

**ORDINANCE NO. 98-28**

**AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, AMENDING SECTIONS 20-43, 20-44 AND 20-45, HERNANDO COUNTY CODE OF ORDINANCES, TO PROVIDE ALTERNATE AND ENHANCED ENFORCEMENT OF AND CIVIL PENALTIES FOR UNLAWFUL PARKING IN AREAS DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE TOWING AND IMPOUNDING OF UNLAWFULLY PARKED VEHICLES IN DESIGNATED AREAS; PROVIDING FOR AN ENHANCED CIVIL PENALTY FOR PERSONS UNLAWFULLY PARKING VEHICLES IN DESIGNATED AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

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**RECITALS**

**WHEREAS**, existing penalties for illegal parking on county rights-of-way or other property in certain areas have proven ineffective as a deterrent to such illegal parking; and

**WHEREAS**, such illegal parking is dangerous to motorists attempting to traverse county roads where such illegal parking occurs; and

**WHEREAS**, such illegal parking is also dangerous to pedestrians attempting to use rights-of-way and forced thereby to walk in or on the traveled portions of county roads used by motor vehicles; and

**WHEREAS**, residents of areas where such illegal parking occurs are sometimes prevented from exercising their rights of ingress and egress to the county road system because of such illegally parked vehicles;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. DESIGNATION OF AREAS FOR ENHANCED PARKING ENFORCEMENT AND PENALTIES**

Section 20-43, Hernando County Code of Ordinances is hereby amended to read as follows:

(a) The Board of County Commissioners shall have original jurisdiction to regulate parking, by resolution of the board of county commissioners and the erection of signs conforming to the manual and specifications of the Department of Transportation, in parking areas located on property owned or leased by the county, whether or not such areas are located within the boundaries of chartered municipalities.

(b) The Board of County Commissioners may by resolution declare and define designated areas of county rights-of-way or other property owned or leased by the county where enhanced parking enforcement provided in Section 20-44(c) and the enhanced penalties provided in Section 20-45(a) shall be applicable.

**SECTION 2. ENHANCED PARKING ENFORCEMENT.**

Section 20-44, Hernando County Code of Ordinances, is hereby amended to add subsection (c) to read as follows:

(c) Any motor vehicle parked in violation of section 20-40 or 20-42 on county right-of-way or other property owned or leased by the county where a no-parking zone is additionally marked by "Tow-away zone" signs conforming to the manual and specifications of the Department of Transportation, pursuant to designation by the board of county commissioners, may be towed away and impounded at the request of any law enforcement officer or parking enforcement specialist. Such impounded vehicle shall be released to the record title owner only upon payment of all lawful towing and storage charges and subject to any pending civil penalties pursuant to Section 20-45(a).

**SECTION 3. ENHANCED PARKING PENALTIES.**

Section 20-45(a), Hernando County Code of Ordinances, is hereby amended to read as follows:

(a) Any person who stops, parks or stands a vehicle in violation of the terms of section 20-40 or 20-42 shall be deemed to be charged with a noncriminal violation and shall be assessed a civil penalty of ten dollars (\$10.00), provided that any person who stops, parks or stands a vehicle in violation of the terms of section 20-40 or 20-42 on county right-of-way or other property owned or leased by the county where a no-parking zone is additionally marked by "Tow-away zone" signs conforming to the manual and specifications of the Department of Transportation, pursuant to designation by the board of county commissioners, shall be assessed an additional civil penalty of one hundred dollars (\$100.00).

**SECTION 4. SEVERABILITY**

If any subsection, sentence, clause, phrase or portion of these sections is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of the chapter.

**SECTION 5. INCLUSION**

It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, Hernando County, Florida, and the sections of this ordinance may be renumbered to accomplish such intention.

**SECTION 6. EFFECTIVE DATE**


This ordinance shall take effect upon filing with the Department of State.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS** in Regular Session  
on this 20th day of October, 1998 A.D.

**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA**

Attest:

  
\_\_\_\_\_  
KAREN NICOLAI  
Clerk

  
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HANNAH M. ROBINSON  
Chairwoman