

ORDINANCE No. 2021-04

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING CHAPTER 44 OF THE CITY'S CODE OF ORDINANCES, TITLED "TRAFFIC AND VEHICLES" TO CREATE ARTICLE V TITLED "PARKING" ESTABLISHING A PARKING MANAGEMENT ADMINISTRATION, A PARKING FUND, THE USE OF PAY PARKING TECHNOLOGY FOR CURBSIDE MANAGEMENT, REGULATIONS FOR PARKING PERMITS AND VALET PARKING, PENALTIES AND ENFORCEMENT, PARKING REPLACEMENT ASSESSMENT, AND PAYMENT IN LIEU OF PARKING; PROVIDING LANGUAGE TO UPDATE THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral adopted the Citywide Parking Study to serve as the blueprint to implement short-term, mid-term, and long-term projects to maximize the use public parking to meet current and future parking demand; and

WHEREAS, the of Doral Public Works Department (PWD) is requesting to amend Chapter 44 of the City's Code of Ordinance titled "Traffic and Vehicles" to create Article V titled "Parking"; and

WHEREAS, Article V titled "Parking" will establish a parking management administration, a parking fund, the use of pay parking technology for curbside management, regulations for parking permits and valet parking, penalties and enforcement, parking replacement assessment, and payment in lieu of parking; and

WHEREAS, the City's Public Works Department has reviewed the subject Chapter and issued its recommendations.

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

CODING

Words in underscored type are additions

Section 1. RECITALS. The recitals and findings contained in the Preamble to this Ordinance are adopted and incorporated as if fully set forth in this Section.

Section 2. CODE AMENDED. Chapter 44 – “Traffic and Vehicles”, Article V- “Parking” the Code of Ordinances of the City of Doral is hereby amended as follows:

CHAPTER 44. TRAFFIC AND VEHICLES

ARTICLE V. – PARKING

DIVISION 1. – GENERAL PROVISIONS; ADMINISTRATIVE AUTHORITY; DEFINITIONS

Sec. 44-150. - Title.

This article shall be known and may be cited as the “City of Doral Parking Ordinance.”

Sec. 44-151. - Applicability.

The provisions of this article shall apply throughout the corporate limits of the city and to the use of parking-related property owned and operated by the city. In cases where deemed applicable, this article shall apply to private property and their owners and/or operators.

Sec. 44-152. – Office established.

The Parking Division is hereby established as a division of the Public Works Department.

Sec. 44–153. – Authority.

The Public Works Department official, designee or authorized agent, under the direction of the City Manager or designee, shall have full power and be charged with all duties in relation to the planning, operation and management of all parking-related property owned or operated by the city. The provisions of this article shall be administered and enforced by the official. For the purpose of this article, the official’s designee shall be the parking administrator, designee or authorized agent. The City Manager shall have the right to rescind or change any such designation so made by the parking administrator.

Sec 44-154. – Intent and purpose.

The City recognizes public parking demand in the City of Doral is continuing to increase as development and redevelopment occurs. Creating a parking management administration to provide oversight for access and mobility solutions to meet the growing parking demand is essential. The use of paid parking, valet parking, residential permit parking, parking authority,

parking garages, and/or other parking management and enforcement practices are tools used to manage the city's parking program.

Sec 44-155. – Public parking and mobility principles.

- (1.) Principles of managed parking are designed to assist the city with maximizing public parking availability through proper utilization rates, use of parking technologies, sustainable practices, and intelligent parking solutions to manage mobility and access. Parking is dynamic in nature and must be managed to address the following principles:
- (a). On-street parking in commercial areas is designed for short term parking (2 hours or less), freight zones, and passenger loading and unloading.
 - (b.) Parking lots and garages are primarily for customers, patrons, clients, and employees whose stay may exceed 2 hours but less than 24 hours, long term parking.
 - (c.) Parking should be priced according to demand. That is, the spaces in the highest demand areas, by location and time, should be priced at the highest rate.
 - (d.) Consistent parking enforcement is necessary for parking compliance and to ensure public safety is not at risk due to illegal parking.
 - (e.) Data driven technology should be used to assist with parking guidance, parking reservations and mobile parking payments. Convenient payment options and dynamic parking-related information will help motorist make smarter decisions before reaching their destination.
 - (f.) Residential streets are primarily for parking by residents. Residents who have access to off-street parking facilities, including a garage or driveway, shall use such facilities. Residential Permit Parking (RPP) programs will be established based on established criteria.
- (2.) Policies, laws, and regulations should reflect these principals.

Sec. 44-156. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The definitions in F.S. § 316.001 apply to this chapter.

Alley means a narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances or buildings abut, which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street.

Authorized Agent means the company of legal entity, and its employees, agents and contractors, that has been designated by the city in writing to perform any duties or responsibilities related to the operation of the parking program, including but not limited to,

parking enforcement specialist, parking garage attendants, parking meter technicians, citation processing personnel, parking permit issuance, and administrative or management staff.

Authorized emergency vehicle means vehicles of the fire-rescue department, police vehicles and such ambulances and emergency vehicles of city departments, public service corporations or private ambulance companies or such others as are designated or authorized by the city council, by the chief of police or by other governmental agency.

Block means an area of land surrounded by four streets.

Bus/Trolley means every public motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab or for hire passenger vehicle, designed and used for the transportation of persons for compensation.

Bus stand means a fixed area in the roadway parallel and adjacent to the curb to be occupied exclusively by buses and trolleys, for layover in operating schedules or waiting for passengers.

Commercial vehicle means a vehicle designed and marked as commercial, used or maintained primarily for a commercial purpose.

Crosswalk means that portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or a portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Curb loading zones means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials during posted days and time periods.

Double parking, double standing, or double stopping means the parking, standing, or stopping of a vehicle upon the driveway side of another vehicle parking, standing, or stopping, but not legally within, or adjacent to, an open parking space.

Electric Scooter means a Plug-in electric vehicle with two or three wheels powered by electricity.

Employee parking lot means any area owned or utilized by the city and assigned as an area for persons to park providing, they have secured the proper permit and paid the established fee, if applicable.

Inoperative vehicle means a vehicle that is in a state of disrepair and incapable of being moved under its own power, or a vehicle that is incapable of being operated lawfully on the streets of the state. A vehicle shall be deemed inoperative if a current registration tag, also known as a license plate, of a kind required under state law as a condition of operation upon public streets is not affixed thereto, or if one of more parts which are required for the operation of the vehicle are missing, were dismantled, are inoperative, or are not attached to the vehicle as designed.

Motor vehicle means every vehicle which is self-propelled.

Official traffic-control devices mean all signs, signals, pavement markings and devices, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding parking and traffic.

Operator means and includes every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner.

Parking means the standing of a vehicle, whether occupied or not, upon a roadway, other than temporarily for the purpose of and while engaged in loading or unloading merchandise or passengers as may be permitted.

Parking Administrator means the administrator, designee or authorized agent, of the division referred to as the City of Doral Public Works Department Parking Division but shall include any department which may subsequently assume such duties.

Parking area means any on-street parking lane, city-owned parking lot or parking garage, located in the city and dedicated to the use of parking vehicles, unless specified as a private parking area.

Parking Facilities means any on and off-street City-owned parking including parking garages, surface parking lots, leased properties to provide public parking, and on-street parking, unless specified as a private parking facilities.

Parking garage means any building owned and/or operated by the city and used for the parking of vehicles upon payment of a fee as established by the City Manager, unless specified as a private parking garage.

Parking lot means any off-street property owned by the city and assigned as an area for the parking of vehicles.

Parking meter means any device, machine, technology or process responsible for regulating parking by accepting legal currency, credit cards, debit cards, smart cards, virtual and mobile payments, tokens or any other approved payment methods to pay for parking.

Stop, stopping or standing when prohibited, means any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device.

Street or highways including the terms street, highway, roads, public highway or public roads include any highway or thoroughfare of any kind used by the public, whether dedicated to the public and accepted by the proper authorities.

Swale means that portion of land lying between the property line and street.

Transportation Network Companies (TNC) means a bona fide transportation service that uses internet-based technology to link individuals selling transportation with individuals who need transportation.

Valet parking service area or Ramping means the public right-of-way to be utilized for the valet parking service.

Vehicle means any device in, upon or by which any person or property is or may be transported into a parking area.

County Code cross reference— Similar provisions, § 30-202.

State Law reference— Similar provisions, F.S. § 316.003.

Sec. 44-157. – Parking Fund.

All revenues, fees and fines or other charges related to parking in or on City-owned parking facilities shall be deposited into the parking fund. Monies in the parking fund shall be used for the operation of and capital projects for the City's current and future parking facilities.

Sec. 44-158– Duties generally.

- (1.) It shall be the general duty of the parking administrator, designee or authorized agent to determine the installation, hours, time limits, rates and location of public parking including the installation of parking meter equipment or parking meter technology, parking signs, indicators and markings as shall be necessary or advisable for the operation and enforcement of such rules and regulations; the operation of on-street and off-street parking facilities; and to formulate programs and policies regarding rate adjustments, time limits, enforcement, and service levels to meet current and future municipal parking needs and the improvement of parking methods and options.
- (2.) The parking administrator, designee or authorized agent shall determine the location of on-street freight and passenger loading zones and place and maintain appropriate signs indicating the same and stating the hours during which same are in effect.
- (3.) The parking administrator, designee or authorized agent shall determine and designate the type, style and manner of on-street parking and parking within off-street parking facilities; and shall erect, place and maintain signs, devices or markings giving notice thereof.
- (4.) In addition to any other means of enforcement provided in the Code of Ordinances, a police officer, traffic infractions enforcement officer, parking enforcement specialist (PES), police service aid (PSA), or authorized agent as defined in section 44-150, or code enforcement officer certified as a parking enforcement specialist is hereby authorized to issue parking citations for violations of County Code chapter 30 and City Code chapter 44. The parking enforcement specialists and authorized agents are required to comply with the Florida Department of Law Enforcement Parking Enforcement Specialist Certification Program.

Secs. 44-159. – 44-169. - RESERVED

DIVISION 2. – REGULATIONS; PAY PARKING TECHNOLOGY; CURBSIDE MANAGEMENT

County Code cross reference— Authority of municipalities within county to establish parking meter zones, subject to approval of county traffic director, § 30-383. County Code cross reference— Applicability of county Code to parking, standing or nonmoving traffic violations in municipal off-street parking lots, § 30-203. State Law reference— Power of local authorities to regulate or prohibit parking, F.S. § 316.008(1)(a).

Sec. 44-170. - Authority to prohibit parking.

The City Manager or designee is authorized to prohibit parking throughout the city or any portion or portions of the streets thereof during such time or times as may be necessary to accomplish the cleaning of the streets of the city and such other municipal purposes as may be necessary. Such power shall be exercised in accordance with section 30-388.5 of the County Code. The City Manager or designee is authorized to request the approval required pursuant to section 30-388.5 of the County Code for and on behalf of the city.

Sec. 44-171. – Designation of pay parking zones; Subject to review by City Manager.

The parking administrator shall, from time to time, designate those certain described parts of public streets, public parking lots or any other public property for the installation of parking meters or use of parking meter technology, and the same shall be established as pay parking zones. The City Manager shall have the right to rescind or change any such designation so made by the parking administrator.

Sec. 44-172. – Legal time limit in pay parking zones.

The parking administrator shall designate and establish the legal time limit for parking in each designated pay parking zone. The parking administrator is authorized and empowered, whenever and wherever it appears to be in the public interest, to designate lesser periods of time as the legal time limit for any parking space in any pay parking zone in the city, and to change such designated periods from time to time as may appear in the best interest of the public for the proper regulation of traffic and parking; provided, however, that any such parking spaces so designated shall have the legal time limit thereof plainly marked and posted on the parking meter equipment or within the parking meter technology applicable to each such parking space or on signs conspicuously placed within that parking zone.

Sec. 44-173. – Moving vehicle within same pay parking zone.

- (1.) It shall be unlawful to relocate a vehicle from one parking space to another parking space in the same parking meter zone, or to relocate a vehicle temporarily from the same parking space unless the vehicle has left the parking meter zone for an amount of time equal to or greater than the legal time limit for parking fixed for such zone.
- (2.) It shall be unlawful to roll the tires of a vehicle to remove or obscure or attempt to remove or obscure the markings made by parking enforcement personnel prior to removing the vehicle from the parking meter zone.

Sec. 44-174. – Designation of flexible curbside mobility use.

- (1.) The parking administrator may use technology to determine curb usage patterns to allocate curb space between parking, transportation network pick-ups and drop-offs, taxicabs, bus stops, shuttles, micro-mobility uses, and future modes of transportation.

The parking administrator shall use the data from the technology to adjust locations, pricing, time limits, and hours of operation for certain uses, and flexible time zones.

- (2.)The parking administrator may designate curbside parking spaces for scooter, moped, motorcycle, and micro-mobility vehicles parking in either individual parking spaces or groupings of parking spaces. Parking spaces with such designation shall have either signs, curb markings, or pavement markings promulgating scooter, moped, motorcycle, and micro-mobility vehicle parking only during posted hours. Parking for scooter, moped, motorcycle, and micro-mobility vehicles may be prohibited at other curbside parking spaces. Parking spaces with such designation shall either have a posted sign, curb markings, or pavement markings promulgating the prohibition of scooter, moped, motorcycle, and micro-mobility vehicle parking. The failure to adhere to such restrictions will result in the vehicle being towed and/or fined.

Section 44-175. – Installation, operation and use of pay parking technology; Collection of revenue, etc.

- (1.)The parking administrator is hereby authorized, empowered and directed to install or cause to be installed parking meters, devices, timed parking systems or authorize the use of parking meter technology in parking meter zones established under authority of 44-158 of this Code, and to designate or cause to be designated in accordance with the provisions of this division pay parking spaces in such zones. Mechanical or electronic parking meters or pay stations shall be placed alongside of or adjacent to individual parking spaces or conspicuously located within an off-street parking facility to be designated as aforesaid. For any pay parking zone or spaces where no mechanical or electronic parking meters or parking pay stations are installed, the parking administrator shall install signage in the area and visible from the parking spaces indicating that payment for those spaces shall be made using pay parking technology, and indicating the procedure for using said technology.
- (2.)When any vehicle shall be parked in any space adjacent to which a parking meter or pay parking area is located in accordance with the provisions of this article, the operator of such vehicle shall, upon entering the parking space, immediately deposit or cause to be deposited in such parking meter, pay station, or meter technology, the denomination specified on such parking meter, pay station, or posted pay parking sign. Upon the activation of the parking session, the parking space may be lawfully occupied by such vehicle during the period of parking time prescribed on such parking meter or meter technology for the specified payment activated therein.
- (3.)The parking administrator shall provide for the regulation, control, operations and use of the parking meters provided for in this division and shall maintain such meters in good working condition.
- (4.)The parking administrator shall provide for the administration, collection, safeguarding, auditing, and accountability of all revenue derived from on and off-

street parking meters; such revenue to be deposited as directed by the City's Finance Department.

Sec. 44-176. – Method of Parking; Parking in city lots, garages, public streets and other property.

- (1.) Any vehicle stopped, standing or parked in a single parking space on any city owned or operated parking lot, garage, public street or other property shall be parked within the lines or other markings for such single parking space or parking area. It is unlawful to stop, stand or park any vehicle across any such line or mark or to park such vehicle in any such way that the same shall not be within the area so designated by such lines or markings for that single parking space.
- (2.) It is unlawful for any person to remove a vehicle from any city owned or operated parking lot, garage, public street or other property after the person shall have parked thereon without first making payment of authorized legal tender by manual or electronic means or for any person to make any attempt thereof to defraud the city.
- (3.) It is unlawful to fraudulently alter, duplicate, damage, destroy, throw away or copy any control card, entry ticket, permit, tag, decal or receipt used for parking control issued by the parking division or to make any attempt thereof to defraud the city.
- (4.) It is unlawful to deposit or cause to be deposited in any meter, pay station, other electronic device, mechanical equipment or change maker or coin receptacle on any city owned or operated parking lot, garage, public street, or other property any slug, device, metallic or other substitute legal tender or to make any attempt thereof to defraud the city.
- (5.) It is unlawful and an offense for any person to deface, injure, tamper with, open, willfully break, destroy or impair the usefulness of any equipment installed on any city owned or operated parking lot, garage, public street or other property or to make any attempt thereof.
- (6.) It is unlawful for the operator of a vehicle to stop, park or leave standing a vehicle on a city owned or operated parking lot, garage, public street or other property, using pay stations, electronic devices, mechanical equipment, meters, meter technology, or gates for revenue control, for a period longer than twenty-four (24) hours unless posted otherwise or without first making arrangements in advance with the parking division.
- (7.) (a.) When a parking space in any pay parking zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked in the same direction as the flow of traffic as the adjacent traffic lane so that the foremost part of such vehicle shall be nearest to the front of the parking stall.

(b.) When a parking space in any parking meter zone is diagonal to the curb or

sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of the vehicle nearest to the curb, unless the parking space is an angled back-in parking at which the backmost part of the vehicle is nearest the curb.

Sec. 44-177. – Reserved parking; Parking space rental fees.

The parking administrator shall promulgate policies and procedures authorizing the issuance of reserved parking permits for the purpose of temporarily closing or restricting use of any public pay parking space regulated through a parking meter, pay station, or any type of parking technology; timed parking; or any regulated parking spaces including loading zones, freight zones, or valet parking spaces. The policies and procedures will define the process for application, administration and distribution.

The rates charged for reserved parking space rentals, to include City Hosted Events, and penalties are as follows:

(1.) Administrative processing fees.

An administrative fee as stated in **APPENDIX A**, Parking Fee Sheet, shall be assessed for any parking space rental for the processing of all reserved parking space rental permits for public parking spaces as defined in Sec 44-175 as set forth herein and may be amended from time to time by the City Manager. The administrative fee is in addition to any fee paid for parking stalls, meter bags, or linear curb space.

(2.) Parking space rental fee.

The cost per parking space is outlined in **APPENDIX A**, Parking Fee Sheet. The fees are set forth herein and may be amended from time to time by the City Manager.

(3.) Space rentals for construction purposes shall only be restricted between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday. Upon approval of the Public Works Department, additional hours may be allowed at a different fee structure. Space rental shall end on Friday evenings at 6:00 p.m. to allow for additional parking opportunities for the public on the weekends. A copy of a valid, city issued Building or Public Works permit must accompany each application for space rental. The fee per space per day is outlined in **APPENDIX A**, Parking Fee Sheet. Only essential vehicles shall be parked at rented spaces with applicable permit visibly displayed. No construction crew parking is allowed at spaces rented for construction. Construction rented spaces are payable two weeks in advance. If the rental is to be greater than a two-week period; then payment shall be due one month in advance. Construction rented spaces can be purchased for up to three months at a time. Hours may be modified subject to approval by the Parking Administrator.

(4.) The city may provide on an as-needed basis, the ability for a valet parking service company to rent public parking spaces for the purpose of creating a valet ramp for the expeditious unloading and loading of passengers. The parking administrator shall

- determine the number and location of said spaces and will provide, if possible, spaces adjacent to the business served by the valet service unless the business is located within a centralized valet parking area under the direction of the city. A copy of the valet occupational license for the location to be served, a notarized letter of authorization from the business owner and a certificate of insurance covering the valet service location must be presented to the parking administrator when submitting for the first space rental request. The fee per space is outlined in **APPENDIX A** per day, payable two weeks in advance for regular users, and at least 48 hours or two business days, whichever is greater, in advance for special events. Rented spaces shall state, "No Parking/Tow Away" and shall be strictly enforced.
- (5.) Any person who violates the terms and conditions under which a reserved parking space rental permit has been issued will be subject to fines for improper parking in a meter zone.
- (6.) No person may fraudulently procure, alter or wrongfully utilize a reserved parking space rental permit issued pursuant to the policies and procedures promulgated under this section.

Sec. 44-178. – Charging station parking.

No person shall stop, stand, or park any vehicle in any parking space located in any city owned or operated parking garage or parking facility that is clearly marked as reserved for the use of an electric vehicle charging station located within said parking facility, unless such vehicle is actually using the electric vehicle charging station. Electric vehicles may be subject to pay a customary fee per space as stated in **APPENDIX A**.

State Law reference— Electric Vehicle Charging Stations, F.S. § 366.94 (3)(a) 366.94 (3) (b).

Secs. 44-179. – 44-199. - RESERVED

DIVISION 3. – VALET PARKING

Sec. 44-200. - Purpose; Permit and license required.

- (1.) The purpose of this article is to:
- (a.) Reduce the disruption of vehicular and pedestrian traffic that valet parking service operations may create;
 - (b.) Minimize hazardous conditions that valet parking service operations may create in order to protect the health, safety and welfare of the public;
 - (c.) Promote the safe and legal operation of valet parking services for the use and convenience of businesses and the general public.

- (2.) No person, establishment or entity shall conduct valet parking service on public or private right-of-way or private property as herein defined without first obtaining a permit from the Public Works Department.

Sec. 44-201. – Regulations; Limitations.

- (1.) It shall be unlawful for any person or company to provide, on a continuing basis, a parking service which uses public rights-of-way, or public or private parking spaces either for pick-up, delivery or storage of automobiles without first obtaining a valet parking permit pursuant to the regulations herein.
- (2.) Any vehicles valet parked outside of their assigned parking zone in any other on-street or off-street parking stalls, private property without the property owner's written authorization, or outside the approved storage plan provided to the parking administrator will be cited.
- (3.) No person, establishment or entity shall conduct valet parking service on public right-of way or private property as herein defined without first obtaining a permit from the parking administrator and paying the permit fee(s).
- (4.) Valet parking spaces cannot substitute for or be counted as off-street parking spaces as required by the zoning code or other applicable city codes.

Sec. 44-202. – Boundaries.

- (1.) Valet parking service shall only be permitted citywide within any licensed hotel, motel, or restaurant and within the Downtown Mixed-Use area; residential districts shall be allowed to obtain special event temporary permits referred to in Section 44-240.
- (2.) The city reserves the right to create and administer a centralized valet parking program to limit the number of parking spaces or public right-of-way dedicated to valet in high demand areas. The city will establish the number, location, hours of operation, storage requirements, and rates for the centralized valet parking zones.

Sec. 44-203 – Permit application; Review procedures.

- (1.) A person or entity requesting use of municipal parking space for valet ramping and/or storage must provide the parking administrator with a copy of the valet business tax receipt for the location to be served, a notarized letter of authorization from the business owner or a valet service agreement/contract, a certificate of insurance meeting the City's insurance coverage requirements.
- (2.) A site plan shall be provided and include the following but not be limited to: valet service drop-off location, proposed valet operational plan including but not limited to the proposed vehicle routes, size of proposed mobile stands, tables, chairs, umbrellas, key box, signs, trash receptacles, location of existing trees, parking meter equipment, traffic signs, planters, bus shelters, driveways, storage locations for valet related items

when not in use, and any other sidewalk obstruction. Under no circumstances shall permanent structures or equipment be permitted.

The site plan shall clearly identify the valet parking service area, and shall also show the proposed location, number of parking stalls and the distance to the off-street parking facility providing the parking space storage for the valet parking service. The City reserves the right to modify the site plan at any time.

(3.) A copy of the agreement/contract for the provision of the off-street parking spaces that includes identification of the location of vehicle storage parking spaces must be included with the permit application information. Rented spaces utilized for ramping and/or storage shall be clearly identified by signs approved by the parking division.

(4.) Applications shall be accompanied by a non-refundable, initial application fee in **APPENDIX A.**

(5.) The parking administrator shall review the application and may approve, approve with conditions, or deny the subject application. Permits shall be granted upon a showing that there will be compliance with the provisions of this division.

(6.) An appeal from the decision of the parking administrator on a valet parking application may be taken to the Director of the Public Works Department. The Public Works administrator shall have the authority to uphold or overrule the parking administrator's decision. The parking administrator shall review the following as part of the application process:

- _____ (a.) Uniform Policy
- _____ (b.) Branding and Signage
- _____ (c.) Pricing
- _____ (d.) Claim Tickets

Sec. 44-204 – Permit fee; Exceptions.

A bi-annual permit fee for establishing or maintaining a valet parking service will be established from the effective date, paid to the parking division in accordance with the fee in **APPENDIX A**, plus the following ramping fees:

Ramping fee:

(1.) If the operation of the valet parking service requires the rental of metered or non-metered parking spaces or area, the permittee/operator shall also pay a ramping fee of the rate established by the parking division per metered or pay parking space, or the rate for every 20 linear feet per day to the division. All rates are listed in **APPENDIX A.**

(2.) The City Manager, or designee, may waive said permit fee and ramping fee for valet parking service exclusively serving a city-owned and operated facility.

Sec. 44-205 – Operator's code of conduct; Required customer protection regulations.

Permittees/operators shall require their employees and independent contractors to meet the following requirements:

(1.) All employees who operate motor vehicles shall have in their possession a valid Florida Driver's License in good standing and shall abide by all city, Miami-Dade County and state traffic regulations.

(2.) All employees shall be in similar uniforms.

(3.) All employees shall wear on their uniform a name tag identifying the employee's name and the name of the valet operator/company.

(4.) All employees shall perform their duties in a courteous and professional manner and speak the English language. Ability to communicate in Spanish is a plus.

(5.) All employees must comply with the requirements of this article and all applicable laws, statutes, ordinances, rules and regulations relating to traffic safety.

(6.) Pricing for services shall be identified on any "signage" used by the valet operator. The size print of the foregoing information shall be equal to the largest size print used on any "signage" used to identify the service or valet operator. Claim tickets shall also indicate the price for the service. The print size of the foregoing shall be equal to that used for any other information displayed on the ticket.

(7.) The claim ticket shall identify the valet operator's company name, correspondence address and a phone number for questions/complaints. The foregoing print shall be of equal size.

(8.) Requirements will be required to be updated on an annual basis and submitted to the city for approval.

Sec. 44-206 – Operational regulations and restrictions for valet parking service.

(1.) The public on-street/curbside parking spaces, metered or non-metered, shall only be used for ramping of vehicles. Ramping of vehicles shall consist of allowing the customer to enter or exit a vehicle and to turn it over to or retrieve it from a valet parking operator employee. Ramping shall only be permitted and operated in the public on-street/curbside spaces provided by the department for ramping. There shall be no storage of vehicles in the area used for ramping. A vehicle will be considered stored if it remains in the ramping area for more than ten minutes. Ramping spaces shall not be blocked by any type of sign, structure or other type of object. These spaces shall not be cordoned off by any type of signage, rope or barrier of any kind. Fines as outlined in **APPENDIX A** will be applicable for noncompliance.

(2.) The permittee/operator shall possess a valid local business tax receipt to operate the valet parking service within the city.

(3.) The permittee/operator shall maintain a key control booth at all valet parking locations until all cars have been claimed; or the permittee/operator shall have a 24-hour phone number for after-hours vehicle pick up information.

(4.) The permittee/operator shall not load or unload passengers within traffic lanes that are open to through traffic;

(5.) The valet parking service shall not interfere with the regular flow of vehicular or pedestrian traffic.

Sec. 44-207 – Procedures and penalties for violations.

(1.) The parking administrator may deny, revoke, or suspend a permit for any valet parking service authorized in the city if it is found that:

(a.) The permittee/operator has not maintained required insurance;

(b.) The parking administrator determines that the operation of a valet parking service, due to changing or changed conditions of pedestrian or vehicular traffic, cause congestion necessitating removal of valet parking service which endangers the health, safety or welfare of persons or property; unreasonably interferes with pedestrian or vehicular traffic; unreasonably interferes with the use of any pole, sign, fire hydrant, traffic signal or other object already permitted at or near the valet parking service area; or otherwise not in the public interest;
or

(c.) The permittee/operator has failed to correct violations of this article or conditions of the permit within three days of the parking administrator's notice of same being delivered in writing to the permittee at the address shown on the permit application;

(d.) If permittee/operator is found in violation of the same offense three times within a permit period;

(e.) The permittee/operator made any false statements or omission of material fact on the application, site plan or elsewhere in connection with securing a permit;

(2.) Stands, tables, chairs, umbrellas, key boxes and other objects necessary for the operation of the valet parking service may be removed by the parking administrator / designee or city, and a reasonable fee charged for labor, transportation, and storage, should the permittee/operator fail to remove said items at the close of business on a daily basis. Under no circumstances shall the city, the department, and its officers and employees be deemed responsible or liable in any way for any damage or loss resulting from the removal of the permittee/operator equipment and other objects necessary for the operation of the valet parking service. Furthermore, the permittee/operator agrees and acknowledges by accepting a permit issued pursuant to this article that the city, the department, and its officers and employees be held harmless in connection with its actions under this section.

Sec. 44-208. – Violations appeal procedures; Rights and remedies; Supplemental provisions.

Any person wishing to contest a parking citation may appeal to the Director of Public Works in the manner set forth in this section.

(1) If the person who received the citation believes the citation itself is incorrect in fact or law, such person shall notify Parking Division Manager, with particularity, stating objections to the citation, within ten business days of issuance to the Parking Division Manager or his or her designee, who will then make a decision as the validity of the citation within seven business days after receipt of a timely objection by violator. If a decision is made that the citation is valid, the violator will be notified via mail or email.

(2) If the violator does not concur with the decision of the Parking Division Manager, or his/her designee, that the citation is valid, then, within 10 days' notice of the decision, the violator shall appear in court date before the magistrate.

Sec. 44-209. – Vehicle removal.

(1.) Whenever appropriately ascertained that a vehicle is unlawfully parked in a properly bagged or decaled valet designated pickup and delivery zone said vehicle may be removed through tow and stored at owner's expense.

(2.) Only the vendor(s) selected by the city to provide a tow service from on-street and off-street city parking stalls is authorized to be used by any users, including valet parking companies. The use of any other tow company to service these locations will constitute a violation of this division.

(3.) Responsibility and liability for vehicle removal and storage shall be the sole province of the valet parking company requesting such removal.

Sec. 44-210. – Special events and residential areas.

(a.) Valet service—Special Event. Valet services operating for a special event may apply for a special event permit in addition to the special event application. Special event parking shall be restricted to any event occurring no more than twice per year and lasting no longer than three days in length. The special event permit will allow the valet operator to request from the department, additional ramping and/or storage space, if available, as long as it does not reduce the number of parking spaces needed to serve the general public in the area of the request.

(b.) Valet service—Residential. Valet service may be provided for special event non-commercial uses, including private functions in residentially zoned areas for a one-day period. Valet operators must meet the same criteria as a regular day-to-day valet operation as referenced in the permit application (see section 44-203). Valet operators must complete a temporary valet parking permit form and submit this form to the department 10 days prior to the scheduled event.

Note: Temporary valet parking permit requests submitted within less than 10 working days of a scheduled event will only be accepted for situations deemed as an emergency. An emergency is defined as a situation or occurrence of a serious nature, developing suddenly and unexpectedly within less than 10 working days of the event and demanding immediate attention.

The following requirements must be satisfied:

(1.) *Ramping.* Valet ramping may be provided either on private property at the location to be serviced or on public property. Ramping on public property shall not occur in any other location than the public on-street/curbside parking spaces provided for ramping. Ramping from a moving lane of traffic is strictly prohibited unless authorized by the city. The ramping area shall be determined as stated in **Section 44 – 204.**

(2.) *Storage.* Storage of vehicles must follow **Section 44 – 203.** Storage of vehicles on public right-of-way is strictly prohibited, unless authorized by department.

a. *Storage on public right-of-way.* Valet operators may request the use of public right-of-way for storage under the following conditions:

1. Private or public storage (parking lot and/or garage) is not available within 2,500 feet of the location to be serviced.

2. All prohibited parking regulations (fire hydrants, crosswalks, etc.) are strictly enforced.

Secs. 44-211. – 44-220. *RESERVED*

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 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 (2) of the following documents:
 - i. A current voter's identification card showing the "Municipality".
 - ii. 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.
 - iii. A current tax bill (or notice) with the resident or property owner's name with a City of Doral address.
 - iv. 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.
 - v. 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.
 - vi. 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) (i-v) 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. – 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. – 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.

Sec. 44-255. – 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. 44 – 256. – 269. RESERVED

DIVISON 5. – PENALTIES AND ENFORCEMENT

Sec. 44-270. – Issuance of parking citations; Payment or contesting citations; Penalties for violations.

- (1.) A law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this chapter or other law may issue a parking citation form as shall be provided by Miami-Dade County Clerk of the Court and used by the parking division. The citation form includes the following information:
 - (a.) The location of the vehicle by physical address, block, zone, metered space or pay parking area;
 - (b.) The state and license number of such vehicle;
 - (c.) The date and time at which such vehicle was found parked in violation of any of the provisions of this division and in accordance with Miami-Dade County Code Chapter 30;
 - (d) Any other facts, acknowledgement of which is necessary to a thorough understanding of the circumstances attending such violation.
- (2.) Each parking enforcement specialist shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of a provision of this division.
- (3.) The City Manager or designee may in their sole discretion administratively void a parking violation upon a showing of good cause. Good cause may include, but is not limited to, confirmation of a meter malfunction, medical emergency, mechanical breakdown, or vehicle exemption.

- (4.) Instructions for payment of fines to Miami-Dade County Clerk of the Court is provided on the violation notice. The violation notice provides the rules for a person wishing to contest the violation.
- (5.) Penalties for not paying or contesting a violation are punishable by Miami-Dade County Code Chapter 30.

Sec. 44-271. – Immobilization or impoundment of vehicles bearing outstanding parking citations.

No person shall stop, stand or park a vehicle with five or more outstanding unpaid parking citations issued by the City upon any City property, City street, right-of-way, or swale. Miami-Dade County Clerk of the Court provides electronic notification to the city of such vehicles authorizing city law enforcement or parking enforcement specialists to initiate the prescribed procedures to immobilize or impound the identified vehicle under Miami-Dade Code Chapter 30.

Sec. 44 – 272.–284. *RESERVED*

DIVISION 6. – PARKING REPLACEMENT ASSESSMENT

Sec. 44-285. – Generally

- (1.) Purpose. The parking replacement assessment is established for the purpose of developing and maintaining adequate public parking within the City. Funds generated by this assessment shall be used to develop additional public parking owned and operated by the City.
- (2.) Lost spaces within the right-of-way. Any new construction, addition, alteration or rehabilitation that results in the permanent loss of a regulated parking space, loading zone or delivery space (every 20 feet of curb-line) requires payment of replacement costs as established. Replacement costs must be paid for all parking spaces lost to provide ingress and egress to a development, restrictive signage for a development, streetscape improvements adjacent to a development and/or any other permitted use of the parking right-of-way.

Sec. 44-286. – Payment of fees.

The permanent loss of parking spaces as defined in Sec. 44-285 shall pay a fee based on the loss of revenue for a period of two years determined by the highest hourly on-street maximum daily rate charged within the City. The fee is due prior to taking control of the right-of-way or the space is no longer available to the public due to the construction, alternation, or rehabilitation of the adjacent land for the approved project. All public parking spaces, loading zones, delivery spaces or any designation of curb-line (every 20 feet is the equivalent of one space) are included.

Sec. 44-287. – Deposit of funds.

Funds generated by the parking replacement assessment program shall be deposited into the Parking Fund, a City account specifically for parking development reserves. The funds may be used to acquire property or pay for capital improvement, development and construction costs for any public parking facility.

DIVISION 7. – PAYMENT IN LIEU OF PARKING.

(1) Where there is inadequate area available on-site, or within 1,000 feet of the site in area(s), the parking requirement for a given use may be fulfilled by payment of a fee.

(2) Properties within the following areas eligible to participate in this program:

(a) Adaptive Re-Use

(b) Downtown Mixed Use (DMU)

(c) Urban Central Business District (UCBD)

(3) Payment calculation.

(a) For New Construction on vacant land and when the area of an addition exceeds the area of the existing building, the payment shall be satisfied by a one-time payment at the time of issuance of a Building Permit as stated in **APPENDIX A**, Parking Fee Sheet .

(b) Existing structures. When alteration or rehabilitation of a structure results in an increased parking demand, the payment shall be satisfied by a one-time payment as set forth in **APPENDIX A**.

(3) Fee collection.

(a) New construction - The fee shall be paid in full at the time of application for the Building Permit.

(b) Existing structures -This payment may be made at any time and shall be in the amount determined by application of the formula for one-time payment.

(c) Late payments. Monthly interest may accrue on unpaid funds. Additionally, a fee in the amount of 2% of the total due shall be imposed monthly to cover the City's costs in administering collection procedures.

(d) Failure to pay. Any participant in this program who has failed to pay the required fee within 3 months of the date on which it is due shall be regarded as having withdrawn from the program and shall be required to provide all parking spaces required by this section or cease the Use for which said spaces were required.

F. Properties which participate in the Payment in Lieu of Providing Parking Spaces Program shall have a covenant recorded in the City of Doral.

DIVISION 8. – ENFORCEMENT OF PRIVATE PROPERTIES.

The City may enforce parking within Homeowner's Associations (HOAs) and Community Development Districts (CDD) via a Memorandum of Understanding (MOU) executed through the City. By entering into a MOU, the City will manage and/or enforce parking in communities within both public and private roads with public access.

Section 3. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 4. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word "ordinance" may be changes to "section," "article," or such other appropriate word or phrase in order to accomplish such intention.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective after second reading.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 13 day of January, 2021.

PASSED AND ADOPTED on SECOND READING this 10 day of February, 2021.

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK


JUAN CARLOS BERMUDEZ, MAYOR

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



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY