



## Cover Memorandum/Staff Report

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**File #:** 23-707

**Agenda Date:** 6/6/2023

**Item #:** 9.A.

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** June 6, 2023

ORDINANCE NO. 19-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE 7, "TRAFFIC CODE," CHAPTER 71, "PARKING REGULATIONS," SUBCHAPTER "PARKING REGULATIONS," SECTION 71.017, "STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED AREAS," TO PROHIBIT A VEHICLE FROM STOPPING, STANDING, OR PARKING ON THE SWALE AREA; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

### **Recommended Action:**

Motion to approve Ordinance 19-23 an ordinance of the City Commission of the City of Delray Beach, Florida, amending the Code of Ordinances, Title 7, to preserve the City's swales within rights-of-way by prohibiting parking on swale areas.

### **Background:**

The item before the City Commission is to consider an update to Chapter 71 , Section 71.071of the City Code of Ordinances addressing Parking Regulations.

These updates are required in order to address ongoing issues of drivers parking in city swale areas. The City of Delray Beach employs passive stormwater management techniques in many residential neighborhoods in order to manage stormwater runoff and effectively prevent ponding on roadways. The primary tool for this activity is the creation of swales, or slightly depressed areas with gentle slopes, between sidewalks and pavement. The swale is at a lower elevation than the adjacent roadway, which allows the stormwater to leave the asphalt and gather in the swale. This method of stormwater management is preferred due to both the ability to clear the roadways of standing water and to improve water quality by allowing the water to filter slowly through grass and sand back into the natural system.

A summary of the reasoning for the changes are as follows:

- Vehicles which are stopped or parked on the swale causes the soil to become compacted, causing the infiltration of rainwater to become less effective resulting in increased flooding.
- Parking on the swale damages the ground cover, requiring the adjacent property owner to install sod or otherwise repair the area.
- By prohibiting parking on the swale the drainage capabilities of the swale will be left intact and the maintenance burdens on adjacent property owners will be reduced.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

Ordinance 19-23 would become effective upon approval at second reading.