

ORDINANCE No. 2023-32

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING DIVISION 4 “PARKING BY PERMIT ONLY” OF ARTICLE V “PARKING” OF CHAPTER 44 “TRAFFIC AND VEHICLES” OF THE CITY OF DORAL CODE OF ORDINANCES, TO PROVIDE FOR ON-STREET MONTHLY PARKING PERMITS FOR RESIDENTS, BUSINESSES, AND STUDENTS; AMENDING APPENDIX A “PARKING FEE/FINE SHEET” OF CHAPTER 44 “TRAFFIC AND VEHICLES” TO PROVIDE FOR THE CORRESPONDING PERMIT FEES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on February 10, 2021, pursuant to Ordinance 2021-04, the City of Doral (“City”) adopted the “City of Doral Parking Ordinance” codified in Article V of Chapter 44 of the City’s Code of Ordinances (the “Code”); and

WHEREAS, as set forth in Chapter 44, Article V of the Code, the stated intent of the City of Doral Parking Ordinance is to provide for access and mobility solutions to meet the growing parking demand in the City, including the use of residential permit parking, and/or other parking management practices; and

WHEREAS, the City finds it necessary and in the best interest of the citizens of the City to amend its existing City of Doral Parking Ordinance to create a monthly on-street parking permit program for residents, businesses, and students, and to modify the corresponding Parking Fee/Fine schedule to provide for said on-street parking permit fees.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

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Section 1. Incorporation of Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Amendment to Article V of Chapter 44 of the City of Doral's Code of Ordinances. Chapter 44, Article V of the City of Doral's Code of Ordinances is hereby amended as follows:

ARTICLE V. PARKING

DIVISION 1. GENERAL PROVISIONS; ADMINISTRATIVE AUTHORITY; DEFINITIONS

DIVISION 4. PARKING BY PERMIT ONLY

Sec. 44-250. Purpose of resident parking permit areas.

Whenever the city manager or designee shall decide that a residential area is impacted by limited parking capacity, a resident permit parking area may be created. Shared public parking during non-peak hours is encouraged where possible.

Residents may petition the city manager or designee for the creation of a resident permit parking area. If the petition is signed by a majority, one more than 50 percent of the property owners within the designated area, the city manager or his designee will determine if there is available public on-street and/or off-street public parking available and whether the area qualifies for inclusion in the resident permit parking area program. The final administrative determination can be appealed to city council.

Sec. 44-251. Creation of resident permit parking area.

- (1) The public works administrator or designee will review the affected gated and non-gated residential neighborhoods to survey average parking occupancy levels and public safety concerns related to parking. A determination will be made if a residential area warrants the creation of a resident permit parking area adjacent to or nearby neighborhoods.
- (2) The public works administrator will review the supply and availability of nearby public on- and off-street parking in the area adjacent to or nearby the neighborhood. Parking occupancy surveys and site observations of the on- and off-street public parking will

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be reviewed to determine potential capacity for the creation of a resident permit parking area. Parking demand by day of the week and time of day for the on- and off-street parking will be evaluated and considered as the creation of a resident permit parking area shall not affect the original intended use of the public parking. The public works administrator will determine the number of resident permit parking permits per residence that shall be issued.

Sec. 44-252. Resident permit parking application process.

- (1) Application. A resident permit parking permit shall be issued to a City of Doral resident or property owner. All documentation listed herein shall reflect an address within the program area boundaries. Proof of residency requirements include the following:
 - (a) A State of Florida vehicle registration for the vehicle participating in the program;
 - (b) A valid State of Florida picture I.D. for the registered vehicle owner with a current City of Doral address and any two of the following documents:
 1. A current voter's identification card showing the "municipality".
 2. Any utility bill less than 60 days old with resident or property owner's name and a City of Doral address as the service address. "Utility" includes electric, telephone, water, or cable bills.
 3. A current tax bill (or notice) with the resident or property owner's name with a City of Doral address.
 4. A notarized, witnessed, or registered deed, mortgage or lease showing the resident or property owner name as the owner or occupant of the City of Doral address.
 5. Mail with postmark less than 60 days old, showing a City of Doral address. Parcel mail, junk mail, magazines, and advertisements are not acceptable proofs of residency.
 6. A notarized statement from an adult relative indicating the applicant is a full-time resident and any other proof listed in section 44-252(1)(b)1.—5. from above indicating the residence is in the City of Doral.
- (2) Parking decals or hangtags may be virtual or physical permits affixed or assigned to the approved vehicle and shall be available for purchase from the parking administrator for the annual fee in accordance with the fee schedule in Appendix A.

Sec. 44-253. Monthly on-street parking permit program.

(1) A monthly on-street parking permit program may be made available in certain areas of the city as deemed necessary by the City Manager. The City Manager or designee is expressly authorized to implement this program and shall oversee and develop these special on-street parking permit areas as they are deemed necessary by the City Manager or designee where it is determined that an insufficient number of off-street

parking facilities are available in an area to accommodate monthly parking demand. Such designated on-street parking permit areas will be subject to all applicable laws, resolutions, rules and guidelines governing their operation established by City Council or City Manager.

(2) Issuance of on-street parking permits.

- (a) No on-street parking permit shall be issued except upon written application filed with the Public Works Department. Such application shall be filed on forms prescribed by the City and shall include:
 - 1. The license plate number and registration number of the vehicle.
 - 2. The year, make, model, and color of the registered vehicle.
 - 3. The name and address of the registered vehicle owner.
- (b) An applicant need only apply for an on-street parking permit once per year, however, payment for the on-street parking permit shall be on a month-to-month basis, which payment shall be due before the first of each month. Monthly parking patrons may not pre-purchase on-street parking permits for more than one (1) month at a time.
- (c) On-street parking permits are to be issued by the Public Works Director or its designee.
- (d) The Public Works Director or its designee will strictly enforce correct usage of, and payments for, on-street parking permits, not allowing for any grace period for payments received after the timeframe set forth in subsection (b), above.

(3) Exclusion of certain vehicles.

No on-street parking permit of any kind shall be issued for vehicles with more than two axles, for commercial vehicles, or overnight camper vehicles. In no event shall an on-street parking permit be utilized to park or store an inoperative vehicle.

(4) On-street parking permits.

- (a) Residential. City of Doral residents who reside within the city will be able to purchase one (1) monthly on-street parking permit, as long as they remain eligible.
 - 1. Proof of City of Doral residency must be shown in order to be eligible and to receive an on-street monthly parking permit. For purposes of proof of residency, the provisions of section 44-252.(1)(b) shall apply.
 - 2. The number of residential on-street parking permits is subject to the following limitations:
 - a. Only one (1) residential on-street parking permit shall be issued per household. Notwithstanding the foregoing, depending on the availability of residential on-street parking permits, the Public Works Director or designee may approve the issuance of up to one (1) additional on-street parking permit per household.

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- b. on-street parking permits shall be limited to the availability of on-street parking spaces in the designated area; and
 - c. on-street parking permits shall be issued on a first-come, first-serve space available basis.
- (b) Business. City of Doral business owners who operate within the city will be able purchase monthly on-street parking permits for their employees as long as the business and its employees remain eligible.
- 1. Proof of City of Doral business must be shown in order to be eligible and to receive an on-street monthly parking permit.
 - 2. Proof of employment must be shown for those employees for which permits are being sought.
 - 3. The number of business on-street parking permits shall be limited to the availability of parking spaces in the designated area and is on a first-come, first-serve space available basis. The City Manager is hereby authorized to impose a maximum number of permits that may be issued per business should the demand for on-street parking permits exceed the available spaces.
- (c) Students. Students attending a City of Doral high school will be eligible to purchase one (1) monthly on-street parking permit, as long as they remain eligible.
- 1. Proof of City of Doral high school student enrollment must be shown in order to be eligible and to receive an on-street monthly parking permit.
 - 2. Student parking permits are only valid Monday – Friday from 7:00 AM to 3:00 6:00 PM while school is in session.
 - 3. The number of student parking permits is limited to the availability of parking spaces in the designated area and is on a first-come, first-serve space available basis.

(5) On-street parking permits issued pursuant to this section do not permit free parking in metered areas or parking on private property.

(6) An on-street parking permit shall not guarantee or reserve a parking space, nor does an on-street parking permit authorize the stopping, standing or parking of any vehicle in such places and during such times where such stopping, standing or parking is prohibited. Notwithstanding anything in this chapter, the City Manager or designee may prohibit parking in designated areas for the following purposes which include, but are not limited to, cleaning the streets, fire and police emergencies, hurricane evacuations, and for any other municipal purposes. Any parking restriction shall be noted on the application for a parking permit.

Sec. 44-~~253~~254. Signage.

When signs authorized by the public works administrator are erected prohibiting parking in a place designated by permit hours during hours of enforcement by permit only, it shall be a violation for any person to stop, stand or park a vehicle in such designated area without a proper permit.

Sec. 44-~~254~~255. Denial, honoring and revocation of permits.

- (1) Permit denial. Permits provided for in this division may be denied for the following non-exhaustive reasons:
 - (a) The vehicle does not comply with a requirement stated in this chapter;
 - (b) The applicant has failed to appear in court when summoned for a parking violation or failed to pay a fine or charge for a parking violation.
- (2) Permits provided for in this division shall not be honored and may be revoked if any of the following non-exhaustive regulations are not observed:
 - (a) The permit must be current and properly displayed on the front dash in front of the driver, by hang tag on the vehicles rear-view mirror or displayed on the rear window and be fully visible from the outside of the vehicle. It is unlawful for the operator of a vehicle to improperly display or display an expired or altered permit.
 - (b) It is unlawful to display a permit in such a manner that the pertinent information is obscured.
 - (c) It is unlawful to exceed the parking time limit authorized by the permit.
 - (d) It is unlawful to use or attempt to use such permit for other than its purpose allowed in this chapter.
 - (e) A vehicle displaying a permit must be parked in a legal manner and in a designated parking space.
- (3) Revocation. For any of the following reasons, a resident parking permit may be revoked by the public works administrator after providing notice to the holder of permit of the reasons for such revocation and providing an opportunity for the permit holder to respond:
 - (a) Providing false information when applying for the residential parking permit.
 - (b) If a resident parking permit is affixed or assigned to a vehicle for which it was not issued, it may be immediately revoked by order of the parking division. Such revocation immediately voids the permit.
 - (c) If a resident parking permit issued to an individual for a resident vehicle is revoked due to this section, then that individual or anyone residing in the same residence with that individual shall not be permitted to apply for a residential parking permit for a one-year period unless good cause can be shown that the act resulting in the revocation was unintentional.

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Sec. Sec. 44-255256. . Penalty.

All persons found in violation of this division shall be punished as provided in section 44-158(4) and following Chapter 30 of the Miami-Dade County Code Fee/Fine Schedule.

Secs. Sec. 44-256257. —44-269. Reserved.

DIVISION 5. PENALTIES AND ENFORCEMENT

DIVISION 6. PARKING REPLACEMENT ASSESSMENT

DIVISION 7. PAYMENT IN LIEU OF PARKING

DIVISION 8. ENFORCEMENT OF PRIVATE PROPERTIES

Appendix A Parking Fee/Fine Sheet.

Fee Code	Description	Fee
XX01	Meter Rental Administrative Fee	\$50.00
XX02	Parking space rental fee—Construction	\$40.00 per space per day
XX03	Parking space rental fee—Other	\$40.00 per space per day
XX04	Valet Parking Application Fee	\$225.00
XX05	Valet Ramping Fee	\$30.00 per space per day
XX06	Residential Parking Permit Application Fee	N/A
XX07	Residential Parking Permit—Annual	\$25.00 per vehicle per year (up to two vehicles)
XX08	Residential Parking Permit—Guest	\$5.00 per day
XX09	Residential Parking Permit—Contractor	N/A
<u>XX10</u>	<u>On-Street Parking Permit – Residential, Business, or Student</u>	<u>\$40.00 per month</u>
<u>XX4011</u>	Electric Vehicle Charging	N/A
<u>XX4112</u>	Parking in Lieu of Fee—New	\$25,000.00 per space per year
<u>XX4213</u>	Parking in Lieu of Fee—Existing	\$25,000.00 per space per year
<u>XX4214</u>	Parking in Lieu of Fee—Administrative	\$115.00
Fine Code	Description	Fee
XX01	Blocking of Valet Fine	\$150.00

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Section 3. Repealer. All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

Section 4. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. Incorporation Into the Code. It is the intention of the Mayor and the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Doral; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word, as required.

Section 6. Effective Date. This Ordinance will become effective ten (10) days after adoption at second reading.

The foregoing Ordinance was offered by Vice Mayor Puig-Corve who moved its adoption.

The motion was seconded by Councilmember Pineyro upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED on FIRST READING this 18 day of October, 2023.

PASSED AND ADOPTED on SECOND READING this 8 day of November, 2023.



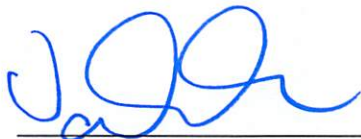
CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY