

ORDINANCE NO: 2023-03

AN ORDINANCE OF THE CITY OF BLOUNTSTOWN, FLORIDA PROVIDING FOR AMENDMENT OF CHAPTER 38, CODE OF ORDINANCES, CONCERNING TRAFFIC, SPECIFICALLY, TRAFFIC RELATED PENALTIES IN THE FORM OF MONETARY FINES AND SERVICE FEES; PROVIDING FOR THE AUTHORITY OF THE CHIEF OF POLICE TO SET SUCH FINES AND FEES AND RELATIVE TO TRAFFIC GENERALLY; PROVIDING FOR FINE AND FEE AMOUNTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A STATEMENT OF THE PROPOSED AMENDMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, The City of Blountstown is empowered to provide for the health, safety, welfare, and infrastructure for the citizens of Blountstown, Florida; and

WHEREAS, the City is empowered to oversee and control the use of its public spaces, including roadways and parking; and

WHEREAS, The City Council of the City of Blountstown, Florida has determined that it is in the public interest to provide for an amended fine schedule for traffic violations and to provide the Chief of Police with broad authority relative to traffic and traffic violations; and

WHEREAS, The City Council of the City of Blountstown, Florida therefore proposes to amend Chapter 38 of its Code of Ordinances to provide for an amended fine schedule relative to traffic, enforcement concerning same, and to provide the Chief of Police with broad authority to set traffic fines and fees, and authority relative to traffic generally.

NOW THEREFORE, IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOUNTSTOWN, FLORIDA THAT:

SECTION ONE: The following ordinance amendment, concerning traffic, enforcement and penalties concerning same in the form of monetary fines, and providing the Chief of Police with broad authority relative to traffic generally, shall be amended as follows:

CHAPTER 38 – TRAFFIC

...

Sec. 38-12 – Fines

- (a) *Enumeration.* Any person who shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked in violation of any of the provisions of this article shall be charged an appropriate penalty as listed in this subsection, to be paid to the City of Blountstown at City Hall:
- (1) Any person violating the provisions of F.S. §§ 316.1891 or 316.1945(1), for each violation, shall be subject to a penalty in the amount of:
 - a. If paid within seven days: \$10.00
 - b. If not paid within seven days: \$25.00
 - (2) Any person parking in a space marked handicapped, for each violation, shall be subject to a penalty in the amount of:
 - a. If paid within seven days: \$25.00
 - b. If not paid within seven days: \$50.00
 - (3) Any person violating the provisions of sections 38-4 (a-b), 38-6 (b), and 38-7 (a-k), for each violation, shall be subject to a penalty in the amount of:
 - a. If paid within seven days: \$10.00
 - b. If not paid within seven days: \$15.00
- (b) *Nonpayment; immobilization, towing, removing or storing; lien; redemption.* If the owner does not pay the parking violation penalty and/or the civil penalty imposed by the

court, as provided in this article, the vehicle may be immobilized or impounded by the members of the police department. The cost of immobilizing, towing, removing and storing such vehicle plus a \$50.00 service fee, together with the amount of the fees assessed in this section, shall be a lien on such vehicle. The owner shall pay all of such charges and fees before the vehicle shall be released.

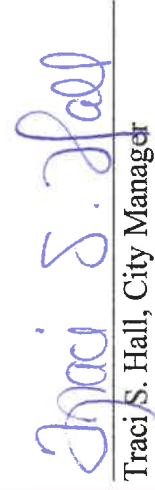
SECTION TWO: SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is held for any reason, to be unconstitutional, void, or invalid, the validity of the remaining portion of the ordinance shall not be affected hereby.

SECTION THREE: EFFECTIVE DATE AND REPEALER

- A. This amendment shall become effective immediately upon its adoption.
- B. All ordinances and parts of existing ordinances in conflict herewith are hereby repealed.

ATTEST:


Traci S. Hall, City Manager

CITY OF BLOUNTSTOWN


Tony Shoemaker, Mayor