

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 PROVIDING FOR AN ENTERTAINMENT DISTRICT PARKING ZONE AND PROVIDING PARKING METER RATES AND TIME LIMITS THEREFOR; BY AMENDING MUNICIPAL PARKING GARAGE AND PREFERRED PARKING LOT RATES AND PENALTIES, BY CREATING SUBSECTION 106-55 (B)(11), TO BE ENTITLED "P71 – 46TH STREET AND COLLINS AVENUE MUNICIPAL PARKING LOT," AND PROVIDING RATES THEREFOR; BY AMENDING THE PROVISIONS REGARDING CONSTRUCTION SPACE RENTAL FEES FOR METERED PARKING SPACES; AND, BY CREATING SUBSECTION 106-55(R), TO BE ENTITLED "HOSTEL/BED & BREAKFAST (B&B) IN RESTRICTED RESIDENTIAL ZONES," TO PROVIDE FOR DAILY PARKING PERMITS AND FEES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, as presented at the May 24, 2018, Commission Budget Workshop, the Administration is recommending the following parking rate increases, commencing in FY2018, to provide the following:

- Regulate parking in the Entertainment District 24 hours daily (currently unregulated between the hours of 3:00 AM and 9:00 AM);
- Regulate parking at Municipal Parking No. P71, located at 46th Street and Collins Avenue 24 hours daily. Currently, this parking lot is unregulated between the hours of 6:00 PM and 8:00 AM and a prepaid flat parking rate of \$20.00 for non-residents and \$6.00 for Miami Beach residents is in place on weekends. The latter mode of operations has proven to be successful and it is recommended to be expanded to 24 hours daily as a metered parking operation in lieu of attendants. In addition to the anticipated revenue enhance, it also results in an operational expense savings of \$149,000, annually;
- Increase daily parking space rental fees (from \$25.00 to \$35.00 per space) for temporary use of parking spaces related to private construction activity that may pose a pedestrian and/or vehicular safety issue; and

- Increase daily hostel guest parking permit (hostels located within restricted residential parking zones) from the annual residential parking permit fee of \$54.60 in most residential zones to the daily residential visitor permit fee of \$3.00; and

WHEREAS, in addition to allowing for more effective management of these parking assets and consistency in the application of rates and hours of operation, a byproduct of these proposed rate increases is to ensure adequate funding for future capital projects and renewal and replacement of existing Parking Department assets; and

WHEREAS, these recommended rate increases are being made in conjunction with the recommended reduction in the FY2019 transfer to the General Fund; and

WHEREAS, these items were also heard and approved at the June 8, 2018 and July 13, 2018 FCWPC Budget Briefings; and

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

SECTION 1. Chapter 106, "Traffic and Vehicles," Article II, "Metered Parking," Division 1, "Generally," Section 106-55, "Parking Rates, 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

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ARTICLE II. Metered Parking

DIVISION 1. Generally

* * *

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

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(a) *Parking meter rates and time limits.*

- (1) Entertainment District Parking Zone: All metered parking from Ocean Drive to Pennsylvania Avenue; and from 5th Street to 15th Street, including Washington Avenue, shall be at the rate of \$4.00 per hour

for on-street and \$2.00 per hour for off-street. All metered parking in the Entertainment District Parking Zone shall be enforced 24 hours a day, seven days per week.

(2) ~~(1)~~*South Beach Parking Zone:* All metered parking south of 23rd Street (Dade Boulevard), from Ocean Drive to the westernmost parking lane of Alton Road, between South Pointe Park and 17th Street; and from 17th Street to 21st Street (Sunset Harbour Drive) from Alton Road to the westernmost parking areas along Purdy Avenue and to Biscayne Bay, with the exception of the areas referenced in subsection 106-55(a)(1) entitled "Entertainment District Parking Zone", shall be at the rate of \$4.00 per hour for on-street and \$2.00 per hour for off-street effective October 10, 2015. All metered parking in the South Beach Parking Zone shall be enforced from 9:00 a.m. until 3:00 a.m., seven days per week.

(3) ~~(2)~~*East Middle Beach Zone:* All metered parking from 23rd Street to 44th Street; ~~and~~ and from Collins Avenue to Indian Creek, shall be at the rate of \$3.00 per hour for on-street and \$2.00 per hour off-street. All metered parking in this area shall be enforced from 9:00 a.m. until 3:00 p.m., seven days per week, effective October 10, 2015.

(4) ~~(3)~~*West Middle Beach Zone:* All metered parking north of 23rd Street and south of 63rd Street; ~~with the exception of the areas referenced in subsection 106-55(a)(2)(3) entitled "East Middle Beach Zone"~~ ~~;~~ shall be at the rate of \$1.00 per hour for off-street and on-street metered parking. All metered parking shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.

(5) ~~(4)~~*North Beach Zone:* All metered parking north of 63rd Street shall be at the rate of \$1.00 per hour for off-street and on-street metered parking. All metered parking shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.

(b) *Municipal parking garage and ~~Preferred~~ Parking Lot rates and penalties.*

(1) *7th Street Garage:*

- a. Transient rates: \$2.00 per hour and any portion thereof up to 4 hours; \$1.00 per hour or any portion thereof from the 4th hour up to 15 hours, and a maximum daily rate of \$20.00 for any time exceeding 15 hours up to 24 hours (applicable sales tax is included in the hourly and maximum rate).

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.

(2) *12th Street Garage:*

- a. Transient rates: \$2.00 per hour and any portion thereof up to 4 hours; \$1.00 per hour or any portion thereof from the 4th hour up to 15 hours, and a maximum daily rate of \$20.00 for any time exceeding 15 hours up to 24 hours (applicable sales tax is included in the hourly and maximum rate).
- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.

(3) *13th Street Garage:*

- a. Transient rates: \$2.00 per hour and any portion thereof up to 4 hours; \$1.00 per hour or any portion thereof from the 4th hour up to 15 hours; and a maximum daily rate of \$20.00 for any time exceeding 15 hours up to 24 hours (applicable sales tax is included in the hourly and maximum rate).
- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.

(4) *16th Street Garage:*

- a. Transient rates:

0-1 hour	\$2.00
1-2 hours	4.00
2-3 hours	6.00
3-6 hours	10.00
6-24 hours	20.00
- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Weekend/event flat rate: \$15.00 per vehicle Friday, Saturday and Sunday from 8:00 p.m. to 5:00 a.m.

(5) *17th Street Garage:*

e. Transient rates:

0-1 hour	\$2.00
1-2 hours	4.00
2-3 hours	6.00
3-4 hours	8.00
4-5 hours	9.00
5-6 hours	10.00
6-7 hours	11.00
7-8 hours	12.00
8-15 hours	15.00
15-24 hours	20.00

f. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.

g. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.

h. Event flat rate: \$15.00 per vehicle.

i. Employee Value Coupon-Lincoln Road (EVC-LR): \$8.00 daily (17th Street Garage only).

(6) *City Hall Garage:*

a. Transient rates:

0-1 hour	\$2.00
1-2 hours	4.00
2-3 hours	6.00
3-4 hours	8.00
4-5 hours	9.00
5-6 hours	10.00
6-7 hours	11.00
7-8 hours	12.00
8-15 hours	15.00
15-24 hours	20.00

b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.

c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.

d. Event flat rate: \$15.00 per vehicle.

(7) *Pennsylvania Avenue Garage:*

a. Transient rates:

0-1 hour	\$2.00
1-2 hours	4.00
2-3 hours	6.00
3-4 hours	8.00
4-5 hours	9.00
5-6 hours	10.00

6-7 hours	11.00
7-8 hours	12.00
8-15 hours	15.00
15-24 hours	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$15.00 per vehicle.

(8) *Sunset Harbor Garage:*

a. Transient rates:

0-1 hour	\$2.00
1-2 hours	4.00
2-3 hours	6.00
3-4 hours	8.00
4-5 hours	9.00
5-6 hours	10.00
6-7 hours	11.00
7-8 hours	12.00
8-15 hours	15.00
15-24 hours	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$15.00 per vehicle.

(9) *42nd Street Garage:*

- a. Transient rates: \$1.00 per hour or any portion thereof up to eight hours; with an \$8.00 maximum per 24-hour period (applicable sales tax is included in the hourly and maximum rate).
- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$8.00.
- c. Monthly parking: \$70.00 per month, per permit, plus applicable sales tax.

(10) *Convention Center Garage:*

a. Transient rates:

0-1 hour	\$2.00
1-2 hours	4.00
2-3 hours	6.00
3-4 hours	8.00
4-5 hours	9.00
5-6 hours	10.00
6-7 hours	11.00

7-8 hours	12.00
8-15 hours	15.00
15-24 hours	20.00

- b. Lost ticket charge: Parkers who cannot produce a parking entry ticket will be charged the maximum daily rate of \$20.00.
- c. Monthly parking: \$100.00 per month, per permit, plus applicable sales tax.
- d. Event flat rate: \$20.00 per vehicle.

(11) P71 – 46th Street and Collins Avenue Municipal Parking Lot:

Monday to Sunday, 24 hours a day enforcement

a. Non-resident - Flat Rate - \$20 daily

b. Resident

i. Flat Rate - \$6 daily; or

ii. Hourly metered rate referenced in subsection 106-55(a)(3) entitled "East Middle Beach Zone"

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(g) *Metered parking space rentals.*

(1) *Administrative fees:* The parking department shall charge an administrative service fee for all space rental requests. The fee schedule is as follows:

- a. \$20.00 administrative fee assessed for any space rental of five spaces or less.
- b. \$25.00 administrative fee assessed for any space rental of from six to 10 spaces.
- c. \$30.00 administrative fee assessed for any space rental of 11 spaces or more.

(2) *Valet ramp space rentals:* The city may provide on an as-needed basis, the ability for a valet 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 director shall determine the number and location of said spaces, and will provide, if possible, spaces adjacent to the business served by the valet service. A copy 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 department when submitting for the first space rental request. Effective October 10, 2015, the fee per space is \$25.00 per day; effective April 10, 2016, the fee per space is \$31.50 per day, payable two weeks in advance for regular users, and at least 48 hours or two (2) business days, whichever is greater, in advance for special events. Rented spaces shall state, "No Parking/Tow Away" and shall be strictly enforced.

- (3) *Construction space rentals:* 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. Space rental shall end on Friday evenings at 6:00 p.m. to allow for additional parking opportunities for the public on the weekends. Construction space rentals shall state, "No Parking 6am-6pm/Tow Away." A copy of a valid, city issued building permit must accompany each application for space rental. The fee per space is ~~\$25.00~~ \$35.00 per day. ~~Rentals associated with construction projects with valid city issued building permits on or before September 30, 2015, shall be \$5.00 per day for the first five spaces, and \$10.00 per day for each additional space in excess of five spaces through and including April 10, 2016; effective April 11, 2016, the fee per space rental shall be \$25.00.~~ Only essential vehicles shall be parked at rented spaces. 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 3 months at a time. At no time shall such permit parking be sold for a period of greater than 3 months unless by action of the mayor and city commission.
- (4) *Production and film space rental:* The city may provide on an as-needed basis, rented spaces to accommodate production and film needs. A copy of a valid, city issued production/film permit must accompany each application for space rental. The fee per space is \$10.00 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater. Rented spaces for production and film use shall state "No Parking/Tow Away," and shall be strictly enforced. Only essential vehicles shall be allowed to park at rented spaces, arrangements for crew parking on a first-come, first-served basis can be arranged with the parking department at underutilized parking garages and lots, as determined by the parking department director. A daily flat rate of \$10.00 per vehicle shall apply. Production vehicles may obtain a production company recreational vehicle (PCRV) parking permit. A PCRV parking permit for production and film recreational vehicles may be used at metered parking spaces citywide and at taxi stands during non-operational hours. A PCRV parking permit is not valid in residential parking zones. A valid production/film permit must be prominently displayed on the driver's side dashboard. The PCRV parking permit is valid only during the days/hours stated on the production/film permit displayed. Metered parking rates are effective at all other applicable enforcement hours. The PCRV parking permit fee is \$70.00 monthly, plus sales tax.

- (5) *Special events space rental: The city may provide on an as-needed basis, parking space rental to accommodate special events. A copy of a valid, city-issued special event permit must accompany each application for space rental. The fee per space is \$25.00 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater. The fee per space for not-for-profit organizations is \$10.00 per day, payable in advance at least 48 hours or two (2) business days, whichever is greater. Rentals associated with special events applications received on or before September 30, 2015, shall be at \$10.00 through and including April 10, 2016; effective April 11, 2016, the fee per space rental shall be \$25.00. Only essential vehicles shall be allowed to park at rented spaces arrangements for event staff parking on a first-come, first-served basis can be arranged with the parking department. Rented spaces shall state, "No Parking/Tow Away", and shall be strictly enforced.*

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- (r) *Hostel/Bed & Breakfast (B&B) in Restricted Residential Zones. A daily 24-hour parking permit is made available by the parking department for Hostel/Bed & Breakfast located in restricted residential zones. This permit is available at a fee of \$3.00 per vehicle, per day. The parking permit is sold by the hostel/B&B to the guest for a fee of \$3.00 per day. The hostel/B&B is responsible for proper issuance of the permit (ensuring that vehicle license plate information is entered correctly) and is also responsible for charging no more than \$3.00 per day to the hostel/B&B guest for the permit. At no time may the hostel/B&B add any surcharge or additional charge to the parking permit fee. The permit is valid for 24 hours from time of purchase. The maximum number of daily permits allowable is determined according to the number of rooms in the establishment, as follows:*

3 to 10 rooms 3 guest permits

11 to 20 rooms 10 guest permits

Over 20 rooms One permit for every 5 rooms

The hostel/B&B must provide a sworn affidavit stating the number of rooms in the establishment.

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 re-lettered 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.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

First Reading: September 12, 2018

Second Reading: September 26, 2018

(Sponsored by Commissioner Mark Samuelian)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael Granado
City Attorney

9/5/18
Date

Underline denotes new language

~~Strike through~~ denotes deletions

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