

ORDINANCE NO. 22-25

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING TITLE 7, "TRAFFIC CODE," CHAPTER 71, "PARKING REGULATIONS," SECTIONS 71.023, "LIMITING PARKING TIME ON CERTAIN STREETS," AND 71.056, "PARKING METER ZONES; INSTALLATION OF METERS," TO ELIMINATE THE PARKING MANAGEMENT ADVISORY BOARD; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter 166 of the Florida Statutes, the City of Delray Beach is authorized to protect the public health, safety, and welfare of its residents and has the power and authority to enact regulations for valid governmental purposes that are not inconsistent with general or special law; and

WHEREAS, the Parking Management Advisory Board was established on December 9, 1997, via Resolution No. 88-97 for the purpose of implementing the Master Parking Plan; and

WHEREAS, the Code of Ordinances authorizes the Parking Management Advisory Board to review time-limited parking zones and parking meter zones; and

WHEREAS, on July 8, 2025, the City Commission directed staff to eliminate the Parking Management Advisory Board and streamline the review process of In Lieu of Parking Fee requests and other parking related matters; and

WHEREAS, the City Commission has determined that this Ordinance is in the best interest and promotes the health, safety, and welfare of the citizens, residents, and businesses of the City of Delray Beach.

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

Section 1. The above recitations set forth above are incorporated herein.

Section 2. Title 7, "Traffic Code," Chapter 71, "Parking Regulations," Section 71.023, "Limiting Parking Time on Certain Streets," of the Code of Ordinances of the City of Delray Beach, Florida, shall be amended as follows:

Sec. 71.023. - LIMITING PARKING TIME ON CERTAIN STREETS.

- (A) The City is hereby authorized to establish by resolution time-limited parking zones which limit the maximum time a vehicle can park in certain areas within the City. These zones may be subsequently amended by the City Manager, who may invite comments and recommendations from ~~the Parking Management Advisory Board (PMAB)~~ and the Delray Beach Downtown Development Authority (DDA) before making any amendments thereto.

- (B) Each time-limited parking zone shall provide signage to notify drivers of the maximum amount of time a vehicle can park in that zone.
- (C) Nothing in this section shall be construed as prohibiting the City Manager or his or her designee from temporarily restricting parking in these zones or allowing parking in excess of the designated maximum time limit based on special circumstances, including but not limited to emergencies, special events, construction, change in building uses, and actual usage of parking spaces in the zones.
- (D) No person shall move and repark a vehicle on either side of a street within the same block in order to avoid exceeding the time limits specified for either side of the street in that particular block.

Section 3. Title 7, “Traffic Code,” Chapter 71, “Parking Regulations,” Section 71.056, “Parking Meter Zones; Installation of Meters,” of the Code of Ordinances of the City of Delray Beach, Florida, shall be amended as follows:

Sec. 71.056. - PARKING METER ZONES; INSTALLATION OF METERS.

- (A) The City is hereby authorized to establish by resolution certain sections of the City public right of way to be designated as parking meter zones. These zones may be subsequently ~~be~~ amended by the City Manager, who may invite comments and recommendations from the ~~Parking Management Advisory Board (PMAB) and the Delray Beach Downtown Development Authority (DDA)~~ before making any amendments thereto.
- (B) The City is hereby authorized to install, or have installed, parking meters for the parking spaces in parking meter zones.
- (C) Each parking meter zone shall provide signage to notify drivers of the required payment for that parking meter zone and the maximum length of allowable parking time.
- (D) Each parking meter installed in a parking meter zone shall indicate by proper legend the legal parking time established by the City, and when operated shall at all times indicate the balance of legal parking time, and at the expiration of the period shall indicate illegal or overtime parking.
- (E) For any parking space in a parking meter zone for which no meter is installed adjacent to the space, the City shall install signage in the area and visible from the space indicating that payment of the parking meter rates for that space shall be made by using parking meter technology, and indicating the procedure for using said technology.
- (F) When parking meter technology is in use, it shall notify the user and the parking enforcement officer of the legal parking time for which payment has been made and the balance of legal parking time.
- (G) Nothing in this section shall be construed as prohibiting the City Manager or his or her designee from temporarily restricting parking or allowing parking at no charge at spaces within parking meter zones based on special circumstances, including but not limited to emergencies, special events, construction, change in building uses, and actual usage of parking spaces in the zones.

- (H) No person shall move and repark a vehicle on either side of a street within the same block in order to avoid exceeding the parking meter time limits specified for either side of the street in that particular block.

Section 4. All ordinances or parts thereof in conflict or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. Specific authority and direction is hereby given to the City Clerk to codify this Ordinance.

Section 7. This Ordinance shall become effective immediately upon its passage on second and final reading and shall apply to all existing and future applications for permits.

PASSED AND ADOPTED in regular session on second and final reading on this the _____ day of _____, 2025.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

First Reading _____

Second Reading _____

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney