

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF ORDINANCE NO. 1033, AMENDING CHAPTER 23. TRAFFIC AND VEHICLES. AT SECTION 23-16. MANNER OF PARKING VEHICLES UPON STREETS, PUBLIC RIGHTS-OF-WAY, PUBLICLY OWNED PARKING SPACES, VACANT LOTS AND SWALES; PENALTIES. TO CLARIFY THE SWALE PARKING RESTRICTIONS WITHIN THE VILLAGE AND ADD ADDITIONAL REGULATIONS TO ADDRESS PARKING OF VEHICLES ON PUBLICLY-OWNED PROPERTY.

Issue:

Section 23-16 of the Village Code of Ordinances provides regulations for parking vehicles on public streets, public land, public rights-of-way, publicly owned parking spaces, vacant lots and swales within the Village. Village Staff is proposing to clarify the swale parking restrictions within the Village and add additional regulations to address parking of vehicles on publicly-owned property. Proposed revisions include:

- Adding language to make clear that diagonal parking is not considered parallel with the direction of the lawful movement of traffic;
- Restrict the parking of vehicles on streets for longer than two (2) hours without the permission of the adjacent property owner, prohibit blocking an adjacent property owner's vehicle or pedestrian access, and prohibit overnight parking in the street adjacent to private property except by the adjacent property owners, and prohibit overnight parking in the street adjacent to private property except by the adjacent property owner so provided such parking does not impede the normal flow of traffic or preclude emergency vehicle access,;
- Prohibit the parking of vehicles on swales adjacent to private property without the permission of the adjacent property owner or for a period of longer than twenty-four hours; limit such parking to the number of guest vehicles that can be reasonably accommodated in the swale; prohibit overnight parking in the swale adjacent to private property except by the adjacent property owners; and
- Prohibited motorized vehicles from parking or being parked on any Village-owned property except within designated parking spaces or as allowed by posted signage or other Village designation.

Recommended Action:

Staff recommends Approval of Ordinance No. 1033 on second reading.

Initiator:	Village Manager	Agenda Date	Village Council
Comm. Dev. Director	Approval	6/15/2023	Action

ORDINANCE NO. 1033

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 23. TRAFFIC AND VEHICLES. AT SECTION 23-16. MANNER OF PARKING VEHICLES UPON STREETS, PUBLIC RIGHTS-OF-WAY, PUBLICLY OWNED PARKING SPACES, VACANT LOTS AND SWALES; PENALTIES. TO CLARIFY THE SWALE PARKING RESTRICTIONS WITHIN THE VILLAGE AND ADD ADDITIONAL REGULATIONS TO ADDRESS PARKING OF VEHICLES ON PUBLICLY-OWNED PROPERTY; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 23. PARKING AND VEHICLES. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 23. Parking and Vehicles, at Section 23-16 of the Village Code of Ordinances provides regulations for parking vehicles on public streets, public land, public rights-of-way, publicly owned parking spaces, vacant lots and swales; and

WHEREAS, the Village Council desires to amend Chapter 23. Parking and Vehicles. of the Village's Code of Ordinances in order to clarify the swale parking restrictions within the Village and add additional regulations to address parking of vehicles on publicly-owned property; and

WHEREAS, the Village of Royal Palm Beach has held all required public hearings and has provided public notice in accordance with applicable State statutes and Village ordinances; and

WHEREAS, the Village Council of the Village of Royal Palm Beach has determined that the proposed revisions to Chapter 23 are in the best interests of the general welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 23. Parking and Vehicles. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Sec. 23-16. Manner of parking of vehicles upon streets, public rights-of-way, publicly owned parking spaces, vacant lots and swales; penalties. in order to clarify the swale parking restrictions within the Village and add regulations to address parking of vehicles on publicly-owned property; providing that Sec. 23-16 shall hereafter read as follows:

Sec. 23-16. Manner of parking vehicles upon streets, public rights-of-way, publicly owned property, publicly owned parking spaces, vacant lots and swales; penalties.

(a) *Generally; posted signage.* It shall be unlawful for any owner, operator or person in charge of any vehicle in the village to stop or park such vehicle upon any swale in any direction other than parallel with the direction of the lawful movement of traffic in the adjacent lane or in any way that impedes vehicular traffic. Diagonal parking is not considered parallel with the direction of the lawful movement of traffic. No vehicle shall be allowed to park on the street or swale as provided for hereinabove which causes any portion of the vehicle to interfere in any way with the traffic flow on the street or roadway; nor shall any vehicle be allowed to park in any swale, public park, public land or on any street in violation of posted signage.

(1) *Limited parking allowed adjacent to private property.*

(a) No such vehicle shall be allowed to so remain stopped or parked on the street or swale adjacent to private property for a period of longer than ~~two (2) hours~~ twenty-four (24) hours at any given time without the permission of the adjacent property owner; and in no case whatsoever shall any vehicle be allowed to block an adjacent property owner's vehicle or pedestrian access. There shall be no overnight parking in the street adjacent to private property except by the adjacent property owner; provided however, that no such street parking shall block or otherwise impede the normal flow of traffic or preclude emergency vehicle access. ~~park in the swale adjacent to the following roadways within the Village: Crestwood Boulevard; Royal Palm Beach Boulevard; Southern Boulevard; State Road 7; and Okeechobee Boulevard.~~

(b) No such vehicle shall be allowed to so remain stopped or parked on the swale adjacent to private property at any given time without the permission of the adjacent property owner or for a period of longer than twenty four (24) hours and in no case whatsoever shall any vehicle be allowed to park in the swale adjacent to the following roadways within the Village: Crestwood Boulevard; Royal Palm Beach Boulevard; Southern Boulevard; State Road 7; and Okeechobee Boulevard. Parking in the swale with the permission of the adjacent landowner shall at all times be limited to the number of guest vehicles that can be reasonably accommodated on the adjacent landowner's swale. There shall be no overnight parking in the swale adjacent to private property except by the adjacent property owner.

- (2) *Limited parking allowed in certain public areas.* In no instance shall motorized vehicles be allowed to remain so stopped or parked on these public rights-of-way, swales adjacent to public property or designated public parking spaces for a period of longer than twenty-four (24) hours at any given time.
- (3) *Limited parking allowed on vacant lots.* It shall also be unlawful for any owner, operator or person in charge of a vehicle to park such vehicle upon any vacant lot in the village in excess of six (6) hours. These regulations shall apply to all vacant lots even when the vacant lot is owned by the vehicle operator, is adjacent to the residence owned by the operator of such vehicle, or is owned by a person or entity which has granted permission for such parking.
- (4) *Motorized vehicle parking on publicly-owned property.* Motorized vehicles are hereby expressly prohibited from parking or being parked on any village-owned property except within designated parking spaces or as allowed by posted signage or other Village designation.
- (54) *Nonmotorized vehicle parking-on public property.* Nonmotorized vehicles are hereby expressly prohibited from parking or being parked in any village-owned public parking space, including those spaces provided in public parks, except for loading and unloading activities or during which time boats or personal watercraft which have been launched from a trailer at the public park's boat ramp are actually being used.
- (65) *Restricted, prohibited and disabled vehicles.* Notwithstanding the above-referenced prohibitions, subsection 23-18(b) sets forth specific parking prohibitions for restricted, prohibited and disabled vehicles as defined in that section.
- (b) *"Vehicle" definition.* For the purposes of this section, the term "vehicle" shall include the following: all vehicles propelled by power (other than muscular power) and any nonmotorized vehicles which include, but are not limited to, any type of trailer, trailer-and-boat in combination, semitrailers, and trailer coaches. The term shall not include construction vehicles currently being utilized for permitted construction projects within the village.
- (c) *Penalties.* Any person, firm, corporation or other entity violating the provisions of this chapter shall be subject to penalties as set forth in the schedule of fees and charges adopted by

resolution of the village council as revised from time to time by resolution of the village council.

Section 3: Each and every other Section and Sub-section of Chapter 23. Parking and Vehicles. shall remain in full force and effect as previously adopted.

Section 4: All Ordinances or parts of Ordinances in conflict be and the same 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 of this Ordinance.

Section 6: Specific authority is hereby granted to codify this Ordinance.

Section 7: This ordinance shall take effect immediately upon adoption.

FIRST READING this 18th day of May, 2023.

SECOND AND FINAL READING this 15th day of June, 2023.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK