



Town of Surfside
Regular Town Commission Meeting
AGENDA
SUPPLEMENTAL No. 1
June 8, 2021
7 p.m.

- 1. Opening**
 - A. Call to Order**
 - B. Roll Call of Members**
 - C. Mayor and Commission Remarks – Mayor Charles W. Burkett**
 - D. Agenda and Order of Business Additions, deletions and linkages**
 - E. Community Notes – Mayor Charles W. Burkett**
 - F. Financial Audit Presentation – Andrew Hyatt, Town Manager**
 - G. Proclamation Approval and Presentation for Code Compliance Appreciation Week - Mayor Charles W. Burkett (Page 1)**

- 2. Quasi-Judicial Hearings – N/A**

- 3. Consent Agenda (*Set for approximately 7:30 p.m.*) *All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.***
 - A. Minutes – Sandra N. McCreedy, MMC, Town Clerk (Pages 2-25)**

 - *B. Town Manager’s Report – Andrew Hyatt, Town Manager (Pages 26-45)**

 - *C. Town Attorney’s Report – Weiss Serota, Town Attorney (Pages 46-55)**

 - D. Committee Reports - Andrew Hyatt, Town Manager (Pages 56-102)**

- February 25, 2021 Planning and Zoning Board Meeting Minutes
- March 25, 2021 Planning and Zoning Board Meeting Minutes
- April 12, 2021 Special Parks and Recreation Committee Meeting Minutes
- April 19, 2021 Parks and Recreation Committee Meeting Minutes

E. Resolution Authorizing Memorandum of Understanding between the Town of Surfside and Florida Department of Law Enforcement - Andrew Hyatt, Town Manager (Pages 103-117)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF SURFSIDE AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT RELATING TO INVESTIGATIONS OF INCIDENTS INVOLVING THE USE OF DEADLY FORCE BY LAW ENFORCEMENT OFFICERS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

F. Resolution to Modify the Time Limits for Off-Street Parking (Municipal Lots) – Andrew Hyatt, Town Manager (Pages 118-120)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, RATIFYING AN AMENDMENT TO THE OFF-STREET VARIABLE PARKING RATE AND TIME LIMITATION SCHEDULE FOR MUNICIPAL PARKING LOTS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Independent External Audit Reengagement - Andrew Hyatt, Town Manager (Pages 121-138)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN ENGAGEMENT LETTER WITH MARCUM LLP FOR FINANCIAL AUDITING SERVICES FOR FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**H. Town Hall Chiller Coils Emergency Repair - Andrew Hyatt, Town Manager
(Pages 139-146)**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING EMERGENCY REPAIR WORK FOR THE TOWN HALL AIR CONDITIONING SYSTEM'S CHILLER AND COILS REPLACEMENT FROM SMART AIR SYSTEMS, INC.; FINDING THAT THE WOTK IS EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(7)(F) OF THE TOWN CODE AS A PUBLIC WORKS PURCHASE FOR TOWN FACILITY REPAIR WORK; AUTHORIZING THE TOWN MANAGER TO ENTER INTO A PURCHASE ORDER FOR SUCH WORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**I. Structural Plans Review Approval of Project Agreement with Alvarez Engineers, Inc. and Authorization to Expend - Andrew Hyatt, Town Manager
(Pages 147-156)**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A PROJECT AGREEMENT WITH ALVAREZ ENGINEERS, INC. FOR STRUCTURAL PLAN REVIEW SERVICES PURSUANT TO THE CONTINUING SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AUTHORIZING THE EXPENDITURE OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

J. FY 2021 Budget Amendment Resolution No. 9 - Andrew Hyatt, Town Manager

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 9 FOR THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

4. Ordinances

(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)

A. Second Reading Ordinances

(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)

B. First Reading Ordinances

5. Resolutions and Proclamations

(Set for approximately 9:45 p.m.) (Note: Depends upon length of Good and Welfare)

A. Hamsa-Hamsa (Surf-N-Sides) Concession Agreement – Andrew Hyatt, Town Manager (Pages 157-167)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING RENEWAL OF THE TERM OF THE AGREEMENT FOR FOOD AND BEVERAGE CONCESSION SERVICES WITH HAMSA HAMSA, LLC D/B/A SURF-N-SIDES FOR FOOD AND BEVERAGE CONCESSION SERVICES AT THE SURFSIDE COMMUNITY CENTER; AUTHORIZING THE TOWN MANAGER TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR THE SERVICES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

B. Vice Mayor Tina Paul Resolution Correction – Mayor Charles Burkett (Pages 168-172)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DECLARING THE TOWN'S COMMITMENT TO CULTIVATING AN INCLUSIVE COMMUNITY TO ENSURE THE RIGHTS OF ALL CITIZENS WILL BE PROTECTED AND RESPECTED BY CONDEMNING HATE AND EXTREMISM; PROVIDING FOR DECLARATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

C. Censure Resolution - Mayor Charles Burkett (Pages 173-176)

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING CENSURE DIRECTED TOWARDS COMMISSIONER ELIANA SALZHAUER; FINDING THAT COMMISSIONER SALZHAUER'S BEHAVIOR IS UNACCEPTABLE AND THAT SHE MUST MAINTAIN ORDER, DECORUM, CIVILITY AND RESPECT; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Good and Welfare/ Public Comments from Residents

(Set for approximately 8:15 p.m.)

Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.

7. Town Manager and Town Attorney Reports

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

8. Unfinished Business and New Business

9. Mayor, Commission and Staff Communications

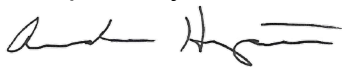
- A. Safety/Traffic/Transportation Update** – Andrew Hyatt, Town Manager (Pages 177 – 179)
- B. Ending Option to Contribute to Parking Fund in Lieu of having Required Parking in Building Plans** – Commissioner Charles Kesl (Pages 180-183)
- C. Demolition by Neglect** - Mayor Charles W. Burkett (Pages 184-186)
- D. Excessive Homeless Contribution made by the Former Commission** - Mayor Charles W. Burkett (Page 187)
- E. Lowering of Property Taxes and Water Bills – Staff Report** – Andrew Hyatt, Town Manager (Page 188)
- F. Climate Environmental Collective Revised** - Vice Mayor Tina Paul (Pages 189-191)
- G. Interest Free Loans to Surfside Builders Granted by Former Mayor and Commission** – Mayor Charles W. Burkett (Page 192)
- H. Amending Town Code Section 2-237 Business Relationships** – Commissioner Eliana Salzhauer (Pages 193-198)
- I. Community Center Pool Deck Lighting - Staff Report** – Andrew Hyatt, Town Manager (Pages 199-200)
- J. Community Center Second Floor – Staff Report** - Andrew Hyatt, Town Manager (Page 201)
- K. Designated (Painted) Walking Areas in the Residential District- Staff Report** – Andrew Hyatt, Town Manager (Pages 202-204)
- L. Stormwater Masterplan - Staff Report** – Andrew Hyatt, Town Manager (Pages 205-206)
- M. Amend Tourist Board Ordinance** – Commissioner Nelly Velasquez (Page 207)
- N. Legally Defective Charter Amendment Vote in 2012** – Mayor Charles W. Burkett (Page 208)
- O. Cone of Silence/Secrecy** – Mayor Charles Burkett (Page 209)
- P. License Plate Readers** – Mayor Charles W. Burkett (Page 210)
- Q. Cancel Culture in Surfside** - Mayor Charles W. Burkett (Pages 211-217)
- R. Permit Process** - Mayor Charles W. Burkett (Pages 218-229)
- S. High Water Bill** – Mayor Charles Burkett (Pages 230-231)
- T. Zoning Code Timetable** - Mayor Charles Burkett (Page 232)

- U. Kayak Survey Results – Andrew Hyatt, Town Manager (Pages 233-234)**
- V. Zoning in Progress – Mayor Charles Burkett (Page 235)**
- W. Increased Commercial Airliner Flights over Surfside - Mayor Charles Burkett (Page 236)**
- X. Purchase of Electric Vehicles - Mayor Charles Burkett (Page 237)**
- Y. One-way automatic gate at 96th Street and Bay Drive - Mayor Charles Burkett (Page 238)**
- Z. Draconian Fines for Residents - Mayor Charles Burkett (Pages 239-245)**
- AA. Surfside’s Brand Name, Miami’s Uptown Beach Town – Mayor Charles Burkett (Page 246)**
- BB. Daylight Plane Requirement for New Construction – Commissioner Charles Kesl (Pages 247-249)**
- CC. Six Month Performance Evaluation of Town Manager Andrew Hyatt - Mayor Charles Burkett (Pages 250-251)**
- DD. Abandoned Sports Equipment on Streets, Unmarked Unattended – Commissioner Charles Kesl (Pages 252 – 253)**

Staff Reports

10. Adjournment

Respectfully submitted,



Andrew Hyatt
Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsufsidefl.gov.

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



MEMORANDUM

ITEM NO. 3J

To: Honorable Mayor, Vice-Mayor and Members of the Town Commission
From: Andrew Hyatt, Town Manager
Date: June 8, 2021
Subject: FY 2021 Budget Amendment Resolution No. 9

The State of Florida, the Charter of the Town of Surfside, and sound financial management practices require monitoring of the Town's budgetary condition. Budget requirements include maintaining a balanced budget and a prohibition against entering into encumbrances for which there is not sufficient appropriation.

The Town Commission monitors the budget to actual summary at the fund level monthly on each agenda. The Town Manager is authorized by the Charter to make adjustments within funds so long as the appropriation for each fund is not exceeded. The purpose of this budget amendment is for the Town Commission to amend the FY 2021 annual budget and to recognize changes in revenues and expenditures that differ from the adopted budget.

The attached document represents the amendment that ensures compliance with State law, Town Charter, and sound financial management practices.

Staff has reviewed FY 2021 actual revenues and expenditures and recommends a change to the FY 2021 annual budget is as follows:

GENERAL FUND (Attachment A)

The General Fund is being amended to:

1. Appropriate \$1,200,000 from current year reserves for a transfer to the Capital Projects Fund for additional funding for the 96th Street Park renovation project.

CAPITAL PROJECTS FUND (Attachment A)

The Capital Projects Fund is being amended to:

1. Record a \$1,200,000 transfer from the General Fund and appropriate those funds for the 96th Street Park renovation project.

Reviewed by: AM

Prepared by JG

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING BUDGET AMENDMENT NO. 9 FOR THE FISCAL YEAR 2020/2021 BUDGET; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 22, 2020, the Town of Surfside (the “Town”) Commission adopted Resolution No. 2020-2716 approving the budget for Fiscal Year 2020/2021 and establishing revenues and appropriations for the Town; and

WHEREAS, funds from the General Fund in the amount of \$1,200,000 are being transferred to the Capital Projects Funds to appropriate funding for the 96th Street Park renovation, pursuant to Town Commission motion and direction at the Special Commission Meeting on June 2, 2021; and

WHEREAS, an increase to the budgeted revenue estimates and expenditure estimates is required for the General Fund and Capital Projects Fund, to comply with Florida Statutes and the Town's commitment to sound budgeting practices, where budgeted expenditures may not exceed anticipated revenues; and

WHEREAS, the Town Commission desires to amend the Fiscal Year 2020/2021 budget by amending the General Fund and the Capital Projects Fund as set forth in Attachment “A” attached hereto; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Approving Amended Budget. That the Town Commission approves the 2020/2021 fiscal year budget amendment provided for in Attachment “A” attached hereto.

Section 3. Implementation. The Town Manager and/or his designee are directed to take any and all action necessary to accomplish this Budget amendment and the purposes of this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on this 8th day of June, 2021.

Motion By: _____

Second By: _____

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl _____

Commissioner Eliana R. Salzhauer _____

Commissioner Nelly Velasquez _____

Vice Mayor Tina Paul _____

Mayor Charles W. Burkett _____

Charles W. Burkett, Mayor

ATTEST:

Sandra McCready, MMC
Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney

**TOWN OF SURFSIDE
BUDGET AMENDMENT
ATTACHMENT A**

Fiscal Year 2020/2021
 BA No. 9
 Fund Nos. 001 General Fund
 301 Capital Projects Fund

6/8/2021

Account Number	Account Description	Justification	Original/ Adjusted Budget	Increase	Decrease	Adjusted Budget
GENERAL FUND						
EXPENDITURES						
001-7900-590-99-10	Return to Reserves	Appropriate funds for 96th Street Park renovation	\$ 2,770,154		\$ 1,200,000	\$ 1,570,154
001-7900-581-91-30	Transfer to Capital Projects Fund	96th Street Park additional needs from June 2, 2021 public meeting & feedback	\$ -	\$ 1,200,000		\$ 1,200,000
TOTAL	GENERAL FUND EXPENDITURES			\$ 1,200,000	\$ 1,200,000	

CAPITAL PROJECTS FUND						
REVENUES						
301-590-581-01-00	Interfund Transfer from General Fund	96th Street Park additional needs from June 2, 2021 public meeting & feedback	\$ -	\$ 1,200,000		\$ 1,200,000
TOTAL	CAPITAL PROJECTS FUND REVENUES			\$ 1,200,000	\$ -	
EXPENDITURES						
301-4400-572-63-80	96th Street Park Renovation	Appropriate funds for 96th Street Park renovation additional needs	\$ -	\$ 1,200,000		\$ 1,200,000
TOTAL	CAPITAL PROJECTS FUND EXPENDITURES			\$ 1,200,000	\$ -	



**Town of Surfside
Town Commission Meeting
June 8, 2021
7:00 pm**

Town Hall Commission Chambers - 9293 Harding Avenue, 2nd Floor
Surfside, FL 33154

Date: June 8, 2021
Prepared by: Staff for Commissioners
Subject: Consolidated Traffic/Transportation Discussion

1. Motorized bikes on the hardpack

Prepared by: Mayor Burkett

- a. **Objective:** To propose a ban of motorized bikes on the hardpack and/or walking path.
- b. **Elected Official Recommendation:** Pass an ordinance banning motorized bikes on hardpack and/or walking path.
- c. **Town Manager Recommendation:** Agree, pass an ordinance banning motorized bikes, skateboards, etc.

2. Pickup and drop off zones for each block at its center, on both sides, on Harding Avenue

Presented by: Mayor Burkett

Prepared by: Vice Mayor Paul

- a. **Objective:** To eliminate double parking and direct longer-term parking to our lots, freeing up available short-term spaces in front of businesses.
- b. **Elected Official Recommendation:** Approve the measure
- c. **Town Manager Recommendation:** "Vice Mayor Paul presented this concept on the agenda in March 2020 on the previous Commission. Based on the report she provided, there is no Handicap parking on Harding Avenue that would allow a driver to drop off an individual safely. The absence of a drop off zone along Harding Avenue forces a driver to double park, creating a traffic hazard. Also, ride shares and deliveries may need to double park momentarily on Harding Avenue creating an unsafe situation for other drivers. Florida Statutes 316.1945 (attached) allows for temporary parking of a vehicle for the purpose of loading and unloading merchandise or passengers.

Note: No Commission action necessary, based on FS 316.1945 this can be done administratively."



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Surfside, FL 33154

3. Harding Avenue Parking

Prepared by: Mayor

- a. **Objective:** To reduce double parking on Harding, make quick access to stores and shops more available and direct most of the parking to our large lots.
- b. **Consideration:** Dramatically raise the price of the remaining spaces on Harding Avenue to encourage the usage of our larger parking lots for stays over 15 minutes. Charge \$1 for each 15-minute stay, which would be the only option.
- c. **Elected Official Recommendation:** Approve the measure
- d. **Town Manager Recommendation:** Study of expanded sidewalks, reduced parking and inclusion of drop off area as recommended by DVAC.

4. Walking / Bike Path residential area

Prepared by: Mayor Burkett

- a. **Objective:** Install / paint walking / bike path in residential area. Use tourist tax dollars given these walking bike paths could be used by our Town's guests.
- b. **Elected Official Recommendation:** Immediately pass this initiative.
- c. **Town Manager Recommendation:** Wait to discuss until after the undergrounding project – concerned this would eliminate on-street parking.

5. Traffic Control Devices on 88th & Hawthorne Avenue

Prepared by: Commissioner Eliana Salzhauer

- a. **Objective:** Give direction to Town Manager regarding the implementation, replacement, and/or removal of Surfside traffic signage that was not authorized by the County in advance.
- b. **Consideration:** A resident complaint led to the County requesting removal of Surfside-specific traffic control signage. To comply with County directive, a Stop sign was removed from the corner of 88th & Hawthorne. Many residents have expressed their displeasure with this change and are concerned that the Stop sign removal presents a severe safety hazard. The Commission should discuss how to proceed in replacing such signage and how to handle future County directives.



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- c. **Elected Official Recommendation:** Discuss options and give direction to Town Manager & Town Attorney
 - d. **Town Manager Recommendation:** Implement traffic study of 88th Street to replace the removed traffic control devices.

- 6. **Install a lighted, pedestrian controlled, high visibility crosswalk at 90th Street and Harding Avenue**
Prepared by: Mayor Burkett
 - a. **Objective:** To eliminate deaths of those crossing this very dangerous street location.
 - b. **Elected Official Recommendation:** Approve the measure.
 - c. **Town Manager Recommendation:** Agree, work with FDOT on installation of much needed lighted, pedestrian crosswalk in these areas as well as in other high pedestrian traffic areas.

- 7. **Crosswalk on 90th at Collins and Harding**
Prepared by: Mayor Burkett
 - a. **Objective:** The high speeds are endangering our residents in just walking to the beach. Crosswalks must be installed ASAP, including at this location.
 - b. **Elected Official Recommendation:** Vote to approve crosswalks throughout the entire Town at each block.
 - c. **Town Manager Recommendation:** Agree, work with FDOT on installation of much needed lighted, pedestrian crosswalk in these areas as well as in other high pedestrian traffic areas.

Select Year:

The 2019 Florida Statutes

[Title XXIII](#)
MOTOR VEHICLES

[Chapter 316](#)
STATE UNIFORM TRAFFIC CONTROL

[View Entire Chapter](#)

316.1945 Stopping, standing, or parking prohibited in specified places.—

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand, or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
2. On a sidewalk.
3. Within an intersection.
4. On a crosswalk.
5. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the Department of Transportation indicates a different length by signs or markings.
6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
8. On any railroad tracks.
9. On a bicycle path.
10. At any place where official traffic control devices prohibit stopping.
11. On the roadway or shoulder of a limited access facility, except as provided by regulation of the Department of Transportation, or on the paved portion of a connecting ramp; except that a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or crash may be parked on such shoulder for a period not to exceed 6 hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a law enforcement officer or to a person stopping a vehicle in compliance with applicable traffic laws.
12. For the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.

(b) **Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:**

1. In front of a public or private driveway.
2. Within 15 feet of a fire hydrant.
3. Within 20 feet of a crosswalk at an intersection.
4. Within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the

side of a roadway.

5. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when property signposted).

6. On an exclusive bicycle lane.

7. At any place where official traffic control devices prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers:

1. Within 50 feet of the nearest rail of a railroad crossing unless the Department of Transportation establishes a different distance due to unusual circumstances.

2. At any place where official signs prohibit parking.

(2) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

(3) A law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this section or a municipal or county ordinance may:

(a) Issue a ticket form as may be used by a political subdivision or municipality to the driver; or

(b) If the vehicle is unattended, attach such ticket to the vehicle in a conspicuous place, except that the uniform traffic citation prepared by the department pursuant to s. [316.650](#) may not be issued by being attached to an unattended vehicle.

The uniform traffic citation prepared by the department pursuant to s. [316.650](#) may not be issued for violation of a municipal or county parking ordinance.

(4) A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

History.—s. 1, ch. 71-135; s. 1, ch. 76-31; s. 2, ch. 78-52; s. 1, ch. 79-403; s. 2, ch. 80-316; s. 5, ch. 83-68; s. 5, ch. 84-309; s. 1, ch. 85-81; s. 2, ch. 88-91; s. 317, ch. 95-148; s. 143, ch. 99-248.

Note.—Former s. 316.160.