

Chapter 18

TRAFFIC AND VEHICLES

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Editor’s note: Ordinance No. 9007, adopted Aug. 9, 1990, amended this Chapter to read as set out in Sections 18.1 – 18.29. The Chapter formerly consisted of Sections 18.1 – 18.18 and was derived from Code 1958, Sections 8-6, 8.-2, 8-13, 22-9, 22-10, 22-15, 22-17, 22-31, 22-36, 22-37, 22-62, 22-65, 22-66, 22-68, 22-72, and Ordinance No. 8207, Sections 1 - 3, adopted May 13, 1982.

Cross references: *Beautification Board Powers and Duties*, Section 2.136; *Advertising and Signs*, Chapter 3; *Animals*, Chapter 4; *Flood Prevention and Protection*, Chapter 8; *licenses and business regulations*, Chapter 12; *Sound Trucks and Sound-Amplifying Devices*, Section 13.1; *Streets, Sidewalks and Other Public Places*, Chapter 16; *Vehicles for Hire*, Chapter 20.

State law reference: *Uniform Traffic Control Law*, Chapter 316, *Florida Statutes*.

ARTICLE I -- In General

Section 18.1 Chapter provisions deemed supplemental to Uniform Traffic Control Law

The State Legislature has enacted *Florida Statute*, Chapter 316, known as the *Uniform Traffic Control Law*, regulating the movement of all vehicular or pedestrian, and all other traffic, upon the streets and highways and elsewhere through the State. Section 316.008 allows municipalities to control certain traffic movements or parking in their respective jurisdictions; nevertheless, all such regulations stated in this article shall be supplemental to the *Uniform Traffic Control Law* and shall not be in conflict with that law.
(Ordinance No. 9007, 8-9-90)

18.1.1 Speed Restrictions

The following are speed restrictions on City streets: Twenty-five (25) miles per hour in any residential district, except County Road 308 and except where otherwise posted.
(Ordinance 9104, 07-11-91)

Section 18.2 Designation of public carrier stands

Bus stops, bus stands, taxicab stands and stands for other passenger common carrier motor vehicles on the public streets and roadways shall be designated only by action of the City Commission, upon recommendation of the Public Works Director.
(Ordinance No. 9007, 8-9-90)

Section 18.3 Definitions

The following words and phrases when used in this Article shall, for the purpose of this Article, have the meanings respectively ascribed to them in this section, except where the context otherwise requires. These definitions will be used in addition to those enumerated in Section 1-2.

- (a) **Bicycle:** Any device propelled by human power or any moped propelled by pedal-activated helper, motor not to exceed one and one-half (1½) brake horsepower upon which any person may ride, having two tandem wheels either of which is twenty [20] inches or more in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

- (b) **Bus:** Any motor vehicle designed for carrying more than ten [10] passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

- (c) **Crosswalk:**
 - (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway.

(2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(d) **Driver:** Any person who drives or is in actual physical control of a vehicle on a highway, or who is exercising control of a vehicle on a highway, or who is exercising control of a vehicle or steering wheel being towed by a motor vehicle.

(e) **House Trailer:**

(1) A trailer or semitrailer which is designed, constructed and equipped as a dwelling place, living abode or sleeping place (either permanently or temporarily) and is equipped for use as conveyance on streets and highways; or

(2) A trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a house trailer, as defined in paragraph (1) of this definition, but which is used instead permanently or temporarily for the advertising, sales, display or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for distribution by a private carrier.

(f) **Intersection:** The area embraced within the prolongation or connection of the lateral curb-lines; or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(g) **Motor Vehicle:** Any vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(h) **Motorcycle:** Any motor vehicle with rated horsepower over five BLIP having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(i) **Official Traffic-Control Signal:** Any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

(j) **Operator:** Any person who is in actual physical control of a motor vehicle upon the highways, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(k) **Owner:** A person who holds the legal title of a vehicle or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner, for the purposes of this article.

(l) **Park or Parking:** The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading and unloading merchandise or passengers as may be permitted by law under this Article.

(m) **Pedestrian:** Any person afoot.

(n) **Person:** Any natural person, firm, co-partnership, association or corporation.

(o) **Private Road or Driveway:** Any way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

(p) **Right-of-Way:** The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances or direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

(q) **Safety Zone:** The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked by adequate signs or authorized pavement markings as to be plainly visible at all times will be set apart as a safety zone.

(r) **Semitrailer:** Any vehicle with or without a mode of power other than a pull trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle.

(s) **Sidewalk:** That portion of a street between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

(t) **Stand or Standing:** The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers, as may be permitted by law under this article.

(u) **Stop:** When required, means complete cessation from movement.

(v) **Stop or Stopping:** When prohibited, means any halting, even momentarily, of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or on compliance with the directions of a law enforcement officer or traffic-control sign or signal.

(w) **Trailer:** Any vehicle with or without mode of power, other than a pull trailer, designed for carrying persons or property and for being drawn by a motor vehicle.

(x) **Truck:** Any motor vehicle designed, used or maintained primarily for the transportation of property.

(y) **Vehicle:** Any device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks, or bicycles or mopeds.

(Ordinance No. 9007, 8-9-90)

Cross reference: *Definitions and Rules of Construction*, Section 1-2.

Sec. 18-4. Stopping, standing or parking prohibited in specified places

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

- (1) Stop, stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street (i.e. double parked).
 - b. On a sidewalk or in the area between the curb portion and the City sidewalk.
 - c. Within an intersection.
 - d. On a crosswalk.
 - e. Between a safety zone and the adjacent curb or within thirty [30] feet of points on the curb immediately opposite the ends of the safety zone, unless the division of road operations of the department of transportation indicates it differently by signs or markings.
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - g. Upon any bridge or other elevated structure upon a highway, road or street where parking is not provided for thereon.
 - h. On any railroad tracks.
 - i. Any place where official signs prohibit stopping.
 - j. In any area containing a raised or painted traffic separator or median.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. Alongside any yellow curb

- b. In front of a public or private driveway
 - c. Within 15 feet of a fire hydrant
 - d. Within 20 feet of crosswalk at an intersection
 - e. Within 30 feet upon the approach to any flashing signal, stop sign or traffic- control signal located at the side of a roadway.
 - f. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance (when property sign posted).
 - g. At any place where official signs prohibit standing.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
- a. Within 50 feet of the nearest rail or a railroad crossing, or bridge.
 - b. At any place where official signs prohibit parking.

(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

(c) No person shall drive a vehicle across a raised curb for the purpose of parking, stopping or standing.
(Ordinance. No. 9007, 8-9-90)

Section 18.5 Additional parking regulations

(a) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and Within 12 inches of the right-hand curb or edge of the roadway.

(b) Except when otherwise provided herein, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway, or its left wheels within 12 inches of the left-hand curb or edge of the roadway.
(Ordinance No. 9007, 8-9-90)

Section 18.6 Parking prohibited at all times on certain streets

(a) When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets so marked by the designation of the traffic engineer. With approval of the traffic engineer, the City may erect, within the municipality, traffic signs prohibiting parking on any streets or locations within such municipality during certain hours. When such signs are erected giving notice of the prohibition against parking, no person shall stop, stand or park a vehicle within the area or place during the hours specified by such municipal signs.

(b) With approval of the Public Works Director, the City may erect traffic signs limiting the time for parking vehicles on certain streets or locations within such municipality. When such signs are erected giving notice of the limitation of time for parking, no person shall stop, stand or park a vehicle for longer than the time specified by such municipal traffic signs.
(Ordinance No. 9007, 8-9-90)

Section 18.7 Unattended vehicles, trucks

No person driving or in charge of any motor vehicle, except a licensed delivery truck or other delivery vehicle while making deliveries, shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key. No person driving or in charge of a licensed delivery truck or other delivery vehicle shall permit it to stand unattended for a period of time longer than five minutes. No vehicle shall be permitted to stand unattended upon any perceptible grade without turning the front wheels to the curb or the side of the street.
(Ordinance No. 9007, 8-9-90)

Section 18.8 Obstruction of traffic by parking

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than eight feet of the width of the traffic lane for free movement of vehicular traffic.
(Ordinance No. 9007, 8-9-90)

Section 18.9 Alleys: parking in, obstructing

(a) No person shall stop, stand or park a vehicle within an alley in a business district except for the expeditious loading or unloading of materials, and in no event for a period of more than twenty [20] minutes; and no person shall stop, stand or park a vehicle in any other alley in such a manner as to obstruct the free movement of vehicular traffic.

(b) No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway or entrance to any abutting property.
(Ordinance No. 9007, 8-9-90)

Section 18.10 Parking on a street not entirely paved

(a) It shall be unlawful for any person to park a vehicle where there are no curbs or sidewalks and a portion of the street is not paved, so that the vehicle obstructs any portion of the paved roadway.

(b) It shall be unlawful for any person to park a vehicle in the above-described areas where the space between the paved roadway and the side of the street is beautified and maintained with either grass or shrubbery by or with the approval of the City, unless special permission to park in that area has been granted by the City Commission.
(Ordinance No. 9007, 8-9-90)

Section 18.11 Hindering vehicle of another being parked

When the driver of a vehicle has lawfully stopped with the obvious intention of backing or proceeding into a legally designated parking space, it shall be unlawful for any other person to stop his vehicle so as to obstruct or prevent that driver from completing his movement into that parking space. This will constitute an obstruction of a public street.
(Ordinance No. 9007, 8-9-90)

Section 18.12 Hindering a parked vehicle

It shall be unlawful for any person to park, stop or stand a vehicle in such a manner as to obstruct or prevent the movement of a legally parked vehicle, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
(Ordinance No. 9007, 8-9-90)

Section 18.13 Parking prohibited for certain purposes

No person shall park a vehicle upon any street or right-of-way for the principal purpose of:

- (a) Displaying such vehicle for sale.
- (b) Washing, greasing or repairing such vehicle, except repairs in an emergency.
- (c) Displaying advertising.
- (d) Selling merchandise from such vehicle, except in a duly established marketplace, or when so authorized or licensed under the ordinances of the City.
- (e) Storage, or as junkage or dead storage, for more than twenty-four [24] hours.
(Ordinance No. 9007, 8-9-90)

18.14 Passenger curb loading zones; time limit

No person shall stop, stand or park a vehicle for any purpose or period of time except for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such passenger curb loading zones are effective, and then only for a period not to exceed five [5] minutes.
(Ordinance No. 9007, 8-9-90)

Section 18.15 Freight curb loading zones; time limit; passenger use

(a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during the hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty [30] minutes.

(b) The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone.
(Ordinance No. 9007, 8-9-90)

Section 18.16 Angle parking, obedience to signs

(a) **Obedience Required:** Upon the streets which have been signed or marked by the traffic engineer for angle parking, no person shall stop, stand or park a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

(b) **Loading at Angle Parking:** No persons shall stop, stand or park any vehicle parallel to or at right angles to the curb for the purpose of loading or unloading merchandise without a permit issued for such purpose by the Chief of Police.
(Ordinance No. 9007, 8-9-90)

Section 18.17 Parking of commercial vehicles

(a) Within any residential district of the city as designated and set forth in the zoning ordinance of the city, no commercial vehicles, wagons or trailers, regardless of weight, no panel or pickup trucks in excess of one-ton capacity; nor any other type of truck in excess of one-ton capacity, shall be parked for any period of time, including overnight parking, on any street, highway or public right-of-way except for a temporary period not to exceed two [2] hours on any calendar day from midnight to midnight.

(b) Within any residential district of the City as designated and set forth in the zoning ordinance of the City no trucks or trailers in excess of six wheels or over 20,000 gross vehicle weight shall be parked on private property for a period of more than two hours on any calendar day from midnight to midnight, except for moving household goods by truck or trailers, which shall be allowed to park on private property for a period not to exceed two [2] days.

(Ordinance No. 9007, 8-9-90)

Section 18.18 Parking restrictions generally

(a) The Chief of Police may request the public works director to erect signs within the City which shall be plainly marked permitting, restricting or prohibiting stopping, standing or parking of vehicles upon streets or portions of streets during certain hours of certain days.

(b) No person shall stop, stand or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose to which parking in such zone is restricted; except that a driver of a passenger vehicle may stop temporarily in such a zone for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purpose to which parking is restricted.

(c) Any vehicle remaining in a parking area longer than the posted time allowance shall be considered to be illegally parked, and any vehicle remaining in one position more than twenty-four [24] hours in an otherwise unrestricted area shall be considered to be illegally parked.

(d) Whenever any motor vehicle without a driver is parked, stopped or standing in a restricted or unrestricted parking area, a police officer or parking enforcement specialist may mark the vehicle and shall note the time, so that if the vehicle remains parked, stopped or standing in violation of subsection (b) above, the police officer shall take its registration number and shall take any other information displayed on the vehicle which may identify its user. The police officer or parking enforcement specialist shall then conspicuously affix to such vehicle a parking ticket in writing on a form provided by the Chief of Police.

(e) When official signs are erected designating a parking space, area or lot for restricted or permit-only parking for authorized vehicles only, no person shall park an unauthorized vehicle in violation of that sign.

(Ordinance No. 9007, 8-9-90)

Section 18.19 Erasure of chalk marks on tires of parked vehicles.

It shall be unlawful for any person to willfully erase, rub out or obliterate any chalk mark placed upon any tire of any motor vehicle parked on the streets, parking lots, or parking areas of the City, or to cause such vehicle to be moved for the purpose of concealing the chalk mark without actually removing the vehicle from the parking space so occupied.

(Ordinance No. 9007, 8-9-90)

Section 18.20 Off-street parking areas of city property

(a) The administrative supervisor is authorized to designate by appropriate signs off-street parking places for vehicles considered to be necessary for the efficient and orderly operation of the city on any city-owned property when such parking arrangements shall, in his opinion, be advantageous to the City.

(b) All of the ordinances applicable to parking within the City shall be applicable within such designated off-street parking places; and enforcement of such ordinance is declared to be a function of the police department.
(Ordinance No. 9007, 8-9-90)

Section 18.21 Taxicab and bus operators; parking on other than stands and stops

(a) The operator of a bus or taxicab shall not stop, stand or park upon any street in any business district at any place other than at a bus stop or taxicab stand, respectively; except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping, standing or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers.

(b) No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when such stop or stand has been officially designated and marked; except that the driver of a passenger vehicle may temporarily stop there for the purpose of and while actually engaged in the expeditious loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.
(Ordinance No. 9007, 8-9-90)

Section 18.22 Use of white canes restricted to blind pedestrians

For the purpose of guarding against accidents and traffic on the public streets, it shall be unlawful for any person, except pedestrians wholly or partially blind, to carry or use on the public streets of the city any cane or walking stick which is white in color or white with red end. Canes or walking sticks, as herein described, may be used on the streets and other public places of the city by pedestrians wholly or partially blind as a means of protecting them and for the purpose of identifying them to drivers and operator of vehicles and other pedestrians with whom they come in contact on such streets and public places.
(Ordinance No. 9007, 8-9-90)

Section 18.23 Duty of driver or pedestrian with respect to blind person with white cane

Any driver of a vehicle, operator of a motor driven vehicle, rider of a motorcycle or bicycle, or pedestrian who is not wholly or partially blind, approaching or coming in contact with the person wholly or partially blind carrying a cane or walking stick white in color, or white with red end, shall immediately come to a full stop and take such precautions, before proceeding, as may be necessary to avoid accident or injury to the person so carrying a white cane or walking stick.
(Ordinance No. 9007, 8-9-90)

Section 18.24 Permits required for parade processions, sound trucks, weighted and oversized vehicles

(a) No procession or parade, excepting the forces of the United States Armed Services, the military forces of this state, and the forces of the police and fire departments, shall occupy, march, or proceed along any street or roadway except in accordance with the permit issued by the administrative supervisor. No sound truck or other vehicle equipped with amplifier or loudspeaker shall be driven upon any street for the purpose of selling, offering for sale, or advertising in any fashion except in accordance with a permit issued by the administrative supervisor.

(b) No oversized or overweight vehicle or equipment may be driven, occupy or proceed upon any street or roadway except in accordance with a permit issued by the administrative supervisor.
(Ordinance No. 9007, 8-9-90)

Section 18.25 Hitchhiking prohibited

No person shall stand or otherwise occupy a roadway or right-of-way within the City for the purpose of soliciting a ride, employment, or business for the occupant of any vehicle.
(Ordinance No. 9007, 8-9-90)

Section 18.26 Impounding vehicles

(a) Law enforcement officers may authorize a vehicle to be removed from any street to the nearest rotation wrecker service, municipal compound, or other place of safety under the circumstances hereinafter enumerated:

- (1) When any vehicle is left unattended upon any bridge, causeway or viaduct, or where such vehicle constitutes an obstruction to the regular flow of traffic.
- (2) When a vehicle upon a street is so disabled as to constitute an obstruction to traffic, or the person(s) in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.
- (3) When a vehicle is found upon the streets and is not in proper condition to be driven.
- (4) When a vehicle is parked, stopped, or standing in violation of any City ordinance or the state traffic-control law.
- (5) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

- (6) Where such vehicle has been parked or stored on the public right-of-way for a period exceeding twenty-four [24] hours, in other than designated parking areas, and is within thirty [30] feet of the pavement edge.
- (7) When the driver of such vehicle is taken into custody by the police and such vehicle would thereby be left unattended upon the street; however, the police department may, in its discretion, allow the vehicle to remain in place, if lawful. Neither the City nor the individual officer shall be held liable for any damage whatsoever to a vehicle when the owner of the vehicle or the driver has elected in writing to allow, the vehicle to remain in place.
- (8) When removal is necessary in the interest of public safety because of fire, flood, storm or other emergency reason, or for the protection of property loss to the vehicle owner.
- (9) The vehicle is in imminent danger, due to rising tides, vandalism, or theft.
- (10) The vehicle is being or has been used in the commission of a felony and is needed for evidentiary purposes.

(b) No vehicle impounded in a compound as herein provided shall be released there from until the charges for towing such vehicle to the compound and storage charges have been paid. Charges for towing and removal shall be fixed by the operator of the towing service.

(c) The provisions of this section shall be in addition to and shall not limit powers of law enforcement officers to authorize the removal of vehicles under State law.
(Ordinance No. 9007, 8-9-90)

Section 18.27 Owner of car presumed to be violator

In the prosecution charging a violation of any ordinance or provision of this article governing the stopping, standing, or parking or operating of a vehicle, proof the particular vehicle described in the complaint was parked or operated in violation of any such ordinance or regulation, together with proof that the defendant named in the complaint was, at the time of such parking or operating, the registered owner of such vehicle, shall constitute in evidence presumption that the registered owner of such vehicle was the person who stopped, parked or operated such vehicle at the point where and for the time during which such violation occurred.
(Ordinance No. 9007, 8-9-90)

Section 18.28 Failure to comply with summons attached to illegally parked vehicle; warning letter

A warning letter, in the form heretofore approved by the county court, shall be mailed to the registered owner of a vehicle when a citation has been unpaid for a period of ten [10] days. If the fine due is not paid within the 10-day period specified in the warning letter, the Clerk of

Court shall issue a summons to the registered owner of the vehicle to appear in court for arraignment unless the ticket is paid prior to the returnable court date and hour. If the defendant fails to appear for the arraignment, and the court file reflects the owner has received the certified letter as to the arraignment, the Clerk of Court shall issue a warrant for the arrest of the defendant.
(Ordinance No. 9007, 8-9-90)

Section 18.29 Penalty for violations

(a) Parking Ticket Violations:

- (1) The following provisions of this Article shall be deemed a parking ticket violation, and any person issued a parking ticket for violations of these provisions shall be deemed to be charged with a non-criminal violation. Such violation shall be punished as provided in Section 316.1967, *Florida Statutes*, as may be amended; Sections 18-4(a)(1), 18-5 through 18-10, 18-12 through 18-16, 18-18, and 18-21.
- (2) A civil penalty for violation of the sections as set forth in paragraph (1) above shall be as follows:
 - a. Overtime parking: \$5.00 each violation
 - b. All other parking violations: \$15.00 each violation

(b) Traffic Infractions: A violation of the following provisions shall be deemed an infraction as defined in Section 318.13(3), *Florida Statutes* (1983), as may be amended, and shall be punished as provided in Section 316.655, *Florida Statutes*, (1983), as may be amended: Sections 18-4(b) and (c), 18-11 and 18-23.

(c) Violations: Any person found guilty of violating the following sections of this Article shall be deemed in violation of a municipal ordinance and shall be punished in accordance with Section 1-15, City Code: Sections 18-17, 18-18, 18-22, 18-24, and 18-25.
(Ordinance No. 9007, 8-9-90)

Sections 18.30 – 18.40 Reserved

ARTICLE II -- Access and Internal Circulation

Section 18.41 Short title

This Article shall be known and may be cited as the *City of Crescent City Access and Internal Circulation Ordinance*.
(Ordinance No. 9210, Section 1, 12-10-92)

Cross Reference: Traffic Circulation Element, Crescent City Comprehensive Plan 2001, as amended; Roads and Parking standards set forth in Article 6, sections 6.3 and 6.5, Crescent City Land Development Code

Section 18.42 Relationship to the comprehensive plan

This Article implements and furthers the following objective and policies of the Comprehensive Plan:

(1) ***Future land use element***

Policy A.1.1.4, c. and d.
Policy A.1.2.1
Policy A.1.3.2
Policy A.1.7.1

(2) ***Traffic circulation element***

Objective B.1.1
Policy B.1.1.4
Policy B.1.2.3
Policy B.1.2.7

Objective B.1.4
Policy B.1.4.1
Policy B.1.4.2
Policy B.1.4.3
Policy B.1.4.4

Section 18.43 Intent and purpose

(a) This Article is intended to recognize the unique and disparate functions of arterial roadways within the City which must serve long-distance traffic movement yet provide access to sites adjacent to the roadways which contain individual traffic generators. It is the purpose of this Article to serve the public interest by minimizing operational difficulties caused by these generally incompatible traffic functions.

(b) The regulations stipulated in this article strive to promote the efficient use of public thoroughfares; to protect the public investment in the traffic-carrying capacity of its road network; to diminish hazardous traffic conditions, and to avoid continued degradation of arterial and collector road traffic capacities. Simultaneously, this article strives to protect the right of access for landowners abutting those roads addressed by this Article.
(Ordinance No. 9210, Section 3, 12-10-92)

Section 18.44 Area of jurisdiction

The following road within the city is identified as requiring controls in order to maintain the level of service (LOS) identified as minimum acceptable carrying capacity in the traffic circulation element of the comprehensive plan. See Table B-2 of the traffic circulation element: U.S. 17 within the north/south City limits.

Section 18.45 Findings of fact

(a) Section 163.3202, *Florida Statutes*, requires that local governments adopt land development regulations within one year after submission of its revised comprehensive plan.

(b) Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted Comprehensive Plan.

(c) The City wishes to maintain the level of service of local roads within the City.

(d) The City held public hearings and accepted public comment and revisions and found this Article to be consistent with and further the intent of the Comprehensive Plan. (Ordinance No. 9210, Section 5, 12-10-92)

Section 18.46 Access road spacing

(a) Access road spacing (including driveways) of new construction will be determined as a function of the adjoining road posted operating speed. Spacing will be determined according to the following schedule.

<i>Adjoining Road Posted Speed Limit</i>	<i>Minimum Access Spacing (feet)</i>
25mph	80
30 mph	105
35 mph	145
40 mph	185
45 mph	200

Access road (driveway) spacing will be measured from the midpoint of each access road or driveway. In the event that a particular parcel or parcels lack sufficient frontage to maintain adequate spacing, the property owner(s) may:

- (1) Establish a common areas road or driveway with one or more adjacent properties; or
- (2) Seek a variance from the board of zoning adjustment from the minimum spacing requirement. (In no case shall a variance be granted for a spacing greater than the next lowest classification noted in this section.

(b) Based upon data derived from the ITE Trip Generation Handbook, land use with a trip generation rate greater than fifty percent [50%] of the adjacent land use shall be considered incompatible and shall require a 100-foot spatial separation between access roads (driveways). (Ordinance No. 9210, Section 6, 12-10-92)

Section 18.47 Number of access points

Access for all land uses located on roads under the jurisdiction of this Article shall, in addition to Section 18-46 requirements, comply with the following:

(a) The maximum of two access roads shall be allowed per site along each street fronting the parcel.

(b) Commercial or industrial properties located at the intersection of two roads (corner property) shall be limited to one access point for the first 125 feet of property frontage from the intersection. Residential property located at the intersection of two roads shall be limited to one access point for the first 80 feet of property frontage from the intersection. (Ordinance No. 9210, Section 7; 12-10-92)

Section 18.48 Joint use driveways and property interconnections

Wherever possible, provisions for future interconnections of adjacent commercial, industrial and multifamily properties and joint use of access points of property to adjoining road shall be required. (Ordinance No. 9210, Section 8; 12-10-92)

Section 18.49 Development or redevelopment of abutting and existing parcels

(a) All provisions of this Article pertain to the initial development or redevelopment of a parcel. When a building permit is requested for the reconstruction or remodeling of an existing site or a rezoning is sought for a change of use, all of the existing as well as proposed access roads to the property shall comply with all provisions specified in this Article.

(b) Any property being redeveloped or altered, such that it requires alterations to the pavement or parking areas, shall be inspected by the designated city official to determine that all provisions of this article are being met

(c) Any existing access points not in use after redevelopment of a parcel shall have the unused apron removed, and any dropped curb section along the street at abandoned access points shall be replaced with a new curb (and sidewalk if previously existing) at the expense of the property owner. (Ordinance No. 9210, Section 9, 12-10-92)

Section 18.50 Reservation of right-of-way

Any property being developed or redeveloped adjacent to U.S. 17 shall be reviewed by the designated City official to determine if right-of-way shall be required for future development of fronting roadways. Where the requirements exist that right-of-way be reserved, the submitted plans for development or redevelopment may be modified by the designated City official to provide the required right-of-way. (Ordinance No. 9210, Section 10, 12-10-92)

Section 18.51 Approval

The Planning and Zoning Commission shall approve or disapprove location and design for proposed access drives in accordance with the provisions of this Article. If the decision concerning the proposed access way is negative, the Planning and Zoning Commission shall state the reasons for denial in writing.

(Ordinance No. 9210, Section 11; 12-10-92)

Section 18.52 Appeal

(a) A property owner may appeal a decision of disapproval for development or redevelopment of a parcel pertaining to the provisions of this article.

(b) If any property by reason of its location or physical dimensions cannot be developed in accordance with the provisions of this article, the owner of the subject property may seek redress from the restrictive provision(s) through the City Commission.

(Ordinance No. 9210, Section 12; 12-10-92)

Sections 18.53 – 18.59 Reserved

ARTICLE III -- Use of Golf Carts

Section 18.60 Purpose and Intent

The purpose and intent of this Article is to allow residents and visitors to operate golf carts within the City limits and regulate the operation of those golf carts in the interest of public safety.

(Ordinance 04-003, 07-08-04)

Section 18.61 Definition of golf cart

Section 320.01 (22), *Florida Statutes*, defines “golf cart” as “a motorized vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.”

(Ordinance 04-003, 07-08-04)

Section 18.62 Operation of golf carts

(a) Any person under the age of fourteen [14] may not operate golf carts on City streets.

(b) The owner of the golf cart has liability insurance covering the golf cart in the same limits required of automobiles in the *Florida Statutes*.

(c) A golf cart shall not be operated at all upon Florida Highway 17, but is permitted to cross where authorized and posted by the *Florida Department of Transportation*.

(d) Golf carts are not permitted on, but are permitted to cross, CR 308 at designated locations and signed locations.

(e) A golf cart may only be operated during the hours between sunrise and sunset.

(f) A golf cart must be equipped with adequate brakes, reliable steering, safe tires, a rearview mirror, and red reflector warning devices in both the front and rear.
(Ordinance 04-003, 07-08-04)

Section 18.63 Applicability of other laws; violations

No provisions in this Article should be construed to legalize or permit sounds, devices or activities mad unlawful by state or federal statutes or this Code of Ordinances. Any violation of this Article shall constitute a traffic infraction punishable to the provisions of state and local law.
(Ordinance 04-003, 07-08-04)