

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 106 OF THE MIAMI BEACH CITY CODE, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 106-46, ENTITLED "INDIVIDUAL PARKING SPACE; METHOD OF PARKING"; BY CREATING SUBSECTION (C), SCOOTER, MOPED, MOTORCYCLE DESIGNATED PARKING SPACES AND PROHIBITIONS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, the City has experienced increased utilization of alternative vehicles, which include scooters, mopeds and motorcycles, which are environmentally friendly due to their low emissions and fuel consumption as well as their low expense to own, operate, and maintain; and

**WHEREAS**, the increased usage of scooters, mopeds and motorcycles has directly impacted parking demand and competition for on-street parking spaces, and results in these vehicles parking in conventional parking spaces (thereby causing some individuals to reserve the parking space for the placement of an automobile), despite the availability and specific designation of parking for scooters, mopeds and motorcycles in the immediate area; and

**WHEREAS**, the City Manager and Parking Director are legally authorized to regulate on-street parking, including the prohibition or allowance of parking for certain vehicles at certain designated parking spaces; and

**WHEREAS**, the City conducted a six (6) month pilot program in the North Beach/Normandy Isle neighborhood that allowed scooter, moped and motorcycle parking at certain designated parking spaces, and prohibited these vehicles from parking in other spaces, which Program proved to be very successful for the City and its residents; and

**WHEREAS**, this amendment will serve to authorize the Parking Director to designate those specific parking spaces for scooters, mopeds and motorcycles throughout the City of Miami Beach, in conjunction with prohibiting these vehicles from utilizing other parking spaces.

**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 106-46, entitled, "Individual Parking Space; Method of Parking Subsection (c) of the Code of the City of Miami Beach, Florida, is hereby established, as follows:

**Chapter 106. Traffic and Vehicles**

\* \* \*

**Article II. Metered Parking Division. 1 Generally**

\* \* \*

Sec. 106-46. Individual parking spaces; method of parking.

- (a) The parking director of the city shall have lines or markings painted or placed upon the curb or upon the street adjacent to each parking meter for the purpose of designating the parking space for which such meter is to be used, and each vehicle parked adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful to park any vehicle across any such line or marking or to park such vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.
- (b) When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter. 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 such meter.
- (c) The parking director of the city may designate curbside parking spaces for scooter, moped, and motorcycle parking in either individual parking spaces or groupings of parking spaces. Parking spaces with such designation shall have either posted signs, curb markings, or pavement markings promulgating scooter, moped and motorcycle parking only. Parking for scooter, moped and motorcycles 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 and motorcycle parking. The failure to adhere to such restrictions will result in the vehicle being towed and/or fined.

**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 \_\_\_\_\_, 2016.

**ATTEST:**


\_\_\_\_\_  
PHILIP LEVINE, MAYOR

\_\_\_\_\_  
RAFAEL GRANADO, CITY CLERK

Underscore denotes new language

(Sponsored by Commissioner John Elizabeth Alemán)

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney / **AB**      10/14/16  
Date