

**ORDINANCE NO. 001-2022**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ARTICLE X – ON STREET PARKING PERMITS, AT SECTIONS 134-2292, 134-2296 (b) AND 134-2296 (c); RELATING TO ISSUANCE OF DECALS AND VISITOR/SERVICE PERMITS; CHANGING THE EFFECTIVE YEAR FROM A FISCAL YEAR TO A CALENDAR YEAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 134, Article X. – On-Street Parking Permits, at Section 134-2292, 134-2296 (b) and 134-2296 (c), to read as follows:

**Sec. 134-2292. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Commuter vehicle means a motor vehicle parked in a residential area by a person who is not a resident of the designated residential area.

Controlled parking residential area means a contiguous or nearly contiguous area containing streets or parts thereof primarily abutted by property that has a specific residential zone designation on the official zoning map of the town and that is designated for restricted residential parking by the town manager or his designee, pursuant to criteria and procedures established in this division.

~~Fiscal year~~ Calendar year means the period beginning ~~October~~ January 1 and ending ~~September-30~~ December 31 of the same year.

Resident means a person who owns or leases real property within a residential area and who maintains either a voting residence or bona fide occupancy or both at that address.

Residential parking permit means a special permit issued under this division for the privilege of parking on a street designated as a controlled parking residential area.

**Sec. 134-2296. Issuance of special parking permits upon application**

(b) The application for a permit shall contain the name of such owner or operator of the motor

vehicle; residential address; and the motor vehicle's make, model and registration number. The motor vehicle's registration may, at the discretion of the finance department, be required to be presented at the time of making the application in order to verify the contents thereof. If the vehicle is registered at an address other than the local residence, the applicant shall provide other sufficient proof, acceptable to the finance department, showing residency within the controlled residential parking area. The permit shall be valid for a ~~fiscal~~ calendar year, as defined in section 134-2292, and shall be renewed for each successive ~~fiscal~~ calendar year. A fee, as determined by resolution of the town council shall be charged for the annual permit and shall be payable at the finance department. After the initial permit has been issued, any renewal shall be affixed to the vehicle no later than ~~October~~ January 15 of the applicable current year.

- (c) Visitor/service permits. In addition to the decals issued pursuant to section 134-2295(b) above, upon application by owner, owner may be issued visitor/service permits, which permits may be used by such owner for the sole purpose of providing parking on a temporary basis to service vehicles which are conducting work at such owner's premises or for visitors of such owner's residence. The permits shall be used only for the period of time during which business is to be conducted by the service vehicles or for the duration of stay of a visitor to the residence for which the permit is issued. No more than a total of eight permits, including decals and visitor/service permits, shall be issued for each property.

The application for a visitor/service permit or permits shall be filed by such owner. The permit or permits shall be valid for a ~~fiscal~~ calendar year as defined in section 134-2292 and may be renewed each successive ~~fiscal~~ calendar year. A fee, as determined by resolution of the town council shall be charged for each visitor/service permit and shall be payable at the finance department. These permits shall not be affixed to the vehicle, but shall be placed in a clearly visible place on the inside of the visitor's or service vehicle observable through the front windshield of the vehicle. The permits shall be valid only for the period of time during which the service vehicle is conducting work at the premises or for the period of time a visitor is at the premises.

**Section 2. Severability.**

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

**Section 3. Repeal of Ordinances in Conflict.**

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 4. Codification.**

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

**Section 5.      Effective Date.**

This Ordinance shall take effect thirty-one (31) days after its adoption, as provided by law.

**PASSED AND ADOPTED** in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 8<sup>th</sup> day of February, 2022, and for second and final reading this 8th day of March, 2022.

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Danielle H. Moore, Mayor

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Margaret A. Zeidman, Town Council President

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Bobbie Lindsay, Council President Pro Tem

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Julie Araskog, Town Council Member

ATTEST:

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Edward A. Cooney, Town Council Member

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Pat Gayle-Gordon, Acting Town Clerk

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Lewis S.W. Crampton, Town Council Member