



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 40-20

City Council

9/24/2020

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

PROPOSED ORDINANCE NO. 40-20 - PROPOSED AMENDMENTS TO CHAPTER 11-2 OF THE CODE - PERTAINING TO THE REGULATION AND MANAGEMENT OF PARKING ACTIVITIES AND THE DESIGNATION OF THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO HEAR AND DETERMINE OBJECTIONS TO FINES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE CITY OF PENSACOLA

RECOMMENDATION:

That the City Council adopt Proposed Ordinance No. 40-20 on second reading.

AN ORDINANCE AMENDING CHAPTER 11-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING SECTION 11-2-37, PROVIDING PARKING FINE AMOUNTS AND APPOINTING CODE ENFORCEMENT AUTHORITY SPECIAL MAGISTRATE TO HEAR AND DECIDE OBJECTIONS TO PARKING FINES; AMENDING SECTION 11-2-46, PROVIDING MAYORAL AUTHORITY TO REGULATE PARKING; AMENDING SECTION 11-2-46.1, PROVIDING TIME LIMITS, RATES AND FINES; AMENDING SECTION 11-2-47, PROVIDING PARKING TIME LIMITS; AMENDING SECTION 11-2-48, REGULATING PARKING SPACES; AMENDING SECTION 11-2-80, PROVIDING FOR AUTHORITY OF MAYOR; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

The Downtown Improvement Board (DIB) lacks statutory authority to enforce or regulate parking activities outside the boundaries of the DIB. Recently, the City Council made a determination to have the City resume responsibility for parking regulation and enforcement throughout the City commencing October 1, 2020.

City Council took action on May 28, 2020, to terminate the Interlocal Agreement(s) with the DIB, City, and CRA, bringing all parking management operations under City management on October 1, 2020.

This Ordinance amends Chapter 11-2 of the City Code, providing for parking fines and rates, time limits, parking spaces, and Mayoral authority to regulate parking within the Pensacola City Limits. In addition, the Ordinance provides for the appointment of the Code Enforcement Special Magistrate to hear appeals related to all matters concerning parking activities within the City. Parking rates are current and were approved by the City Council on February 13, 2020. This Ordinance does not increase parking rates within the City limits.

PRIOR ACTION:

November 29, 2007 - The City Council and the CRA entered into Interlocal Agreements with the DIB, which allowed the DIB to manage and enforce parking regulations in the downtown business district. Recently, the City Council and the CRA provided notice to the DIB that the Interlocal Agreements were being terminated effective October 1, 2020.

October 13, 2011 - The City Council created the Code Enforcement Authority in 2011, transitioning from a code enforcement board to a Special Magistrate method of adjudication, the Council provided that, "The city council may, by ordinance, confer additional authority and responsibility upon special masters ...," and that "the special masters appointed under this section shall perform additional duties as hearing officers conducting quasi-judicial hearings as council may, in its discretion, so designate." Sec. 13-1-2 through 13-1-4.

September 10, 2020 - The City Council voted to approve Proposed Ordinance No. 40-20 on first reading.

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

8/13/2020

STAFF CONTACT:

Keith Wilkins, City Administrator
Richard Barker, Jr., Deputy City Administrator - Administration and Enterprise
Amy Lovoy, Finance Director

ATTACHMENTS:

- 1) Proposed Ordinance No. 40-20

PRESENTATION: No

