REGULATIONS," SEC. 82-34. TO UPDATE PARKING REGULATIONS AND CLARIFY THAT PARKING AT THE TOWN'S BEACH/COMMUNITY CENTER PARKING FACILITY IS ONLY FOR BEACH AND COMMUNITY CENTER USE; PROVIDING THAT ALL OTHER SECTIONS AND SUBSECTIONS OF CHAPTER 82 WILL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, it has come to the attention of the Town Commission that the Town's parking facility for beach access and community center use is frequently used to park vehicles for other unrelated purposes; and

WHEREAS, parking is a constant challenge due to limited available area in the Town; and

WHEREAS, the Town Commission desires to clarify its code and specify that the beach / community center parking facility is to be used solely for beach and community center purposes; and

WHEREAS, the Town Commission believes the following amendments to the code of ordinances are in the best interests of the health, safety, and welfare of the citizens of Palm Beach Shores, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA:

Section 1. The facts and recitations contained in the preamble of this ordinance are adopted and incorporated by reference as if set forth in this section.

Section 2: Chapter 82, Article II. Sec. 82-34 of the Code of Ordinances of the Town of Palm Beach Shores, Florida, is hereby amended to update parking regulations and clarify that parking at the Town's beach/community center parking facility is only for beach and community center use; providing that Sec. 82-34 of the Code of Ordinances of the Town of Palm Beach Shores shall hereafter read as follows:

Sec. 82-34. – Beach and community center parking; permit ~~Permit required for beach parking; penalty; restriction on alcoholic beverages; keys for storage room.~~

- (a) ~~Motor vehicles and other vehicles, other than bicycles, are required to have permits for parking at the~~ The town's parking facility adjacent to the town beach and town community

center is reserved exclusively for the parking of vehicles associated with beach or community center use. Parking for any other purpose, without the prior approval of the Town Manager or designee, is prohibited. Parking of motor vehicles and other vehicles other than bicycles at this parking facility shall be by annual vehicle parking permits issued by the town.

- (b) Annual vehicle parking ~~Vehicle~~ permits are available commencing July 1 of each year to town residents at a cost to be set ~~annually~~ by the town commission, ~~commencing July 1.~~ Registration of the vehicle and driver's license or proof of residence must be submitted at the time of application ~~issuance~~.
- (c) Each residence ~~household~~ is entitled to purchase one annual vehicle parking permit per vehicle and one annual residence ~~household~~ guest card permit ~~per household for a fee to be set annually by the town commission, commencing July 1.~~
- (d) Annual vehicle parking permits ~~Permits~~ are not transferable.
- (e) Guest cards must be filled out at the time of application ~~issuance~~ and must include the name and address of the resident making application ~~state the permittee's name and permit number.~~
- (f) Annual guest ~~Guest~~ cards for use by motels/hotels are also available ~~will be issued~~ for a fee to be set ~~annually~~ by the town commission ~~in conjunction with permit issuance.~~ Motels/hotels containing no more than up to 30 units may purchase up to ~~are entitled to the issuance of five guest cards upon the issuance of a vehicle parking permit.~~ Motels/hotels containing more than over 30 units may purchase up to ~~are entitled to the issuance of ten guest cards upon the issuance of a vehicle parking permit.~~ All such annual guest cards ~~Permits~~ are to be issued only in the name of the motel/hotel or its owner.
- (g) All parking permits issued pursuant to this section shall ~~Permits must~~ be affixed to the right-rear bumper of the registered vehicle, or ~~Residents using rental vehicles will be permitted to affix the permit to the right-rear window with tape.~~ Permit numbers shall be recorded by the police department. Guest cards shall likewise be prominently displayed in the vehicle's right-rear window.
- (h) Nonresidents may purchase an annual vehicle ~~obtain vehicle~~ parking permit by submitting the vehicle registration and paying the a applicable fee to be set ~~annually~~ by the town commission. A maximum total ~~limit~~ of ten nonresident permits shall be issued per year on a first come, first served basis, commencing July 1 of each year.

- (i) No commercial vehicle parking is permitted at any time at the town's parking facility adjacent to the town beach and town community center. ~~shall be permitted nor~~ No overnight parking shall be permitted at the town's parking facility adjacent to the town beach and town community center.
- (j) A ~~parking~~ fine shall be assessed for a parking violation at the parking facility adjacent to the town beach and town community center; the amount of which shall be set by resolution of the town commission and may be amended from time to time, ~~as necessary.~~
- (k) Upon the posting of appropriate warning signs authorized by the town commission, unauthorized vehicles may be towed away at the owner's expense.
- (l) No alcoholic beverages are permitted on the beach, in the town parking facility adjacent to the town beach and town community center, or at the picnic area adjacent to the beach without first obtaining a permit from the town clerk.
- ~~(m) Keys for the beach storage room are available at the town hall for a fee of \$2.00.~~

Section 2: Each and every other section and subsection of Chapter 82 – Waterways, shall remain in full force and effect as previously adopted.

Section 3: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: Should any section or provision of this ordinance, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

Section 5: Specific authority is granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Palm Beach Shores, Florida.

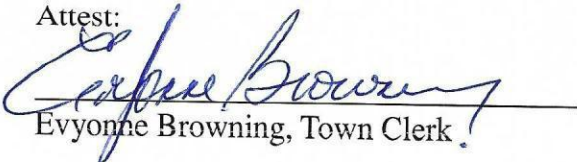
Section 6: This ordinance shall take effect immediately upon adoption.

Approved this 18th day of April, 2016.

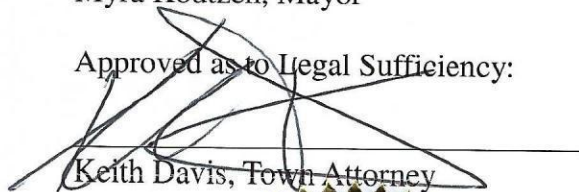


Myra Koutzen, Mayor

Attest:


Evyonne Browning, Town Clerk

Approved as to Legal Sufficiency:


Keith Davis, Town Attorney

FIRST READING this 21st day of March, 2016.

SECOND & FINAL READING this 18th day of April, 2016.

