

ORDINANCE NO.: 2011-1

AN ORDINANCE AMENDING CHAPTER 20 (MOTOR VEHICLES AND TRAFFIC), ARTICLE III (STOPPING, STANDING AND PARKING) OF THE HERNANDO COUNTY CODE OF ORDINANCES BY AMENDING THE "HERNANDO COUNTY PARKING ORDINANCE"; AMENDING DEFINITIONS; PROVIDING FOR THE USE OF INDIVIDUALIZED OR CENTRALIZED PARKING METERS OR PARKING PAY STATIONS ON LAND OWNED, LEASED OR CONTROLLED BY THE COUNTY; PROHIBITING THE PARKING OF ANY VEHICLE IN ANY PAY DESIGNATED PARKING SPACE WHERE THE REQUIRED FEE HAS NOT BEEN PAID; AMENDING PROVISIONS RELATING TO PARKING BY DISABLED PERSONS; PROVIDING CERTAIN EXEMPTIONS FROM PARKING ENFORCEMENT FOR DISABLED PERSONS; ESTABLISHING PENALTIES FOR PARKING IN ANY PAY DESIGNATED PARKING SPACE WHERE THE REQUIRED FEE HAS NOT BEEN PAID; PROVIDING FOR HEARINGS BEFORE THE COUNTY'S SPECIAL MASTER; AMENDING ENFORCEMENT PROCEDURES; AMENDING CHAPTER 22 (PARKS AND RECREATION) BY AMENDING SECTION 22-5 RELATING TO PARKING WITHIN COUNTY PARKS OR RECREATION AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

WHEREAS, the Board finds that "user fees" are a fairer means of paying for and funding certain facilities and services enjoyed by some but not all residents of Hernando County; and,

WHEREAS, Pine Island Beach, Rogers Park, County-operated boat ramps and certain parks including the "Dog Park" are examples of facilities that should be funded in whole or part through user fees and collecting parking fees at these facilities is one means of assessing and collection such user fees.

**SECTION I. Amending Chapter 20 (Motor Vehicles and Traffic), Article III (Stopping, Standing and Parking).** Chapter 20 (Motor Vehicles and Traffic), Article III (Stopping, Standing and Parking) is amended to read as follows, with underlined matter added and struck-through matter deleted:

**ARTICLE III. STOPPING, STANDING AND PARKING\***

**Sec. 20-37. Short title.**

This article shall be known as the "Hernando County Parking Ordinance."

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HERNANDO COUNTY, FLORIDA

1 (Ord. No. 85-23, § 1, 10-15-85)  
2

3 **Sec. 20-38. Jurisdiction.**  
4

5 The terms of this article shall be applicable in the unincorporated areas of Hernando  
6 County and, pursuant to the terms of this article, in areas owned or leased by Hernando County,  
7 which are located within the boundaries of chartered municipalities.

8 (Ord. No. 85-23, § 2, 10-15-85)  
9

10 **Sec. 20-39. Definitions.**  
11

12 The following words and phrases, when used in this article, shall have the meanings  
13 ascribed to them in this section, except where the context otherwise requires:  
14

15 (a) *Bicycle*: Any device propelled by human power, or any "moped" propelled by a  
16 pedal-activated helper motor with a manufacturer's certified maximum rating of one and one-half  
17 (1 ½) brake horsepower, upon which any person may ride, having two (2) tandem wheels, wither  
18 of which is twenty (20) inches or more in diameter, and including any device generally  
19 recognized as a bicycle though equipped with two (2) front or two (2) rear wheels.  
20

21 (b) *Bicycle path*: Any road, path or way that is open to bicycle travel, which road,  
22 path or way is physically separated from motorized vehicular traffic by an open space or by a  
23 barrier and is located either within the highway right-of-way or within an independent right-of-  
24 way.  
25

26 (c) *Board of county commissioners*: The board of county commissioners of  
27 Hernando County, Florida.  
28

29 (d) *Clerk*: Clerk of the circuit court and county courts of Hernando County, Florida.  
30

31 (e) *Commercial motor vehicle*: Any self-propelled or towed vehicle used on the  
32 public highways in commerce to transport passengers or cargo, if such vehicle:  
33

34 (1) Has a gross vehicle weight rating of ten thousand (10,000) pounds or  
35 more;

36 (2) Is designed to transport more than ten (10) passengers, including the  
37 driver; or  
38

39 (3) Is used in the transportation of materials found to be hazardous for the  
40 purposes of the Hazardous Materials Transportation Act, as amended (49  
41 U.S.C. ss. 1801 et seq.).  
42

43 (f) *County*: Hernando County, Florida.  
44

1 (g) *Crosswalk:*  
2

- 3 (1) That part of a roadway at an intersection included within the connections  
4 of the lateral lines of the sidewalks on opposite sides of the highway,  
5 measured from the curbs or, in the absence of curbs, from the edges of the  
6 traversable roadway.  
7  
8 (2) Any portion of a roadway set aside for pedestrian crossing at an  
9 intersection or elsewhere which is distinctly indicated by lines or other  
10 markings on the surface.  
11

12 (h) *Designated ~~public~~ disabled parking space:* Any ~~public~~ disabled parking space  
13 posted with the sign bearing the internationally accepted wheelchair symbol and the caption  
14 "PARKING BY DISABLED PERMIT ONLY:" or similarly designated on the parking space.  
15

16 (i) *Exclusive bicycle lane:* That portion of a highway or street set aside only for  
17 bicycle travel and which is distinctly indicated by lines or other markings on the surface.  
18

19 (j) *Handicapped or disabled person:* Any person who is:  
20

- 21 (1) Severely physically disabled and has permanent mobility problems which  
22 substantially impair his ability to ambulate; or  
23  
24 (2) Certified as legally blind.  
25

26 Any person meeting either of the above requirements must also have been issued an  
27 exemption entitlement parking permit pursuant to ~~Section 320.0848~~ chapter 320, Florida  
28 Statutes, as amended, or legally issued pursuant to the statute, rule or regulation of any other  
29 country, state, province, district or territory.  
30

31 (k) *Highway:* The entire width between the boundary lines of every way or place of  
32 whatever nature when any part thereof is open to the use of the public for purposes of vehicular  
33 traffic.  
34

35 (l) *Intersection:*  
36

- 37 (1) The area embraced within the prolongation or connection of the lateral  
38 curb lines; or, if none, then the lateral boundary lines of the roadways of  
39 two (2) highways which join one another at, or approximately at, right  
40 angles; or the area within which vehicles traveling upon different  
41 highways joining at any other angle may come in conflict.  
42  
43 (2) Where a highway includes two (2) roadways thirty (30) feet or more apart,  
44 then every crossing of each roadway of such divided highway by an  
45 intersecting highway shall be regarded as a separate intersection. In the

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1 event such intersecting highway also includes two (2) roadways thirty (30)  
2 feet or more apart, then every crossing of two (2) roadways of such  
3 highways shall be regarded as a separate intersection.  
4

5 (m) Pay designated parking space: Any parking space within any land owned, leased  
6 or controlled by the county that is marked or designated as pay parking and for which a parking  
7 fee is required to stop, stand or park any vehicle to cover the duration of time said vehicle is  
8 stopped, standing or parked in said space. The meter or pay station may be individualized to  
9 each particular parking space or may be placed in a centralized location or locations in order to  
10 cover multiple parking spaces.

11  
12 (m n) Official traffic-control device: All signs, signals, markings and devices placed or  
13 erected by authority of a public body or official having jurisdiction for the purpose of regulating,  
14 warning or guiding traffic.

15  
16 (n o) Official traffic-control signal: Any device, whether manually, electrically or  
17 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

18  
19 (o p) Owner: A person who holds the legal title of a vehicle, or, in the event a vehicle  
20 is the subject of an agreement for the conditional sale or lease thereof with the right of purchase  
21 upon performance of the conditions stated in the agreement and with an immediate right of  
22 possession vested in the conditional vendee or lessee, or in the event a mortgagor of the vehicle  
23 is entitled to possession, then such conditional vendee, or lessee, or mortgagor shall be deemed  
24 the owner, for purposes of this article.

25  
26 (p q) Park or parking: The standing of a vehicle, whether occupied or not, otherwise  
27 than temporarily for the purpose of and while actually engaged in loading or unloading  
28 merchandise or passengers as may be permitted by law under this article.

29  
30 (q r) Parking enforcement specialist: A person appointed by the sheriff, the head of  
31 county code enforcement and/or the county department director having jurisdiction over county  
32 parks, lands or applicable facilities to enforce parking regulations and said person who has  
33 successfully completed a state-approved training program an established and approved by the  
34 police standards and training commission for parking enforcement specialists, but who does not  
35 otherwise meet the uniform minimum standards established by the police standards and training  
36 commission for police officers or auxiliary or part-time officers under Section 943.12, Florida  
37 Statutes, as amended for parking enforcement specialists in accordance with all applicable state  
38 laws and regulations.

39  
40 r) (s) Parking ticket: An official form used to notify the owner of a vehicle that  
41 said vehicle is parked, stopped or standing in violation of the terms of this article. The means by  
42 which a violation is enforced through the affixing of an official form to the vehicle. A parking  
43 ticket shall identify the vehicle by tag number or vehicle identification number, list the type of  
44 violation(s), state the amount of civil penalty, state the procedures to be followed in either paying  
45 the civil penalty or electing to have a hearing to contest the civil penalty, and state the penalty for

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1 failure to comply with the directions contained in the ticket. The parking ticket may be in the  
2 form of a ticket, notice, or citation although for purposes of this article all may be treated as one  
3 and the same.  
4

5 (s t) *Person*: Any natural person, firm, copartnership, association or corporation.  
6

7 (t u) *Private road or driveway*: Any privately owned way or place for vehicular travel  
8 by the owner and not open to travel by the public.  
9

10 (u v) *Public parking space*: Any parking space which the owner, lessee or person in  
11 control of such property provides for use by members of the public other than employees of such  
12 owner, lessee or person, including, but not limited to, parking spaces at shopping centers, stores,  
13 offices, motels, malls, restaurants and marinas.  
14

15 (v w) *Railroad*: A carrier of persons or property upon cars operated upon stationary  
16 rails.  
17

18 (w x) *Residential area*: Any area of the county which is classified within any one of the  
19 following zoning classifications: R-1A, R-1B, R-1C, R-2, R-3, R-PDP, RM or MH-PDP.  
20

21 (x y) *Roadway*: That portion of a highway improved, designed or ordinarily used for  
22 vehicular travel, exclusive of berm or shoulder. In the event a highway includes two (2) or more  
23 separate roadways, the term "roadway," as used herein, shall refer to any such roadway  
24 separately, but not to all such roadways collectively.  
25

26 (y z) *Sheriff*: The sheriff of Hernando County or his duly appointed deputies.  
27

28 (z aa) *Sidewalk*: That portion of a street between the curb line, or the lateral line, of a  
29 roadway and the adjacent property lines, intended for use by pedestrians.  
30

31 (aa bb) *Stand or standing*: The halting of a vehicle, whether occupied or not, otherwise  
32 than temporarily, for the purpose of and while actually engaged in receiving or discharging  
33 passengers, as may be permitted by law under this article.  
34

35 (bb cc) *Stop or stopping*: When prohibited, any halting, even momentarily, of a vehicle,  
36 whether occupied or not, except when necessary to avoid conflict with other traffic or to comply  
37 with the directions of a law enforcement officer or traffic-control sign or signal.  
38

39 (cc dd) *Street*: The entire width between the boundary lines of every way or place of  
40 whatever nature when any part thereof is open to the use of the public for purposes of vehicular  
41 traffic.  
42

43 (dd ee) *Traffic*: Pedestrians, ridden or herded animals, and vehicles, and other  
44 conveyances, either singly or together, while using any street or highway for purposes of travel.  
45

1           (~~ee~~ ff) *Vehicle*: Any device, in, upon or by which any person or property is or may be  
2 transported or drawn upon a highway, except devices moved by human power or used  
3 exclusively upon stationary rails or tracks.  
4

5 (Ord. No. 85-23, § 3, 10-15-85; Ord. No. 2010\_\_\_\_\_)  
6

7 **Sec. 20-40. General prohibition upon stopping, standing and parking in certain places.**  
8

9           Within the unincorporated areas of Hernando County, except when necessary to avoid  
10 conflict with other traffic, or in compliance with law or the directions of any law enforcement  
11 officer, or fireman at the scene of an emergency or official traffic-control device, no person shall:  
12

13           ~~(A)~~ (a) Stop, stand or park a vehicle:  
14

- 15           (1) On the roadway side of any vehicle stopped or parked at the edge or curb  
16 of a street;
- 17           (2) On a sidewalk;
- 18           (3) Within an intersection;
- 19           (4) On a crosswalk;
- 20           (5) Alongside or opposite any street excavation or obstruction when stopping,  
21 standing or parking would obstruct traffic;
- 22           (6) Upon any bridge or other elevated structure upon a highway or within a  
23 highway tunnel;
- 24           (7) On any railroad tracks;
- 25           (8) At any place where an official traffic-control device prohibits stopping;  
26
- 27           (9) Between a safety zone and the adjacent curb or within thirty (30) feet of  
28 points on the curb immediately opposite the ends of a safety zone, unless a  
29 different length is indicated by signs or markings;
- 30           (10) On a bicycle path;
- 31           (11) On the roadway or shoulder of a limited access facility or on the paved  
32 portion of a connecting ramp; except that a vehicle which is disabled or in  
33 a condition improper to be driven as a result of mechanical failure or  
34 accident may be parked on such shoulder for a period not to exceed six (6)  
35 hours. This provision is not applicable to a person stopping a vehicle to  
36 render aid to an injured person or assistance to a disabled vehicle in  
37  
38  
39  
40  
41  
42  
43  
44  
45

1 obedience to the directions of a law enforcement officer or fireman at the  
2 scene of an emergency, or to a person stopping a vehicle in compliance  
3 with applicable traffic laws;  
4

5 (12) (a) a. Whether attended or unattended, upon the paved or main-traveled  
6 part of the highway when it is practicable to stop, park or so leave  
7 the vehicle off such part of the highway; but in every event an  
8 unobstructed width of the highway opposite a standing vehicle  
9 shall be left for the free passage of other vehicles, and a clear view  
10 of the stopped vehicle shall be available from a distance of two  
11 hundred (200) feet in each direction upon the highway.  
12

13 (~~b~~) b. This paragraph shall not apply to the driver or owner of any vehicle  
14 which is disabled while on the paved or main-traveled portion of  
15 the highway in such manner and to such extent that it is impossible  
16 to avoid stopping and temporarily leaving the disabled vehicle in  
17 such position, or to passenger-carrying buses temporarily parked  
18 while loading or discharging passengers, where highway conditions  
19 render such parking off the paved portion of the highway  
20 hazardous or impractical.  
21

22 (~~c~~) c. Whenever any law enforcement officer finds a vehicle standing  
23 upon a highway in violation of any of the foregoing provisions of  
24 this section, the officer is authorized to move the vehicle, or  
25 require the driver or other persons in charge of the vehicle to move  
26 the same, to a position off the paved or main-traveled part of the  
27 highway.  
28

29 ~~2.~~ d. Officers are hereby authorized to provide for the removal of any  
30 abandoned vehicle to the nearest garage or other place of safety,  
31 cost of such removal to be a lien against the motor vehicle, when  
32 said abandoned vehicle is found unattended upon a bridge or  
33 causeway or in any tunnel, or on any public highway in the  
34 following instances:  
35

36 a. 1. Where such vehicle constitutes an obstruction of traffic;  
37

38 b. 2. Where such vehicle has been parked or stored on the public  
39 right-of-way for a period exceeding forty-eight (48) hours,  
40 in other than designated parking areas, and is within thirty  
41 (30) feet of the pavement edge; or  
42

43 c. 3. Where such vehicle has been parked or stored on the public  
44 right-of-way for a period exceeding ten (10) days, in other  
45 than designated parking areas, and is more than thirty (30)

1 feet from the pavement edge. However, the agency  
2 removing such vehicle shall be required to report same to  
3 the Department of Highway Safety and Motor Vehicles and  
4 the Florida Highway Patrol within twenty-four (24) hours  
5 of such removal.  
6

7 ~~3. e.~~ Any vehicle moved under the provisions of this article which is a  
8 stolen vehicle shall not be subject to the provisions hereof unless  
9 the moving authority has reported to the Florida Highway Patrol  
10 the taking into possession of the vehicle within twenty-four (24)  
11 hours of the moving of the vehicle.  
12

13 (13) On a pay designated parking space where no parking fee has been paid to  
14 cover the duration of time the vehicle is stopped, standing or parked in  
15 said space.  
16

17 ~~(B)~~ (b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up  
18 or discharge a passenger or passengers:  
19

- 20 (1) In front of a public or private driveway;
- 21
- 22 (2) Within fifteen (15) feet of a fire hydrant;
- 23
- 24 (3) Within twenty (20) feet of a crosswalk at an intersection;
- 25
- 26 (4) Within thirty (30) feet upon the approach to any flashing signal, stop sign,  
27 yield sign or official traffic-control signal located at the side of a roadway;
- 28
- 29 (5) Within twenty (20) feet of the driveway entrance to any fire station and on  
30 the side of a street opposite the entrances to any fire station within  
31 seventy-five (75) feet of said entrances, when properly signposted;
- 32
- 33 (6) At any place where an official traffic-control device prohibits standing;
- 34
- 35 (7) On an exclusive bicycle lane.  
36

37 ~~(C)~~ (c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and  
38 while actually engaged in loading or unloading merchandise or passengers:  
39

- 40 (1) Within fifty (50) feet of the nearest rail of a railroad crossing;
- 41
- 42 (2) At any place where an official traffic-control device prohibits parking;
- 43
- 44 (3) Within thirty (30) feet of any rural or curbside mailbox between the hours  
45 of 8:00 a.m. and 5:00 p.m., except on Sundays or legal holidays.



1           (Ⓣ) (d) Park a commercial motor vehicle, whether occupied or not, except temporarily for  
2 the purpose of and while actually engaged in loading or unloading merchandise or passengers, in  
3 any residential area.

4  
5           (ⓔ) (e) Park a vehicle upon any street for the principal purpose of:

- 6  
7                   (1)    Displaying such vehicle for sale;  
8  
9                   (2)    Washing, greasing or repairing such vehicle, except repairs necessary in an  
10 emergency;  
11  
12                   (3)    Displaying advertising;  
13  
14                   (4)    Selling merchandise from such vehicle except in a duly established market  
15 place, or when so authorized or licensed under the ordinances of this  
16 county;  
17  
18                   (5)    Storage, or as junkage or dead storage for more than twenty-four (24)  
19 hours.  
20

21           (ⓕ) (f) Except as otherwise provided in this article, every vehicle stopped or parked upon  
22 a two-way street or highway shall be so stopped or parked with the right-hand wheels parallel to  
23 and within twelve (12) inches of the right-hand curb or edge of the street or highway.

24  
25           (ⓖ) (g) Except as otherwise provided in this article, every vehicle stopped or parked upon  
26 a one-way street or highway shall be so stopped or parked parallel to the curb or edge of the  
27 roadway, in the direction of the authorized traffic movement, with its right-hand wheels within  
28 twelve (12) inches of the right-hand curb or edge of the roadway, or its left-hand wheels within  
29 twelve (12) inches of the left-hand curb or edge of the roadway.  
30

31 (Ord. No. 85-23, § 4, 10-15-85; Ord. No. 2010 \_\_\_\_\_)  
32

33 **Sec. 20-41. Public Disabled parking spaces for certain handicapped persons; certain**  
34 **exemptions for handicapped persons.**  
35

36           (a)    No person shall park any vehicle in any designated public disabled parking space  
37 located on county-owned or leased property or private property within the unincorporated areas  
38 of Hernando County, ~~unless such vehicle displays a parking permit issued pursuant to Section~~  
39 ~~320.0848, Florida Statutes, as amended, and such vehicle is transporting a handicapped person~~  
40 ~~eligible for such parking permit. unless the vehicle displays a disabled parking permit issued~~  
41 ~~under s. 316.1958 or s. 320.0848 or a license plate issued under s. 320.084, s. 320.0842, s.~~  
42 ~~320.0843, or s. 320.0845, Florida Statutes, and the vehicle is transporting the person to whom the~~  
43 ~~displayed permit is issued.~~ However, any person who is chauffeuring a handicapped person shall  
44 be allowed, without need for a parking permit, momentary parking in a designated public  
45 disabled parking space for the purpose of loading or unloading said handicapped person.

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1           (b) Any vehicle properly displaying a disabled parking permit issued under s.  
2 316.1958 or s. 320.0848 or a license plate issued under s. 320.084, s. 320.0842, s. 320.0843, or s.  
3 320.0845, Florida Statutes, and the vehicle is transporting the person to whom the displayed  
4 permit is issued, shall not be required to pay for parking in any pay designated parking space as  
5 defined in this article and section 20-40(a)(13) of this code shall not be enforced against said  
6 vehicle, unless otherwise allowed under s. 316.1964, Florida Statutes.

7  
8 (Ord. No. 85-23, § 5, 10-15-85; Ord. No. 2010-\_\_\_\_)

9  
10 **Sec. 20-42. Parking in fire lanes.**

11  
12 No person shall park a vehicle in an area designated to be a fire lane and marked as such.

13  
14 (Ord. No. 85-23, § 6, 10-15-85)

15  
16 **Sec. 20-43. Regulation of parking in parking areas located on property owned or leased by**  
17 **the county.**

18  
19 (a) The board of county commissioners shall have original jurisdiction to regulate  
20 parking, ~~by resolution of the board of county commissioners and the erection of signs conforming~~  
21 ~~to the manual and specifications of the department of transportation,~~ in all parking areas located  
22 on property owned, or leased or controlled by the county, whether or not such areas are located  
23 within the boundaries of chartered municipalities. This shall include, without limitation, the  
24 erection of signage, the designation of handicapped, restricted, speciality, prohibited, metered or  
25 pay designated parking as may be appropriate, and the installation of individual or centralized  
26 parking meters.

27  
28 (b) The board of county commissioners may by resolution declare and define  
29 designated areas of county rights-of-way or other property owned or leased by the county where  
30 enhanced parking enforcement provided in section 20-44(c) and the enhanced penalties provided  
31 in section 20-45(a) shall be applicable.

32  
33 (Ord. No. 98-28, § 1, 10-20-98; Ord. No. 2010 \_\_\_\_)

34  
35 **Sec. 20-44. Enforcement.**

36  
37 (a) Any law enforcement officer having jurisdiction in this county or parking  
38 enforcement specialist as defined in this article who discovers a vehicle parked in violation of  
39 this article shall issue a parking ticket ~~approved for use and provided by the Board of County~~  
40 ~~Commissioners~~ in accordance with this article or applicable state law and shall attach such ticket  
41 to the vehicle in a conspicuous place. Such parking ticket shall contain language providing  
42 notice of the following:  
43

- 
- 1 (1) The type of violation and the amount of civil penalty imposed by this  
2 article.  
3  
4 (2) The procedure to be followed in either paying said civil penalty or electing  
5 not to pay such civil penalty and requesting a hearing before ~~a county~~  
6 judge a special master concerning the parking violation.  
7  
8 (3) The penalty for failure to comply with directions contained on the ~~citation~~  
9 parking ticket.

10  
11 (b) The ~~deputy sheriff~~ law enforcement officer or parking enforcement specialist shall  
12 determine the registered owner of the vehicle for which a parking ticket has been issued and shall  
13 complete the parking ticket form. The original copy of the parking ticket form shall be  
14 forwarded to the ~~clerk~~ code enforcement clerk when completed for processing.  
15

16 (c) Any motor vehicle parked in violation of section 20-40 or 20-42 on County right-  
17 of-way or other property owned or leased by the County where a no-parking zone is additionally  
18 marked by "Tow-Away Zone" signs conforming to the manual and specifications of the  
19 department of transportation, pursuant to designation by the Board of County Commissioners,  
20 may be towed away and impounded at the request of any law enforcement officer or parking  
21 enforcement specialist. Such an impounded vehicle shall be released to the record title owner  
22 ~~only~~ upon payment of all lawful towing and storage charges and subject to any pending civil  
23 penalties pursuant to Section 20-45(a).  
24

#### 25 **Sec. 20-45. Civil Penalties.**

26  
27 (a) Any person who stops, parks or stands a vehicle in violation of the terms of  
28 section 20-40 or 20-42, but specifically excluding subsection 20(a)(13), shall be deemed to be  
29 charged with a noncriminal violation and shall be assessed a civil penalty of eleven dollars  
30 (\$11.00);  
31

32 (b) ~~provided that any~~ Any person who stops, parks or stands a vehicle in violation of  
33 the terms of section 20-40 or 20-42 on County right-of-way or other property owned or leased by  
34 the County where a no-parking zone is additionally marked by "Tow-Away Zone" signs  
35 conforming to the manual and specifications of the Florida Department of Transportation;  
36 pursuant to designation by the Board of County Commissioners; shall be deemed to be charged  
37 with a noncriminal violation and shall be assessed an additional a civil penalty of one hundred  
38 one dollars (\$101.00).  
39

40 (b c) Any person who stops, parks or stands a vehicle in violation of the terms of  
41 section 20-41 shall be deemed to be charged with a noncriminal violation and shall be assessed a  
42 civil penalty of one hundred one dollars (\$101.00).  
43

1 (d) Any person who stops, parks or stands a vehicle in violation of the terms of  
2 section 20-40(a)(13), regarding parking in any pay designated parking space without paying the  
3 required fee, shall be deemed to be charged with a noncriminal violation and shall be assessed a  
4 civil penalty of forty dollars (\$40.00).

5  
6  
7 (c e) Each day any violation occurs or continues shall be a separate offense.

8  
9 (d f) The amount of any civil penalty specified in this section shall be increased by  
10 sixteen dollars (\$16.00) if payment is not received by the county within the described thirty-day  
11 period after the parking ticket.

12  
13 (e g) The owner of a vehicle is responsible and liable for payment of any parking ticket  
14 violations, except that the owner of a vehicle is not responsible for any parking ticket violations  
15 if the vehicle involved was reported as stolen; at the time, ~~stolen and reported as such.~~

16  
17 **Sec. 20-46. Procedures Governing Payment of Civil Penalties and Proceedings to Enforce**  
18 **Payment.**

19  
20 (a) ~~Any person issued a county parking ticket, pursuant to section 20-44 shall answer~~  
21 ~~the ticket by either of the following procedures within a thirty-day period which begins to run on~~  
22 ~~the day immediately following the day that said ticket is issued:~~

23  
24 (1) ~~Payment of the civil penalty indicated on the ticket may be~~  
25 ~~remitted to the county, pursuant to the directions of such ticket,~~  
26 ~~which civil penalty is subject to increase pursuant to the terms of~~  
27 ~~the article.~~

28  
29 (2) ~~A hearing may be requested by the person receiving such citation~~  
30 ~~or the cited vehicle's registered owner for the purpose of presenting~~  
31 ~~evidence before a special master concerning a parking violation.~~  
32 ~~Any person requesting a hearing shall execute a statement on a~~  
33 ~~form prepared by the county indicating his or her willingness to~~  
34 ~~appear at such hearing at a time and place specified thereon.~~

35  
36 (a) Violation of any of the provisions of this article may be prosecuted as described in  
37 Chapter 2, Article III as amended from time to time.

38  
39 (b) ~~Any election to request the hearing constitutes a waiver of the right to pay the~~  
40 ~~civil penalty indicated on the parking ticket, and a special master after the hearing may impose a~~  
41 ~~fine not to exceed one hundred dollars (\$100.00), plus court costs for each parking violation.~~

42  
43 (b) In the event that a hearing is requested and the special master determines that a  
44 violation of this article has occurred, the special master may imposed reasonable administrative  
45 costs in addition to any civil penalty imposed

1           (c) ~~If there has been no response pursuant to paragraph (a) of this section, and after~~  
2 ~~the time prescribed therein, the clerk shall notify the registered owner first listed on such ticket of~~  
3 ~~its issuance. Such notice shall be sent by regular mail and shall inform such registered owner~~  
4 ~~concerning the nature and location of the parking violation. The registered owner shall pay the~~  
5 ~~civil penalty indicated on the ticket, including the fifteen-dollar penalty, as specified in~~  
6 ~~subsection 2-45(d), within fourteen (14) days after the date of mailing such notice.~~

7  
8           (c) In addition, the county shall have recourse to such remedies in law and equity as  
9 may be necessary to insure compliance with the provisions of this article, including injunctive  
10 relief to enjoin and restrain any person from violating the terms of this article.

11  
12           (d) ~~If payment of the civil penalty is not received within the fourteen-day period~~  
13 ~~specified in subsection (c) herein, the county shall cause the department of highway safety and~~  
14 ~~motor vehicles to be notified in accordance with section 316.1967, Florida Statutes, 1993.~~

15  
16           (d) The enumeration of penalties, enforcement and remedies herein are non-exclusive  
17 and shall not preclude any other enforcement means or remedy now or hereafter available under  
18 applicable law.

19  
20           (e) ~~If the last day of a time period described above falls on a Saturday, Sunday or~~  
21 ~~legal holiday, the time period shall run until the end of the next business day which is neither a~~  
22 ~~Saturday, Sunday, or legal holiday.~~

23  
24 (Ord. No. 85-23, § 10, 10-15-85; Ord. No. 92-03, § 1(B), 4-21-92; Ord. No. 94-12, §§ 1(C)(1),  
25 (D)(1), (E)(1), 7-26-94; Ord. No. 2004-09, § 14, 7-13-04; Ord. No. 2010 \_\_\_\_\_)

26  
27 **Sec. 20-47. Promulgation of administrative orders.**

28  
29 ~~—The board of county commissioners recognizes that the court may adopt administrative~~  
30 ~~orders to further effectuate the purpose and intent of this article.~~

31  
32 (Ord. No. 85-23, § 11, 10-15-85)

33  
34 **Secs. 20-48--20-59. Reserved.**

35  
36 **SECTION II. Amending Chapter 22 (Parks and Recreation), Article I (General), Sec. 22-**  
37 **15 (Parking).** Chapter 22 (Parks and Recreation), Article I (General), Sec. 22-15 (Parking) is  
38 amended to read as follows, with underlined matter added and struck-through matter deleted:

39  
40 **Sec. 22-15. Parking.**

41  
42           (a) No person shall park a vehicle, watercraft or trailer any place on park property  
43 other than in the regular designated facilities provided for that particular type of vehicle or  
44 vehicle and trailer, unless directed otherwise by law enforcement officers or park employees.

1 (b) No person shall park or station any vehicle in any zone designated and marked "no  
2 parking," or otherwise marked for restricted use.

3  
4 (c) No person shall double park any vehicle at any time on any road or park area,  
5 unless so directed by a law enforcement officer or park employee.

6  
7 (d) Any person parking in a pay designated parking space shall pay all parking fees  
8 required to cover the duration of time said vehicle is stopped, standing or parked in said space  
9 unless exempted under section 20-41 of this code.

10  
11 (e) A violation of this section may be enforced as provided in Chapter 20, Article III  
12 (Stopping, Standing and Parking) of this code.

13  
14 (Ord. No. 2006-01, § 15, 1-24-06)

15  
16 **SECTION III.** Severability. It is declared to be the intent of the Board of County  
17 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this  
18 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect  
19 the validity of the remaining portions of this ordinance.

20  
21 **SECTION IV.** Repeal of Conflicting Ordinances. The provisions of any other Hernando county  
22 ordinance that are inconsistent or in conflict with the provisions of this Ordinance are repealed to  
23 the extent of such inconsistency or conflict.

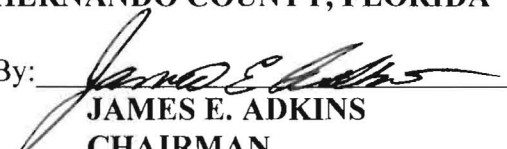
24  
25 **SECTION V.** Inclusion in the Code. It is the intention of the Board of County Commissioners  
26 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance  
27 shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To  
28 this end, any section or subsection of this Ordinance may be renumbered or relettered to  
29 accomplish such intention, and the word "ordinance" may be changed to "section," "article," or  
30 other appropriate designation.


31  
32 **SECTION VI.** Effective date. This ordinance shall take effect immediately and shall be filed  
33 with the Department of State.

34  
35 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**  
36 **HERNANDO COUNTY in Regular Session this 11<sup>th</sup> day of January, 2011.**

37  
38  
39  
40  
41 Attest:   
42 **KAREN NICOLAI**  
43 **CLERK**



**BOARD OF COUNTY COMMISSIONERS**  
**HERNANDO COUNTY, FLORIDA**  
By:   
**JAMES E. ADKINS**  
**CHAIRMAN**

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY   
County Attorney's Office 