

***Board of County Commissioners***

**Parking Enforcement**

**Work Session**

**July 28, 2020**



# Presentation Outline

- Purpose
- Background
- Proposed Code Changes
- Summary and Next Steps





# Purpose

- Evaluate and respond to both localized and countywide issues relating to vehicle parking
  - Public safety considerations
  - Community standards



# Presentation Outline

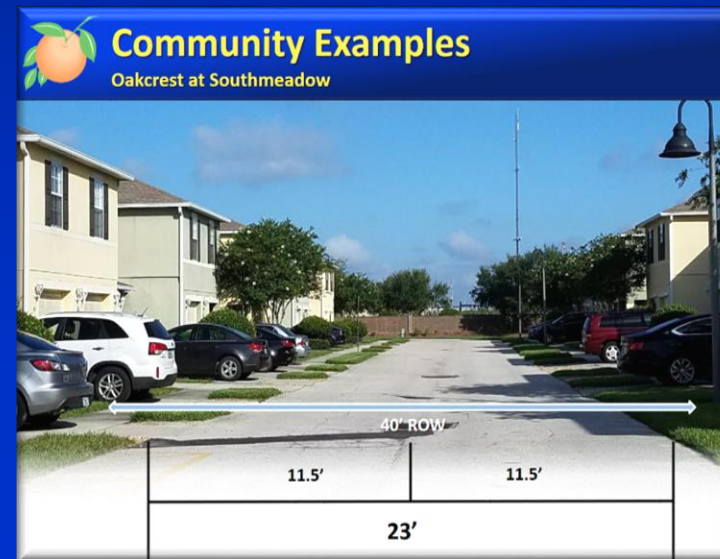
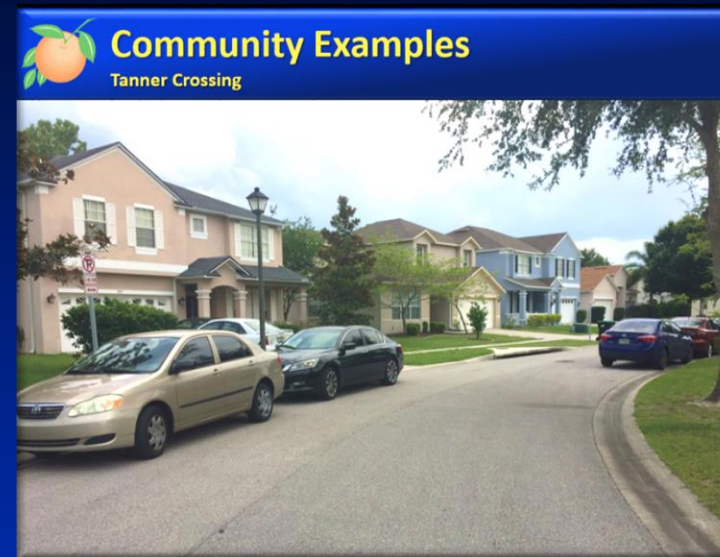
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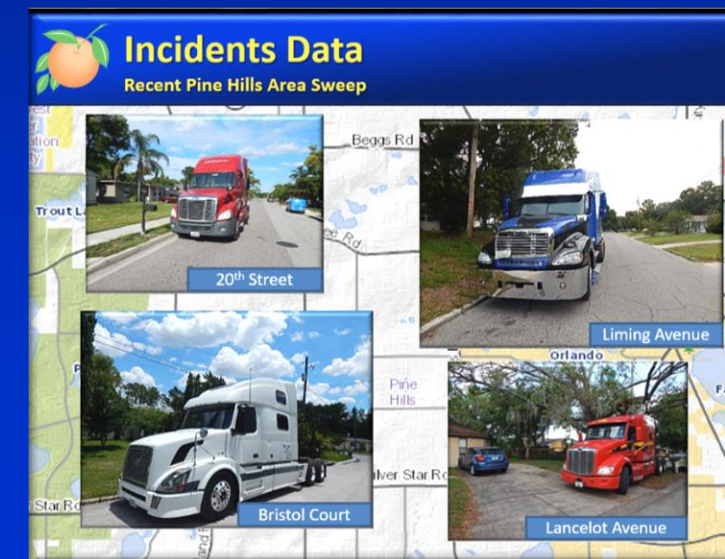
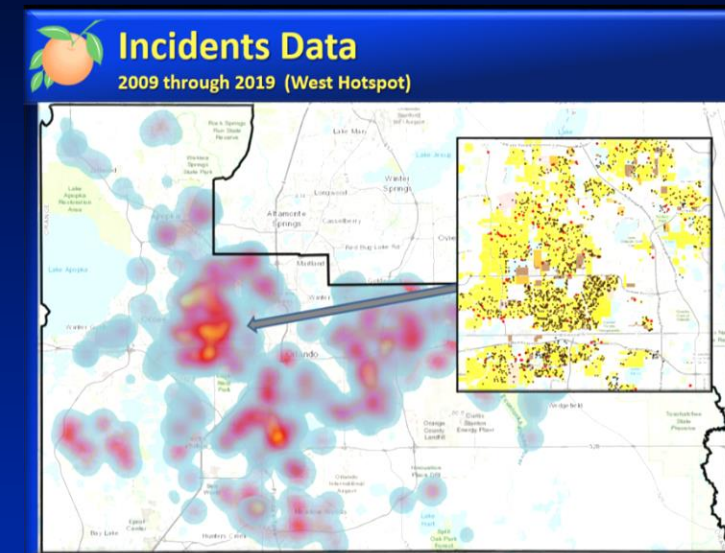
# Background

- February 6, 2018 – BCC discussion on parking problems experienced in residential subdivisions
  - Clogged streets
  - Concerns with delaying Fire Rescue response
- October 2, 2018 – Board direction
  - Codifying 2007 PRG report - standard street widths
  - Consider additional parking where appropriate
    - Multifamily / town home
  - Review building setbacks



# Background

- **May 7, 2019** – BCC discussion on dual rear wheel vehicle parking problems experienced in residential subdivisions
  - Problems increasing in neighborhoods
    - Specifically tractor trailers
  - Countywide issue/safety concerns
- **October 22, 2019** – Board direction
  - Increase penalties
  - Consider additional parking options (C2 zoning)
  - Consistent definitions for exempt DRWV





# Background

- **Other related issues**

- Large vehicles utilizing county ROW as parking lots
- Vehicles using county ROW for storage
- Overuse of designated parking
- Enforcement



# Background

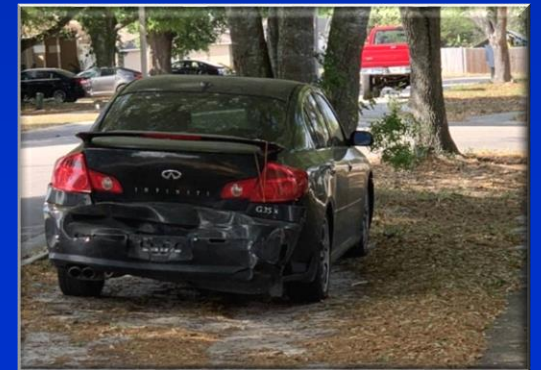
- Large vehicles utilizing county ROW as parking lots
  - Dual rear wheel vehicles





# Background

- Vehicles using county ROW for storage
  - “Abandoned vehicles”





# Background

- Vehicles using county ROW for storage
  - Trailers
  - Recreational vehicles



# Background

- Overuse of designated parking
  - Preemption of multiple parking stalls
  - EV spaces





# Background

## ▪ Enforcement

- Current statutory language restricts local enforcement to vehicles with no registered owner
  - Officer runs VIN check through Florida and/or 50 state database
  - If registered, no action can be taken unless vehicle is located in travel lane





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# Proposed Code Changes

- **Main areas of change**

- **Definitions**

- Chapter 28 - Nuisances

- Chapter 35 - Traffic

- **Authority to Tow**

- **Additional Restrictions**

- **Penalties**





# Proposed Code Changes – Chapter 28

## Definitions

### ▪ Authority to enforce

– *Enforcement officer* shall mean ~~the county sheriff or any of his deputies,~~  
~~or any other~~ person designated by ~~resolution~~ of the board of county  
commissioners to enforce the provisions of this article.



# Proposed Code Changes – Chapter 35

## Definitions

### ▪ Authority to enforce

- *Law enforcement officer* shall mean any officer authorized to enforce parking regulations, including the county sheriff, any of his or her deputies or parking enforcement specialists as described in ~~F.S. §~~ Section 316.640, Florida Statutes, and officers of the state authorized to enforce parking regulations, ~~and the supervisor and inspectors of the county area improvement section of the county zoning department.~~
- *Parking Enforcement Specialist* shall mean a person employed by the Orange County Sheriff's Office as described in Section 316.640(2)(c), Florida Statutes.



# Proposed Code Changes – Chapter 35

## Definitions

### ▪ Exempt dual rear wheel vehicles

– *Dual rear wheel vehicles* shall mean motor trucks, trailers, semitrailers, tractor/trailer combinations and all other vehicles operating over the public streets of the county and used as a means of transporting persons or property and propelled by power other than muscular power which have more than or are designed to have more than four (4) weight-bearing wheels, ~~but not including, dual rear wheel pickup trucks with one (1) ton or less load capacity.~~ dual rear wheel pickup trucks with one (1) ton or less load capacity, not used for commercial purposes shall not be deemed to constitute a dual rear wheel vehicle. A public service vehicle, such as a utility or emergency service vehicle, shall not be deemed to constitute a dual rear wheel vehicle when approved by the zoning manager.





# Proposed Code Changes – Chapter 35

## Definitions

### ▪ Relevant vehicles

- Vehicle shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway, which **may include an automobile, truck, boat, motorcycle, recreational vehicle, bus, autonomous vehicle, and/or other motorized transport.** This definition also shall be **inclusive of any trailer, transporter, or other vehicle accessory or component, whether or not it is proximate or attached to a vehicle.** This definition excludes personal delivery devices, mobile carriers, and devices used exclusively upon stationary rails or tracks.



# Proposed Code Changes – Chapter 35

## Authority to Tow

- **Enhancing ability to tow from right-of-way**
  - Removal of term “abandoned”
  - Adding option for vehicles blocking visibility such that it is a safety hazard
  - Adding option for vehicles with no valid license plates displayed (72 hr limit)
  - Adding option for vehicles under covers





# Proposed Code Changes – Chapter 35

## Additional Restrictions

- **Specific prohibitions for common right-of-way issues**
  - Blocking a 20' clear access area for emergency vehicles
  - Blocking access to postal delivery boxes or lockers (8 a.m. to 6 p.m.)
  - Parking non-EV vehicles in a marked EV parking space
  - Parking within 20 feet of midblock crossing
  - Parking a vehicle in more than one marked parking space (unless loading or unloading)
  - Parking a trailer (unless loading or unloading)
  - Parking an RV (72 hr limit)
  - Parking a dual rear wheel vehicle (unless loading or unloading)



# Proposed Code Changes – Chapter 35

## Penalties

- **Specific penalties for common right-of-way issues**
  - In general - \$30
  - Dual rear wheel vehicles - \$150 - \$250 (for consideration)
    - Currently \$30







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# Summary and Next Steps

## ▪ Main objectives

- Enhance authority and ability of parking enforcement staff
  - Towing
  - Ticketing
- Develop appropriate standards to manage common right-of-way issues
  - Dual rear wheel vehicles
  - Neglected vehicles
  - Unsafe parking
- Set appropriate penalties for DRWV infractions
  - Effective fine





# Summary and Next Steps

## ▪ Remaining Issues

- Adopt standard street widths in 2007 PRG Report (Fall 2020)
- Allow DRWV parking/storage in C2 zoning districts (Late 2020/Early 2021)
- Design standards for additional parking in multifamily and enhanced setbacks for buildings (TBD)



# Summary and Next Steps

- **Develop communications plan**
- **Finalize ordinance provisions**
- **Adoption hearing planned for September 1, 2020**