

ORDINANCE NO. 2023-2272

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 23, SECTION 23-62, SUBSECTION (f) OF THE NEW PORT RICHEY CODE OF ORDINANCES, PERTAINING TO PARKING INFRACTION ENFORCEMENT; PROVIDING FOR ENFORCEMENT OF PARKING VIOLATIONS BY CERTIFIED PARKING ENFORCEMENT SPECIALISTS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, state law authorizes the enforcement of parking infraction statutes and ordinances by certified parking enforcement specialists within the city limits of the City of New Port Richey, Florida;

WHEREAS, City wishes to employ parking enforcement specialists to improve parking infraction enforcement within the city while freeing certified law enforcement officers to pursue more serious matters of public health, safety, welfare and quality of life of the residents of the city; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the city in accordance with the city's police powers.

**NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA
HEREBY ORDAINS:**

SECTION 1. Chapter 23, Section 23-62, Subsection (f) of the Code of Ordinances, pertaining to issuance of parking citations and providing as follows, is hereby amended as follows (strikeout text is deleted and underlined text is added):

- (f) *Issuance of city parking citations.* When any police officer or certified parking enforcement specialist employed by the city finds a vehicle in violation of the provisions of this section, he/she shall issue a parking citation by placing the citation in a conspicuous place on the vehicle. Such parking citation form shall be created by the city police department and shall contain language providing notice of the following information:
- (1) The type of violation and amount of penalty imposed by this section;
 - (2) A description of the vehicle and its license plate number;

- (3) The procedures to be followed in either paying the penalty or, in the alternative, electing not to pay such penalty and instead requesting a hearing before a designated hearing official concerning the parking violation;
- (4) The penalty for failure to comply with the directions contained on the citation.

SECTION 2. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

SECTION 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 4. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this ____ day of _____, 2023, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this ____ day of _____, 2023.

ATTEST:

By: _____
Judy Meyers, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR
THE SOLE USE AND RELIANCE OF THE CITY
OF NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney CA Approved 2-21-23