

Chapter 23 TRAFFIC*

*Editor's Note—Chapter 23 Traffic was rewritten in its entirety by the adoption of Ord. No. 1666-11, adopted February 2, 2011

Art. I. In general, <sec><sec> 23-1--23-7

Art. II. Parking Areas, <sec><sec> 23-11--23-21

ARTICLE I - GENERAL

Sec. 23-1. Adoption of Florida Uniform Traffic Control Law; Disposition of violations of traffic laws.

There is hereby adopted in Punta Gorda, Florida the Florida Uniform Traffic Control Law as same may be amended from time to time by the Florida Legislature and the City Council of the City of Punta Gorda, Florida.

From and after the effective date of this Section, all violations of traffic laws as set forth in Chapter 316, Florida Statutes and/or other violations of this Chapter shall be disposed of in accordance with Chapter 318, Florida Statutes, with the exception of violations of municipal parking ordinances.

Sec. 23-1.1. Traffic Violations Bureau.

The City of Punta Gorda Police Department is hereby established as the Traffic Violations Bureau for the enforcement of municipal parking ordinances. The City of Punta Gorda Police Department, in its Traffic Violations Bureau capacity, is hereby authorized to participate in the State of Florida Department of Highway Safety and Motor Vehicles Administrative Stops procedure as set forth in Section 23-19(d) and (e) below and is authorized to execute any necessary documents to participate in said procedure.

Sec. 23-1.2 Traffic Committee created; duties.

The City Manager shall name a traffic committee, made up of appropriate department heads. The traffic committee shall periodically reexamine parking needs and practices and make recommendations to the City Manager and the City Council to ensure adequate parking.

Sec. 23-2. Sounding whistles or bells.

No railroad company shall cause or allow the whistle or bell of any locomotive engine to be sounded within the City, excepting necessary brake signals, and for such other signals required by law, and as shall be absolutely necessary to prevent injury to persons and property.

Sec. 23-3. Through truck traffic prohibited.

- (a) It shall be unlawful to drive any truck having more than six (6) wheels, except for the purpose of making pickup or delivery, on Boca Grande Boulevard, South Drive, East Drive, Corto Andra between Manzana Avenue and Taylor Road and East Grace Street between Narranja and Cooper Streets, Tripoli Boulevard between Monaco Drive and Madrid Boulevard, Bordeaux Drive between Monaco Drive and Madrid Boulevard; Albacete Court and Royal Poinciana.
- (b) That portion of Retta Esplanade extending from U.S. 41 (S.R.45) southbound to Shreve Street is hereby closed to traffic for all vehicles or combination of vehicles exceeding a gross weight of ten thousand (10,000) pounds.

Sec. 23-4. Street or portion of street declared two-way street.

- (a) That portion of Sullivan Street extending from Marion Avenue to Retta Esplanade is hereby designated a two-way street.
- (b) That portion of Grace Street extending from Hazel Street to Cooper Street is hereby designated as a two-way street.

(Ord. No. 1675-11, <sec> 1, 3-16-11)

Sec. 23-5. Left turns prohibited; penalty.

- (a) It shall be unlawful to make a left turn from the northbound lane of Cooper Street onto the westbound lane of E. McKenzie Street, from 7:45 a.m. to 8:15 a.m. (student drop off) and 2:45 p.m. to 3:15 p.m. (student pick up), Monday through Friday, Monday through Friday.
- (b) Any person violating the provisions of Section shall be deemed guilty of a civil infraction which shall be punishable as follows:
 - (1) For a first offense, the violator shall be issued a written warning;
 - (2) For a second offense, by a fine of one hundred dollars (\$100.00);
 - (3) For a third offense, by a fine of two hundred fifty dollars (\$250.00); and
 - (4) For any offense after the third offense, by a fine of five hundred dollars (\$500.00) per offense.
- (c) The provisions of this Section shall be considered as supplemental to and not in conflict with the provisions of Chapters 316 and 318, Florida Statutes.

Sec. 23-6. Speed limit on certain streets and in the vicinity of public parks and playgrounds.

Pursuant to Section 316.189, Florida Statutes, the maximum speed limit on all local roads within the municipal limits shall be 30 miles per hour, except for:

- (a) The maximum speed limit shall be twenty-five (25) miles per hour on:
 - (1) Grace Street
 - (2) Tripoli Boulevard between Madrid Boulevard and Monaco Drive.

(b) The maximum speed limit shall be fifteen (15) miles per hour on:

- (1) the Vasco Peeples Bridge
- (2) Showalter Street between Cooper Street and Mary Street
- (3) Mary Street between Showalter Street and Cooper Street.

(Ord. No. 1939-2020, <sec> 1, May 20, 2020)

Sec. 23-7. Motorized vehicles prohibited on tidal creek bridge on West Retta Esplanade; exceptions.

- (a) Except as provided herein, it shall be unlawful for any motorized vehicles to cross the tidal creek bridge on West Retta Esplanade. Suitable signage and barricades shall be erected by City forces notifying the public of such action.
- (b) Emergency vehicles as defined by Section 316.003(1), Florida Statutes, and government authorized vehicles while performing official duties are exempt from subsection (a).
- (c) Golf carts as defined in Section 320.01 (22), Florida Statutes, shall be permitted to cross over the tidal creek bridge. Upon crossing the bridge to West Retta Esplanade, golf carts must immediately exit the public sidewalk.
- (d) Golf carts must yield to the right-of-way of pedestrians and bicycles on the tidal creek bridge and adjacent sidewalk.

(Ord. No. 1930-19, <sec> 1, 11-20-2019)

Sec. 23-8. Golf carts permitted on West Retta Esplanade

- (a) Golf carts as defined under Section 320.01 (22), Florida Statutes, may be safely operated on West Retta Esplanade until the intersection of Shreve Street. Drivers of golf carts are required to adhere to all Florida traffic statutes upon operating on the street and have a valid driver's license. Golf carts may not enter onto Shreve Street and may not operate on any public sidewalks other than at the entrance to the tidal creek bridge.
- (b) No golf cart may be operated between sunset and sunrise unless equipped with headlights, brake lights, turn signals, and a windshield per Section 316.212 (5), Florida Statutes.
- (c) All golf carts must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear as required by Section 316.212 (6), Florida Statutes.
- (d) The City shall post appropriate signs indicating that the operation of such golf carts is allowed only in the designated area.

(Ord. No. 1930-19, <sec> 2, 11-20-2019)

Sec. 23-9 through 23-10 reserved.

ARTICLE II
PARKING AREAS*

Sec. 23-11. Definitions.

"Park" or "Parking" as used herein shall mean the stopping of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers. With regard to vessels, "park" or "parking" means maneuvering or placing a vessel in a municipal boat slip or within the confines of a municipal boat ramp, except for the temporary loading or unloading of passengers or a vessel, or the maneuvering or placing of a vessel in a municipal boat slip which is leased to someone else, even if temporarily, so as to prevent its use by the rightful tenant thereof.

"Stand" or "Standing" as used herein shall mean the stopping of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

"Stop" or "Stopping" as used herein shall mean any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a law enforcement officer or traffic control sign or signal.

"Vehicle" as used herein shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except those operated upon rails or tracks.

"Vessel" as used herein is synonymous with boat as referenced in Section 1(b), Article VII, of the Constitution of the State of Florida, and includes every description of watercraft, barge, and air boat, other than a seaplane on the water, used or capable of being used as a means of transportation on water. For purposes of this Article, "vessel" also includes any floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property, including any such entity used as a residence, place of business or office, hotel or motel, restaurant or lounge, clubhouse, meeting facility, storage or parking facility, mining platform, dredge, dragline, or similar facility or entity.

(Ord. No. 2015-2025, <sec> 1, 06-19-24)

Sec. 23-12. Herald Court Centre Rules and Regulations.

- (a) The following rules and regulations shall apply to the entire premises of the Herald Court Centre, including but not limited to the parking garage, stairwells, elevators and other common areas:
- (1) Speed Limit in the parking garage is 10 miles per hour (mph).
 - (2) Pedestrians shall have the right-of-way.

- (3) Parking in any reserved, restricted or handicapped parking area without proper authorization is prohibited. Parking in a handicapped parking space shall be governed by the provisions of Section 23-18 of this Chapter.
- (4) Vehicles may not remain in the parking garage for more than 24 continuous hours.
- (5) Vehicle repair work, other than basic tire changing, battery jump start or battery replacement is prohibited.
- (6) Any vehicle considered to be a safety hazard must immediately be removed from the premises.
- (7) Use of skateboards, roller blades or roller skates is prohibited.
- (8) Smoking, loitering, littering or soliciting is prohibited.
- (9) No person shall have in his possession an opened container of alcohol, except during events conducted pursuant to a City approved permit which authorizes the use of alcohol at Herald Court Centre.
- (10) Video recording devices may be in use. It shall be unlawful to tamper with such devices.
- (11) The City is not responsible for damage to or theft of vehicles or their contents.
- (12) The City is not responsible for any personal injury occurring at municipal operated facilities.

Any person not in compliance with these rules and regulations will be asked to leave the premises and/or be cited for violation of this Section in accordance with Section 23-19 of this Chapter. Additionally, any vehicle found to be in violation of this Section may be towed at the vehicle owner's expense in accordance with Section 23-21 of this Chapter. Any law enforcement officer or parking enforcement specialist is hereby authorized to enforce the provisions of this Section.

Sec. 23-13. Parking in Laishley Park and Ponce de Leon Park.

- (a) Boat trailer parking. Except as otherwise posted, vehicles without boat trailers attached are prohibited from parking in spaces designated "boat trailer parking" in Laishley Park and Ponce de Leon Park. The City Manager is hereby authorized to signpost or designate by other visible markings, all such "boat trailer parking" spaces, advising of this limitation. The City Manager is also hereby authorized to post signs to allow public parking without boat trailers within spaces designated for "boat trailer parking" in Laishley Park during specified limited hours.
- (b) Parking in Laishley Park and the Municipal Marina.
 - (1) Reserved parking spaces for Laishley Park Marina Tenants and Customers. The five (5) parking spaces located on the west side of the Laishley Park

Municipal Marina building and adjacent to the dumpster area shall be reserved for current marina tenant use only and as temporary public parking for marina customers in accordance with this Section. The number of spaces designated for each type of use shall be based on seasonal demand and signs posted by the City Manager. Temporary public parking for marina customers shall be limited to thirty (30) minute parking. Parking for marina tenant use shall be by permit only; such permits shall be issued by Laishley Park Municipal Marina Dockmaster at no charge. Said permit shall be prominently displayed in the windshield of the vehicle. The reserved parking is available on a first come, first serve basis. Parking in all of the reserved spaces is prohibited between the hours of 4 a.m. and 8 a.m. in order to allow for sanitation collection.

- (2) Public parking in the southern lot adjacent to the Laishley Crabhouse Centre and Municipal Marina shall be limited to twenty-four (24) consecutive hours, except that marina tenants who have been issued a no charge parking permit by the Laishley Park Municipal marina Dockmaster shall be allowed to park in the southern lot for the number of days specified on the permit. Said permit shall be prominently displayed in the windshield of the vehicle so as to be visible at all times. Storing of vehicles and trailers is prohibited.
- (3) Public parking in the northern lot adjacent to the interactive fountain and restrooms shall be limited to four (4) consecutive hours, except when used as approved in conjunction with a Special Event. Marina tenant parking shall be strictly prohibited in the northern parking lot. Parking shall also be prohibited under the covered pavilions and the adjoining grass areas and walkways.
- (4) Parking is prohibited on all internal circular roadways of the park.
- (5) Vehicle repair work other than emergency tire changing, battery jump start or battery replacement is prohibited.
- (6) The City Manager is hereby authorized to signpost or designate by other visible markings, all such parking limitations.

(c) Parking at Ponce de Leon Park Boat Ramp. Parking of any vessel within the confines of the boat ramp shall be limited to a maximum 20 minutes. The Cit Manager or his designee shall provide appropriate signage advising the public of this parking restriction.

(Ord. No. 1699-12, <sec> 1, 1-18-12; Ord. No. 1787-14, <sec> 1, 7-2-2014; Ord. No. 1841-16, <sec> 1, 03-16-2016; Ord. No. 2015-2024, <sec> 3, 06-19-24)

Sec. 23-14. Parking prohibited near roosting eagles.

The City Manager is hereby authorized to post “No Parking” signs when deemed necessary for the protection of roosting eagles on any public streets within the City of Punta Gorda. When said streets are so posted, it shall be unlawful to park a vehicle of any type along said streets until such time as the “No Parking” signs are removed.

Sec. 23-15. Stopping, standing or parking prohibited in specified areas.

(a) 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 sign or signal, no person shall:

(1) Stop, stand or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- b. On a sidewalk, walkway or courtyard.
- c. Within an intersection.
- d. On a crosswalk.
- e. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- f. On any railroad track.
- g. On a bicycle path.
- h. At any place where an official traffic control sign or signal prohibits stopping.

(2) Stand or park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers:

- a. In front of a driveway.
- b. Within fifteen (15) feet of a fire hydrant.
- c. Within twenty (20) feet of a crosswalk at an intersection.
- d. Within thirty (30) feet of, on the approaching side, any flashing signal, stop sign, or traffic control signal located at the side of a roadway.
- e. Within twenty (20) feet of the driveway entrance to any fire station or (when posted) on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance.
- f. In an exclusive roadway bicycle lane.
- g. In a fire lane which is marked with striping, signs or other means giving reasonable notice of the existence of the fire lane.
- h. At any place where an official traffic control sign or signal prohibits parking.

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

- a. Within fifty (50) feet of the nearest track of a railroad crossing unless a different distance is established and posted due to unusual

circumstances.

- b. At any place where an official traffic control sign or signal prohibits parking.
 - c. On any vacant land or public right-of-way located in the special zone district created pursuant to Chapter 26, Section 3.13 Punta Gorda Code.
- (4) Park a motor trailer, as defined in Section 24-1 of this Code, in violation of Section 24-2, 24-3 or 24-4.
- (b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.
 - (c) Except as otherwise provided herein, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked that either:
 - (1) The right-hand wheel is parallel to and within twelve (12) inches of the right-hand curb or edge of the roadway; or
 - (2) The vehicle is parked completely within a marked parking space facing the same direction as the authorized traffic movement in the adjacent lane.
 - (d) Except as otherwise provided herein, every vehicle stopped or parked upon a one-way roadway shall be stopped or parked either:
 - (1) Parallel to the curb or edge of the roadway facing in the direction of authorized traffic movement with the right-hand wheels within twelve (12) inches of the right-hand curb or edge of the roadway or its left-hand wheels within twelve (12) inches of the left-hand curb or edge of the roadway; or
 - (2) Completely within a marked parking space facing the same direction as the authorized traffic movement.

(Ord. No. 1685-11, <sec> 2, 7-13-11)

Sec. 23-16. Agreements for leasing parking spaces.

The City Council is hereby authorized to enter into agreement for the leasing of off street parking to private individuals at a fee to be fixed by the Council.

Sec. 23-17. On-street Parking Restrictions and Limitations.

- (a) Vehicle parking on Goldstein Street between W. Marion Avenue and W. Olympia Avenue shall be limited to only the west side of said street.
- (b) Vehicle parking on Harvey Street between W. Marion Avenue and W. Olympia Avenue shall be limited to only the east side of said street.
- (c) Vehicle parking on Sullivan Street between W. Virginia Avenue and W. Retta Esplanade shall be limited to only the east side of said street.
- (d) Vehicle parking on Fitzhugh Street between Martin Luther King Blvd. and Milus Street shall be limited to only the south side of said street.

- (e) Vehicles parking on Gill Street between W. Marion Ave. and W. Olympia Ave. shall be limited to only the west side of said street.
- (f) It shall be unlawful for any person to park any vehicle or allow any vehicle to remain parked within the public right-of-way for longer than two (2) consecutive hours in the following areas:
 1. East and west sides of Sullivan Street between Olympia Avenue and Virginia Avenue between the hours of 8 a.m. and 5 p.m., Monday through Friday, excluding holidays.
 2. North side of Olympia Avenue between Cross Street (US 41) and Sullivan Street between the hours of 8 a.m. and 5 p.m., Monday through Saturday, excluding holidays.
 3. The ten (10) parking spaces located between West Olympia Avenue and Herald Court in front of the Charlotte County Historic Courthouse and the six (6) undesignated parking spaces located on Herald Court which are adjacent to the Charlotte county Historic Courthouse between the hours of 8 a.m. and 5 p.m., Monday through Friday, excluding holidays. The four (4) parking spaces designated and reserved for persons who have disabilities, Combat Wounded Veterans and Charlotte County Facilities Maintenance which are adjacent to the Charlotte County Historic Courthouse are specifically excluded from the provisions of this Section.

Furthermore, it shall be unlawful for any person to move a vehicle from any given parking space to another space within the area of Sullivan Street designated in this subsection for the purpose of parking in excess of the allowable time limit. The City Manager or his designee shall provide appropriate signage advising the public of this parking restriction. Law enforcement officers and parking enforcement specialists are hereby authorized to place chalk marks on tires of all vehicles parked within the area of Sullivan Street designated in this subsection for the purpose of implementing the enforcement of this subsection. It shall also be unlawful and an additional violation of this subsection for any person to erase or obscure any chalk marks placed on tires by law enforcement officers and parking enforcement specialists acting under the authority of this subsection.

- (g) Vehicle parking on Herald Court between U.S. Route 41 (Tamiami Trail) northbound and Taylor Street is prohibited, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers and except for the ten (10) diagonal parking spaces located on the southwest section of Herald Court which are adjacent to the Charlotte County Historic Courthouse. The City Manager or his designee shall provide appropriate signage advising the public of this parking restriction.
- (h) It shall be unlawful for any person to park any vehicle or allow any vehicle to remain parked within the public right-of-way of the south side of East Virginia Avenue between Wood Street and Martin Luther King Boulevard for longer than two (2) consecutive hours between the hours of 8 a.m. and 5 p.m. on Monday through Friday, excluding holidays. Furthermore, it shall be unlawful for any person to move a vehicle from any given parking space to another space within the area of East Virginia Avenue designated in this subsection for the purpose of

parking in excess of the allowable time limit. The City Manager or his designee shall provide appropriate signage advising the public of this parking restriction. Law enforcement officers and parking enforcement specialists are hereby authorized to place chalk marks on tires of all vehicles parked within the area of East Virginia Avenue designated in this subsection for the purpose of implementing the enforcement of this subsection. It shall also be unlawful and an additional violation of this subsection for any person to erase or obscure any chalk marks placed on tires by law enforcement officers and parking enforcement specialists acting under the authority of this subsection.

- (i) It shall be unlawful for any person to park any vehicle between the hours of 1:00 a.m. and 5:00 a.m. on the Berry Street extension, which is located north of Retta Esplanade.

(Ord. No. 1685-11, <sec> 3, 7-13-11; Ord. No. 1772-13, <sec> 2, 11-20-13; Ord. No. 1789-14, <sec> 1, 7-2-2014; Ord. No. 1842-16, <sec> 1, 03-16-2016; Ord. No. 1924-19, <sec> 1, 09-04-2019, Ord. No. 1940-2020, <sec> 1, 05-20-2020)

Sec. 23-18. Parking spaces provided for certain disabled persons.

- (a) Any business, firm or other person licensed to do business with the public shall provide specially designed and marked motor vehicle parking spaces for the exclusive use of physically disabled persons who have been issued either a disabled parking permit under Sections 316.1958 or 320.0848, Florida Statutes, or a license plate under Sections 320.084, 320.0842, 320.0843 or 320.0845, Florida Statutes.
 - (1) The minimum number of such parking spaces as required in Section 553.5041, Florida Statutes, shall be provided.
 - (2) Each such parking space shall conform to the requirements of Section 553.5041, Florida Statutes. A copy of the State's design and marking requirements can be obtained from the City's Building Official.
- (b) Any person who stops, stands or parks a vehicle in, or obstructs any parking space designated as provided in sub-subsection (a)(2) above, or otherwise clearly labeled for "Parking By Disabled Permit Only," is guilty of a civil traffic infraction, punishable by a fine of one hundred dollars (\$100.00), unless such vehicle or the driver thereof or a passenger therein who is being chauffeured has been issued a parking permit or license plate pursuant to Chapter 320, Florida Statutes, or Section 316.1958, Florida Statutes and such vehicle is occupied by the person eligible for such license plate or parking permit. Any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or special license plate, momentary parking in such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking. The violation may not be dismissed for failure of the marking on the parking space to comply with Section 552.5041, Florida Statutes if the space is in general compliance and is clearly distinguishable as a designated accessible parking space for people who have disabilities.
- (c) Whenever a registered owner of a vehicle is issued a citation for the unlawful parking of a vehicle under subsection (b) above, if the owner can establish to the satisfaction of the Police Chief or such person's designee, within ten (10) days

after the date of the citation, that the vehicle was lawfully parked by a person with a valid permit or license plate issued pursuant to Chapter 320, Florida Statutes, or Section 316.1958, Florida Statutes, or by a driver chauffeuring a passenger issued such a permit, said citation shall be dismissed.

- (d) Any law enforcement officer or parking enforcement specialist shall enforce the provisions of this section.

(Ord. No. 1712-12, <sec> 1, 6-20-12)

Sec. 23-19. Penalty for violation of this Chapter.

- (a) Except where specifically provided for within this Chapter, any person violating the provisions of this Chapter shall be deemed guilty of a civil infraction which shall be punishable by a fine of twenty-five dollars (\$25.00). Any person violating paragraph b. (fire hydrant) or g. (fire lane) of Section 23-15(a)(2) shall be guilty of a civil infraction which shall be punishable by a fine of one hundred dollars (\$100.00). Any person violating the provisions of Section 23-22 shall be deemed guilty of a civil infraction which shall be punishable as follows: (1) For a first offense, the violator shall be issued a written warning; (2) For a second offense, by a fine of one hundred dollars (\$100.00); (3) For a third offense, by a fine of two hundred fifty dollars (\$250.00); and (4) For any offense after the third offense, by a fine of five hundred dollars (\$500.00) per offense.
- (b) Any person issued a citation pursuant hereto shall comply with the directions on the citation. In the event that payment is not received or a response to the citation is not received within the time period specified thereon, the Police Department shall notify the violator, if known to be different from the registered owner, and the registered owner of the vehicle which was cited, by mail to the address given on the motor vehicle registration, of the citation and the provision of subsection (d) below. Mailing of the notice to this address shall constitute notification to the registered owner.
- (c) Any person who elects to contest the citation may appear before the City of Punta Gorda Code Enforcement Board to present evidence, provided a hearing is requested, through the City Code Compliance Division, within ten (10) days after the date of the citation. Said person shall, however, be deemed to have waived his or her right to pay the civil penalty for the citation. The Code Enforcement Board, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a civil penalty not to exceed one hundred dollars (\$100.00), or, for a violation of paragraph b. (fire hydrant) or g. (fire lane) of Subsection 23-15(a)(2) or of Section 23-18(b) (unlawful parking in handicapped space), a civil penalty not to exceed two hundred fifty dollars (\$250.00), plus costs in the amount of one hundred dollars (\$100.00). The Code Enforcement Board may in their sound discretion, impose less than this amount for costs in appropriate instances. Any person who fails to pay the civil penalty within the time allowed shall be deemed to have violated the City's parking ordinance, and appropriate action to enforce the provisions of subsection (d) shall be taken.
- (d) Persons with unpaid parking violations will be reported to the Florida Department of Highway Safety and Motor Vehicles for the purposes of having a stop placed on their license plate renewal per F.S.316.1967(6). Pursuant to the provisions of F.S.

316.1967(6) the City of Punta Gorda Police Department shall furnish to the State of Florida Department of Highway Safety and Motor Vehicles a magnetically encoded computer tape reel or cartridge or send by other electronic means data which is machine readable by the installed computer system of the Florida Department of Highway Safety and Motor Vehicles, of persons who have three (3) or more outstanding parking violations for parking in spaces designated for use by handicapped or disabled persons as set forth in F.S. 316.1955 and F.S. 316.1956 and this Chapter of the Code. Once outstanding fines are paid, a receipt will be issued to the offender and their record shall be considered cleared for the purposes of renewing their vehicle registration.

- (e) The Department of Highway Safety and Motor Vehicles shall mark the appropriate records of persons reported as set forth in (d) hereof under the authority of F.S. 320.03(8) which provided that if the name of an applicant for a license plate or revalidation sticker appears on the record submitted pursuant to subsection (d), the license plate or revalidation sticker shall not be issued until the applicant's name no longer appears on said list or until the applicant presents a receipt from the Police Department showing the parking fines have been paid.

(Ord. No. 1682-11, <sec> 1, 5-18-11)

Sec. 23-20. Registered owner deemed to be in violation.

Whenever a law enforcement officer or parking enforcement specialist is unable to determine who the driver of a vehicle or vessel was that caused it to be stopped, standing or parked in violation of this Chapter, the registered owner of such vehicle or vessel shall be deemed to have authorized such use; shall be issued the citation for the violation; and shall be responsible for the penalties set out herein for the violation.

Sec. 23-21. Towing authorized.

In addition to other remedies provided for herein, any law enforcement officer or parking enforcement specialist is authorized to have an unlawfully parked vehicle or vessel towed at the owner's expense.

Sec. 23-22. Prohibition against parking of vehicles with signs, graphics or printing.

No person shall park any vehicle or trailer on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way, which has any sign, graphic or printing that is attached, painted on or placed onto or inside such parked vehicle or trailer that is used primarily for advertising any matter other than the sale or rental of the vehicle itself. This is not intended to prohibit vehicle signs, graphics or printings on a truck, bus, trailer, taxi or other vehicle parked on its own premises while in the course of business, provided that the primary use of the vehicle is not for the purpose of advertisement.

Sec. 23-23. Parking in City lots, garages, public streets or other property.

- (a) Except as otherwise provided in this Section, it shall be unlawful for any person to stop, stand or park any vehicle on any City owned or operated parking lot, garage, public street or other property under the control of the City, in a manner that causes the vehicle, or any portion thereof, to occupy more than one (1) parking space. A parking space is hereby defined as that area within painted or marked lines delineating where vehicles shall be parked. The painted or marked lines shall not constitute a part of a parking space.
- (b) Trucks with attached trailers or recreational vehicles being used in conjunction with a City approved special event shall be allowed to park in more than one parking space in those areas designated by the Development Review Committee as approved vendor parking areas and such parking shall only be allowed for the duration of the special event.
- (c) When no loading or unloading zone is identified, no truck, tractor truck or trailer shall occupy more than the minimum number of parking spaces necessary to temporarily load or unload.
- (d) It is unlawful for an operator of a vehicle to stop, stand or park such vehicle in a space not designated or designed for its size.
- (e) This Section shall not apply to government vehicles performing official duties, emergency vehicles or any other vehicle if the driver of such vehicle is directed by law enforcement or emergency personnel to park in a manner not consistent with this Section.
- (f) It shall be unlawful to park a vessel in a municipal boat slip or within the confines of a municipal boat ramp, except for the temporary loading or unloading of passengers or a vessel. It shall be unlawful to park a vessel in a municipal boat slip which is leased to someone else, even if temporarily, so as to prevent its use by the rightful tenant thereof.

(Ord. 1685-11, <sec> 4, 7-13-11; Ord. No. 2015-2024, <sec> 2, 06-09-24)

Sec. 23-24. Overnight On-Street Parking in the Historic District.

- (a) Overnight On-Street Parking Prohibited. Except as otherwise provided herein, on-street parking shall be prohibited on the following streets between the hours of 1:00 A.M. to 5:00 A.M.:
 - (1) Berry Street Extension
 - (2) Berry Street from W. Retta Esplanade to W. Virginia Avenue
 - (3) Chasteen Street from W. Retta Esplanade to W. Virginia Avenue
 - (4) Dolly Street
 - (5) Durrance Street from W. Retta Esplanade to W. Virginia Avenue
 - (6) Gilchrist Street
 - (7) Gill Street from W. Retta Esplanade to W. Virginia Avenue
 - (8) Harvey Street from W. Marion Avenue to W. Virginia Avenue
 - (9) Kings Court

- (10) McGregor Street from W. Retta Esplanade to W. Virginia Avenue
 - (11) Palm Avenue from Berry Street to Gill Street
 - (12) Trabue Avenue
 - (13) W. Olympia Avenue from Shreve Street to Goldstein Street
- (b) Exception to Overnight On-Street Parking Prohibition. Vehicles displaying an Historic District Parking Permit issued by the City Clerk hung from the rearview mirror shall be allowed to park on the paved portion of any street where parking is authorized pursuant to this Chapter, at any time of day or night.
- (c) Historic District Parking Permits. Upon the receipt of a completed Historic District Parking Permit application form (Exhibit A) prepared by the City, the City Clerk shall issue three Historic District Parking Permits per each Charlotte County Property Appraiser Parcel ID Number, to the owner of residential property adjacent to the streets identified in Subsection (a) herein. Residential properties adjacent to more than one of the streets identified in Subsection (a) herein shall only be entitled to a maximum of three Historic District Parking Permits. For multi-family structures, the owner may obtain one Historic District Parking Permit for each approved dwelling unit associated with such structure. It shall be the responsibility of the Issuee to maintain custody and control of any issued Historic District Parking Permit. The Issuee is authorized to distribute an Historic District Parking Permit to any resident, tenant, or guest of the property for which said permit was issued. The City Clerk may issue a replacement permit upon the payment of a \$50.00 fee.
- (d) Parking By Permit Only Signage. At the entrance of each street identified in Subsection (a) herein, the City Manager or his designee shall install appropriate signage advising the public of the restriction pertaining to overnight parking by permit only. Enforcement of the provisions of this Section shall commence upon the installation of the signage referenced herein.
- (e) Towing Of Unlawfully Parked Vehicles. After the third offense for violation of this Section, any vehicle found to be in violation of this Section shall be towed at the vehicle owner's expense in accordance with Section 23-21 of this Chapter. Any law enforcement officer or parking enforcement specialist is hereby authorized to enforce the provisions of this Section.

(Ord. 1982-2022, <sec> 1, 04-06-2022)

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