

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY MANAGER TO INITIATE AN APPROPRIATE INVESTIGATION, AND TO TAKE ANY NECESSARY ACTION TO ADDRESS THOSE ALLEGATIONS PERTAINING TO THE CONDUCT OF CERTAIN PRIVATE PARKING LOT OWNERS AND OPERATORS IMPROPERLY ISSUING PARKING CITATIONS, TICKETS AND FINES, WHICH PORTRAY OFFICIAL GOVERNMENTAL DOCUMENTS, TO THOSE MOTORISTS WHO PARK THEIR VEHICLES IN PRIVATE PARKING LOTS WITHIN THE CITY OF MIAMI BEACH.**

**WHEREAS**, the City of Miami Beach ("City") is aware of complaints concerning owners or operators of private parking lots in the City issuing "parking citations" or "tickets" to customers who did not pay for the usage of the parking lot or whose time for parking has expired; and

**WHEREAS**, these "parking citations" or "tickets" are designed to impart the impression of real Miami-Dade County Uniform Parking Citations or tickets in form, substance and/or appearance; and

**WHEREAS**, a local or county governmental entity is legally authorized to issue legitimate parking citations to the owner(s) of those vehicle(s) found in violation of a city or county ordinance, and any civil fine associated with such violation is the responsibility of the registered owner of the vehicle; and

**WHEREAS**, the Miami Beach City Code and the Miami-Dade County Code do not regulate the issuance of such violations occurring in private parking lots, thereby rendering these parking citations or tickets null and void; and

**WHEREAS**, an unsuspecting motorist may not realize that they have received a "parking citation" or "ticket" from a private parking lot owner or operator, as opposed to an authentic Miami-Dade County Uniform Parking Citation; and

**WHEREAS**, the City's residents and visitors may be paying these monetary fines for violations under false and misleading pretenses, and thereby inappropriately enriching the private parking lot owner or operator; and

**WHEREAS**, the City Manager should take any appropriate action to investigate the practice of the issuance of these "parking citations" or "tickets" to ensure that such documents do not suggest official governmental action.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby direct the City Manager to initiate an appropriate investigation, and to take any necessary action necessary to address those allegations pertaining to the conduct of certain private parking lot owners and operators improperly issuing parking citations, tickets and fines, which portray official governmental documents, to those motorists who park their vehicles in private parking lots within the City of Miami Beach.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of June, 2019.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

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Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

MAF

5/28/19  
Date