



ORDINANCE NO. 2023-03

AN ORDINANCE OF THE TOWN OF BELLEAIR SHORE, FLORIDA, AMENDING CHAPTER 26 -TRAFFIC AND MOTOR VEHICLES, SECTION 26-1. - PARKING VIOLATIONS; PENALTY, OF THE TOWN OF BELLEAIR SHORE CODE OF ORDINANCES, TO INCREASE PARKING FINES; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Belleair Shore adopted a parking fine schedule in 1982, which was amended in 2003 under Ordinances 2003-02 and 2003-03, and in 2019 under Ordinance 2019-0 I; and

WHEREAS, the Town Commission of the Town of Belleair Shore has reviewed its current fine schedule and desires to update the same to include the allowable surcharge; and

WHEREAS, the Town is solely comprised of fifty-two (52) homes and only a residential zoning district without out any commercial or businesses within its jurisdiction; and

WHEREAS, there is no business or economic impact implications for the passage of this ordinance within the Town; and

WHEREAS, the Town Commission of the Town of Belleair Shore desires to adopt a revised parking fine schedule and finds the amendments to be in the best interests of the health, safety and welfare of the community;

NOW THEREFORE, BE IT ORDAINED BY the Town Commission of the Town of Belleair Shore, Florida, as follows:

Section 1. : All of the foregoing findings are true and correct, and shall be incorporated as if fully set forth herein.

Section 2. : Section 26-1 of the Town of Belleair Shore Code of Ordinances shall be amended to read as follows:

Chapter 26 -TRAFFIC AND MOTOR VEHICLES

Sec. 26-1. - Parking violations; penalty.

For a violation of parking prohibitions, the following fines shall be imposed:

	Violation	Fine
(1)	Unauthorized parking in properly designated restricted/handicapped spaces, including the access area	\$ 250.00
(2)	Parking in or obstructing a fire lane, safety lane, fire hydrant or handicapped crosswalk	50.00
(3)	Parking in no parking zone	<u>100.00</u>
	All other improper parking	<u>100.00</u>
(5)	Parking during daylight hours in vacant lots of Belleair Shore, without written permission of the lot owner	<u>100.00</u>
(6)	Parking in <i>vacant</i> lots of Belleair Shore after dark	<u>100.00</u>
(7)	Improper parking in the driveways and yards of private residences of Belleair Shore	<u>100.00</u>
(8)	Leaving vehicle unattended	<u>100.00</u>

Section 3.: All other ordinances or resolutions which conflict wholly or in part with the provisions of this ordinance, are hereby repealed effective the date this ordinance becomes effective.

Section 4.: If any section, subsection, sentence, clause or phrase of the Ordinance is detennine for any reason to be illegal, invalid, or unconstitutional by a court or regulatory body of competent jurisdiction, then the offending provision shall be deemed severable, shall not affect the validity of the remaining portions hereof, and the remainder shall continue in full force and effect.

Section 5.: The effective date of this shall be immediately upon its passage in the manner provided by law.

UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved upon the first reading on the 15th day of September 2023.

UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved upon the second reading on the _____ day of _____,2023.

TOWN OF BELLEAIR SHORE

ATTESTED BY:

Mary Palmer
Town Clerk

Robert Schmidt
Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Regina A. Kardash, Esq. B.C.S.
Town Attorney