

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY AMENDING SUBSECTION (N) RELATING TO "SMARTWAY VEHICLE INCENTIVES;" TO INCREASE THE NUMBER OF PERMITS ELIGIBLE TO PARTICIPATE IN THE REDUCED PARKING FEE PERMIT PROGRAM, AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, in 2007, the City has developed and codified parking incentives for Inherently Low Emission Vehicles ("ILEV") which are classified by the Environmental Protection Agency (EPA) as "Smartway" vehicles; and

WHEREAS, the City Code provides for a maximum of 500 citywide parking permits at \$100, for qualifying "Smartway" vehicles; and

WHEREAS, in January 2018, the limit of 500 citywide parking permits was exhausted; and

WHEREAS, on January 17, 2018, the Mayor and Commission referred Item No. C4I, entitled, "Referral to Sustainability and Resiliency Committee (SRC) Regarding Parking Incentives for "Smartway" (ILEV – Inherently Low Emission Vehicles) Vehicles to the Sustainability and Resiliency Committee for a discussion regarding citywide parking permit for "Smartway" vehicles; and

WHEREAS, on March 14, 2018, the Sustainability and Resiliency Committee discussed the referenced item and approved the following motion:

- (1) Increase the quantity of citywide parking permits for "Smartway" vehicles from 500 to 1,000; and
- (2) Upon reaching the sale of 750 "Smartway" citywide permits, the Sustainability and Resiliency Committee (SRC) shall take this matter under consideration and provide a recommendation to the City Commission. The Parking Department shall notify the SRC upon reaching 750 "Smartway" citywide permits.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 106, "Traffic and Vehicles," Article II, "Metered Parking," Division 1, "Generally," Section 106-55, "Parking Rate Fees, and Penalties," of the Code of the City of Miami Beach, Florida, is hereby amended as follows and

additional sections that are not amended are provided for reference purposes:

CHAPTER 106

TRAFFIC AND VEHICLES

* * *

Article II. Metered Parking

Division I. Generally

* * *

Sec. 106-55. Parking rates, fees, and penalties; exceptions.

(n) *Smartway vehicles incentive.* The Smartway program will use the state ILEV list; EPA (Environmental Protection Agency) "Smartway" designation; and allow all street legal electric vehicles to qualify for participation in the program. Incentives to be offered to qualified and registered vehicle owners include:

- (1) Monthly parking permit holders for all facilities will be afforded a 50-percent discount on the monthly rate.
- (2) Residential permit holder in all designated zones shall receive a 50-percent savings on either their annual or semi-annual residential permit.
- (3) One Thousand Five hundred city-wide parking decals, honored at metered spaces only, shall be available only to state-registered Smartway vehicles; vehicles receiving an EPA (Environmental Protection Agency) "Smartway" designation; and all street legal electric vehicles on a first-come, first-served basis. The cost of the Smartway city-wide decal is \$100.00 per year. Upon reaching the sale of 750 "Smartway" citywide permits, the Sustainability and Resiliency Committee shall take this matter under consideration and provide a recommendation to the City Commission.
- (4) Two percent of the parking spaces at the 42nd Street Municipal Parking garage may be designated as "Smartway Vehicle Parking Only" for use by recognized Smartway vehicles. One percent of the parking spaces at the 7th Street garage and 13th Street garage may be designated as "Smartway Vehicle Parking Only" for use by recognized Smartway vehicles. Notwithstanding

the preceding sentence, the city manager or his designee, who shall be the city's parking director, reserves the right, in his reasonable business judgment and discretion, to temporarily suspend the aforestated "Smartway Vehicle Parking Only" during special events in order to ensure maximum utilization of all parking spaces.

SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

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 held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

Dan Gelber, Mayor

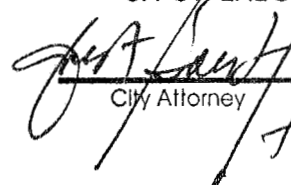
ATTEST:

Rafael E. Granado, City Clerk

Underline denotes new language
~~Strike through~~ denotes deletions

Sponsored by Commissioner Micky Steinberg

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney



Date