Agenda
City of Dunnellon
20750 River Drive, Dunnellon, FL 34431
City Council Workshop Meeting
October 6, 2025, 5:00 PM

**Dunnellon City Council Workshop meeting will be held on October 6, 2025, 5:00 pm.**

**Public Comment:** Anyone who wishes to provide public comment will be able to do so by participating in the City Council Workshop meeting in person.

Supporting Documentation for Agenda items may not be ADA compliant for website posting. To obtain supporting documentation not published to the website, please contact the City Clerk's office.

**Call to Order**

**Pledge of Allegiance**

**Opening Prayer/Moment of Silence**
(suggested time limit: 1minute: Mayor to request if any invitee is present to open with prayer; if no invitee is present, Mayor will ask if a Dunnellon citizen will volunteer. If no volunteers, a moment of silence will be offered. If a citizen outside of Dunnellon requests to open with prayer, (s)he may do so if no invitee/citizens volunteer.)

**Roll Call**

Proof of Publication - The agenda was posted on the City's website and City Hall bulletin board on Monday, September 29, 2025. The agenda was amended on Thursday, October 2nd to add item #5 and backup to item #6b.

1. **Public Comment**

2. **Presentation**

   **2.a** Public Education for MS4 Stormwater Permit Compliance

3. **Board Reports**

4. **Dunnellon Chamber and Business Association Reports**

   **4.a** October City Council Report

   Documents:
   City Council Report.pdf

5. **Regular Agenda Items**

   **5.a** HCSD Piggyback Arrangement

   Documents:

Agenda Summary Form for HCSD Piggyback Arrangement.pdf

6. **Ordinances**

**6.a** Ordinance #ORD2025-11, Sign Regulations

Documents:
Ordinance ORD2025-11 Sign Regulations.pdf
Ordinance ORD2025-11 - Business Impact Statement.pdf

**6.b** Ordinance #ORD2025-12, Paid Parking Program

Documents:
Ordinance ORD2025-12 Parking Regulations.pdf

7. **Resolutions**

**7.a** Resolution #RES2025-37, Cybersecurity

Documents:
Resolution RES2025-37 Cybersecurity Frame Work.pdf

**7.b** Resolution #RES2025-38, Purchase Orders

Documents:
Resolution RES2025-38 Repealing Purchase Order Requirement.pdf

8. **Council Comments**

9. **City Attorney Comments**

10. **Public Comment**

**Adjournment**

Tentative Agenda for Council Meeting on Wednesday, October 15, 2025.
Consent Agenda
- Approval of Minutes

Regular Agenda
- Public Hearing Ordinance #ORD2025-09, Fencing Regulations
- Final Reading Ordinance #ORD2025-09, Fencing Regulations
- Public Hearing Ordinance #ORD2025-10, Rezone 20804 W. Pennsylvania Ave.
- Final Reading Ordinance #ORD2025-10, Rezone 20804 W. Pennsylvania Ave.
- First Reading Ordinance #ORD2025-11, Sign Regulations

**Future Meetings:**
- 10/14/2025 Special Joint Planning Commission/Council Meeting
- 10/15/2025 City Council Meeting

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS HEARING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT

LEAST 48 HOURS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

**Dunnellon Chamber & Business Association**
**Monthly City Council Report October 6, 2025**
**Presented by Paisley Bower DCBA Executive Director**

Just to reintroduce myself, my name is Paisley Bower, and I officially started at the Dunnellon Chamber on September 1st, it's been a wonderful and incredibly busy first month. Interim Director, Julie Mancini, has been a huge help and will continue to be, as she will re-join her spot on the Board and continue volunteering and helping with many things, which is vital as I am learning this diverse role. Huge thanks to Julie for her dedication and support.

We just wrapped up our first ever DCBA Golf Tournament, It sold out and was a big success. We are going to make this an annual event. We learned a lot and have a few improvements we can implement to make it even better next year!

**New & Returning Members since 9/1/25 (11)**

Black Horse Real Estate
First National Title and Escrow
Episcopal Church of the Advent
Renegade Lawn Services
Sweetie's Café and Tea House
Natureway Insurance
Gulf Coast Manatee Homeschool Group
Park Dyslexia Remediation
Simply IT
Kako Wellness and Healthcare Management
Roberts Funeral Home- Returning

**Chamber & Member Events:**

Our last dinner mixer, held at Don Pepe's was attended by 56 people, we acquired one new member at the dinner. Gift baskets/prizes were donated by-

Al’s TV, Antenna & Satellite

Brannen Bank

Citrus County Life Magazine

Fish Hawk Spirits

Dunnellon Coffee Co.

Julie Mancini Photography

Kelly's Auto Repair & Service, Inc.

W S Fishing Sales

We have our next networking dinner mixer at Paige’s Root Beer on October 28th at 5:30. Seats are still available. Theme is Root Beer and Real Connections: A Retro Networking Event.

We are currently looking for New Members to join our Board of Directors, we had several people express interest at the last Dinner Mixer. We will be conducting interviews with interested members in the upcoming months.

October 11th, we will host the Two Rivers Music Festival and Food Truck Rally

October 31st Trunk or Treat at Rainbow Springs Art

November 1st Grand Opening at Rainbow Springs Art

November 5th at 5:30 Business After Hours for One Rake at a Time

December 3rd at 5:30 Business after Hours at Keller Williams Cornerstone Realty

December 6th, we will host the Dunnellon’ s Small Town Christmas Parade.

We are always looking for volunteers for both in the office and for our events, and sponsors for our events, and we would like to encourage anyone who is interested in doing either to contact us.

City of Dunnellon

Agenda Summary Form

**Meeting Date**: October 15, 2025

1. Responsible Department: City Clerk
2. Presenter: Mandy Odom, City Clerk
3. Recommended Action: Authorize the Hernando County School District to piggyback City of Dunnellon's RFP No. 2020-01 with M.T. Causley for Building Official Services

**Subject**: Piggyback City of Dunnellon Contract for Building Inspection Services

**Request for Approval Summary Explanation & Background:**

The Hernando County School District requires Building Official Services for facilities maintenance and construction projects. Staff identified an opportunity to leverage an existing contract held by the City of Dunnellon with M.T. Causley for Building Inspection Services for Residential and Commercial Properties (RFP No. 2020-01).

Citrus County Schools is currently utilizing this same contract through a piggyback arrangement, demonstrating its viability for educational facility applications. Piggybacking this competitively procured contract will:

- Provide immediate access to qualified building inspection services
- Eliminate the time and expense of conducting a separate procurement process
- Leverage pricing already established through competitive bidding
- Utilize a vendor with proven experience serving Florida school districts

The district has contacted the City of Dunnellon and requested approval to piggyback their contract with M.T. Causley. All terms, conditions, and pricing would remain consistent with the original agreement, modified only to reflect Hernando County School District as the contracting party.

This procurement method complies with Florida Statutes Section 287.042, which allows governmental entities to participate in cooperative purchasing agreements and piggyback contracts established by other governmental agencies.

**Procurement Method:** **N/A**

**Fiscal Information:** **N/A**

**Attorney Review:** **N/A**

**ORDINANCE #ORD2025-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA, AMENDING ARTICLE XI OF THE CITY'S LAND DEVELOPMENT CODE; AMENDING SECTION 11.2 TO ADD A DEFINITION FOR "MONUMENT SIGN"; AMENDING SECTION 11.3 TO PERMIT ENTRYWAY AND MONUMENT SIGNS IN A-1 DISTRICTS AND RESIDENTIAL DISTRICTS (R-1, R-1A, R-1B, R-2, RBO) ON PROPERTIES OF FIVE ACRES OR MORE, SUBJECT TO SPECIFIED REQUIREMENTS REGARDING NUMBER, SIZE, HEIGHT, ILLUMINATION, MATERIALS, AND DESIGN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS** the City Council of the City of Dunnellon recognizes the need to provide appropriate signage options for property owners with larger parcels who wish to identify their property entrances; and

**WHEREAS** entryway and monument signs serve a legitimate purpose in providing identification and wayfinding for properties with substantial acreage; and

**WHEREAS** the City Council finds that allowing such signs on A-1 properties and residential properties of five acres or more, subject to appropriate regulations, serves the public interest while maintaining the aesthetic character of the community thereby benefitting the health, safety, and welfare of the citizens of Dunnellon.

**LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of Dunnellon Code of Ordinances, ~~strikethrough~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA:**

**SECTION 1:** The " whereas" clauses cited herein are the legislative findings of the City Council.

**SECTION 2.** Section 11.2 of Article XI of the City's Land Development Code is hereby amended to add the following definitions in alphabetical order:

*Monument sign:* A freestanding sign where the base of the sign structure is on the ground or a maximum of 12 inches above the adjacent grade, designed to appear as a permanent architectural feature of the landscape. Monument signs may be located anywhere on the property and may be subject to setback requirements.

**SECTION 3.** Section 11.3 of Article XI of the City's Land Development Code is hereby amended as follows:

**Section 11.3 Signs in R-1, R-1A, R-1B, R-2, RBO and A-1 districts.**

The following signs shall be permitted on a lot in an R-1, R-1A, R-1B, R-2, RBO and A-1 district:

***

(f) Advertising, entryway, and monument signs are permitted in an A-1 district as provided in section 11.14.

(g) Entryway/monument signs shall be permitted in A-1 districts and in residential districts (R-1, R-1A, R-1B, R-2, RBO) where the property is not less than five (5) acres in size, subject to the following requirements:

(1) One entryway/monument sign shall be permitted per property entrance from a public right-of-way.

(2) Maximum sign area: For properties five (5) acres to twenty-five (25) acres in size, the maximum sign area shall be thirty-two (32) square feet per sign face. For A-1 properties greater than twenty-five (25) acres in size, the aggregate area of all entryway/monument signs on the property shall not exceed two (2) square feet in area for each foot of frontage of the property on public rights-of-way, with a minimum allowable sign area of thirty-two (32) square feet per sign face and a maximum allowable sign area of seventy-five (75) square feet per sign face.

(3) Maximum height: Sixteen (16) feet above the ground.

(4) Signs may be illuminated only by indirect illumination, such as ground-mounted fixtures directing light upward onto the sign face. No internal illumination or flashing lights shall be permitted.

(6) Sign materials and design shall be compatible with the residential or agricultural character of the district. Natural materials such as wood, stone, or masonry are encouraged.

(7) Construction shall comply with the Florida Building Code and necessary permits must be obtained prior to installation.

(8) Signs must be properly maintained in accordance with Section 11.18 of this Article.

**SECTION 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6.** If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by any court of competent jurisdiction, such holding shall not affect the remainder of this ordinance.

**SECTION 7.** This ordinance shall take effect immediately upon passage and adoption.

**Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first reading on the __ day of _____ 2025.

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon the second and final reading and public hearing on the __ day of _____, 2025.

Ordinance Posted on the City's website on _____, 2025.

Public hearing advertised on the City's website on _____, 2025, and advertised in the Riverland News on _____, 2025.

ATTEST:

_____
Amanda L. Odom, CMC
City Clerk

**CITY OF DUNNELLON**

_____
Walter L. Green, Mayor

Approved as to Form:

_____
Andrew J. Hand, City Attorney

## CERTIFICATE OF POSTING

**I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this __ day of _____ 2025.

_____
Amanda L. Odom, CMC
City Clerk

# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Dunnellon's website by the time notice of the proposed ordinance is published.*

**ORDINANCE #ORD2025-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA, AMENDING ARTICLE XI OF THE CITY'S LAND DEVELOPMENT CODE; AMENDING SECTION 11.2 TO ADD A DEFINITION FOR "MONUMENT SIGN"; AMENDING SECTION 11.3 TO PERMIT ENTRYWAY AND MONUMENT SIGNS IN A-1 DISTRICTS AND RESIDENTIAL DISTRICTS (R-1, R-1A, R-1B, R-2, RBO) ON PROPERTIES OF FIVE ACRES OR MORE, SUBJECT TO SPECIFIED REQUIREMENTS REGARDING NUMBER, SIZE, HEIGHT, ILLUMINATION, MATERIALS, AND DESIGN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law[1] for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or

[1] See Section 166.041(4)(c), Florida Statutes.

☒ The proposed ordinance is enacted to implement the following:

a. a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
b. b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
c. c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
d. d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
e. e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

In the best interests of the public's health, safety, and welfare, this ordinance amends Article XI of the City's Land Development Code to allow entryway and monument signs on A-1 properties and residential properties of five acres or more. The ordinance establishes reasonable size, height, and design standards for property identification signs while promoting public safety through proper construction requirements and indirect illumination standards. These amendments serve property owners' legitimate need to identify their premises while maintaining the rural and residential character of large-lot developments and agricultural areas.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

Minimal compliance costs are anticipated. Sign contractors and fabricators may need to familiarize themselves with the new sign category and specifications, but the ordinance establishes clear standards that align with existing construction practices. Compliance costs are limited to normal permitting fees and construction standards already required under the Florida Building Code.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

The ordinance does not introduce any new charges or fees beyond existing building permit requirements already established under the Florida Building Code and current sign permitting procedures.

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

No additional regulatory costs are anticipated. The ordinance utilizes existing permit review processes and building code enforcement procedures. Permit revenues may increase modestly due to additional sign installations, but administrative costs will be absorbed within current staffing levels.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Positive impact anticipated for local businesses. Sign manufacturing companies, contractors, landscaping businesses, and building supply retailers may experience increased demand for entryway and monument sign services. No negative impacts are expected, as the ordinance expands permitted sign types rather than restricting existing signage options.

4. Additional information the governing body deems useful (if any):

This ordinance responds to property owner requests for appropriate identification signage on large residential and agricultural properties. The 12-foot height limit and 32-square-foot size limit ensure signs are proportional to rural and large-lot residential settings. The requirement for indirect illumination only preserves the character of these areas while allowing appropriate visibility. The ordinance may stimulate local economic activity through increased demand for sign-related services while providing property owners with enhanced identification options for security and wayfinding purposes.

**ORDINANCE NO. ORD2025-12**

**AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, AMENDING CHAPTER 66, ARTICLE II, DIVISION 1 OF THE CITY'S CODE OF ORDINANCES BY ADOPTED REVISED GENERAL PARKING REGULATIONS; DELETING CHAPTER 66, ARTICLE II, DIVISION 2 OF THE CITY'S CODE OF ORDINANCES IN ITS ENTIRETY AND ADOPTING UPDATING PARKING REGULATIONS PERTAINING TO ENFORCEMENT IN ITS PLACE; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.**

**WHEREAS,** the Legislature of the State of Florida has, in Chapter 166, *Florida Statutes*, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS,** under Chapter 316, *Florida Statutes*, the City of Dunnellon has the authority to regulate parking; and

**WHEREAS,** the City Council of the City of Dunnellon has determined that it is in the public interest to amend Chapter 66, Article II of the City's Code of Ordinances to promote efficient administration regarding parking regulations and enforcement as well as to update the regulations to reflect current practices; and

**WHEREAS,** the City Council wishes to protect the safety of motorists, pedestrians, and the general public; and

**WHEREAS,** the City Council has determined that the following amendments promote and protect the general health, safety, and welfare of the residents of the City of Dunnellon.

**LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of Dunnellon Code of Ordinances, ~~strikethrough~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA AS FOLLOWS:**

**SECTION 1.** The " whereas" clauses cited herein are the legislative findings of the City Council.

**SECTION 2.** Chapter 66, Article II, Division 1 of the City's Code of Ordinances is hereby amended as follows:

## ARTICLE II. STOPPING, STANDING AND PARKING

### *DIVISION 1. GENERALLY*

### Sec. 66-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Any other violation* means a violation of the Florida Statutes or this chapter which shall be set forth by the police officer issuing the citation.

*Calendar days* mean each day of the week, and include Saturdays, Sundays, and legal holidays. Thus, in computing any period of time prescribed or allowed by this chapter, the day of the act, event, or default from which the designated period of time begins to run shall not be included; however, the last day of the period so computed shall be included, even if it is a Saturday, Sunday or legal holiday, any provision of this Code to the contrary notwithstanding. If any period of time under this chapter is sought to be complied with by means of mailing, the date of actual receipt of the mail by the city, not the date of posting, shall be deemed the date of compliance.

*Camera-enforced parking* means a technological method of enforcement of public parking and may be beneficial due to the limited resources of city staff's ability to monitor all public parking lots. Unauthorized parking reduces spaces for legitimate paying customers. Camera-enforced parking shall be permitted in public paid parking lots. The city shall determine the location of the camera enforced parking locations.

*Delinquent status* means the status of a ticket where payment is past due and includes the status of tickets that have not been paid, or for which a request for a parking violation hearing has not been made. A ticket which has been found to be in violation after a hearing shall be in delinquent status if not paid within the time period set. A violation set for a parking violation hearing which results in default shall immediately be in delinquent status. A ticket will remain in delinquent status until paid in full unless dismissed or found not to be a violation.

Habitual parking status means the status of any vehicle bearing a license plate that has been issued five (5) or more parking tickets for any violation of this chapter within the past three hundred sixty-five (365) calendar days.

*Fire zone* means an area designated as such that is reserved solely for vehicles of the fire department or any firefighting organization, the police department, the public services department, or any other public service or public utilities vehicles used to combat a fire.

*Hearing officer* means the code enforcement special magistrate assigned to hear parking violation hearings and challenges to parking ticket violations and immobilization of vehicles in accordance with the provisions of this chapter.

~~*Improper parking* means the following: No person shall park a vehicle in a street of the city other than parallel with the edge of the curb or paved roadway headed in the direction of lawful traffic movement, and with the curb side wheels of the vehicle within 12 inches of the curb or paved edge of the roadway, except, upon those portions of streets which have been marked, signed or metered for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign with the right front wheel against the curb. All vehicles shall be parked within the lined space provided for parking. All vehicles shall only be parked in a space designated as a zone~~

~~which allows parking by the particular vehicle, and shall not park in a space which disallows parking by the particular vehicle.~~

~~*Leaving vehicle parked while the keys remain in the ignition* means leaving a parked vehicle unattended and allowing the keys to remain in the ignition of the vehicle or in plain view within the vehicle from outside the vehicle.~~

*No parking zone* means an area designated as such where no vehicle may be parked, except public vehicles in an emergency.

*Overtime parking* means parking a vehicle in a nonmetered space and allowing the vehicle to remain in such parking space beyond the period of time fixed by any traffic signs for such space.

*Parking enforcement specialist* means a person designated as a parking enforcement officer who has successfully completed a training program established and approved by the Florida Criminal Justice Standards and Training Commission or a duly certified code enforcement officer who, as a designated employee or agent of the city, has a to enforce codes and ordinances enacted by the city and has been trained and certified to issue parking tickets pursuant to Florida law.

*Parking meter* means and includes any mechanical device, meter, or timed parking system not inconsistent with this section, placed or erected for the regulation of parking by the authority of this chapter. Each parking meter, device or timed parking system shall indicate by proper legend, the legal parking time established by the city; and when in operation, shall at all times indicate the balance or amount of legal parking time, and at the expiration of such metered period shall indicate illegal or overtime parking.

*Parking meter space* means any space within the parking meter zone adjacent to a parking meter, device, or within a timed parking system zone, and which is duly designed for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

*Parking meter zone* means and includes any street, portions thereof, parking area or lot, upon which parking meters, devices, or timed parking systems are installed, or parking is regulated, which is in operation for the parking of vehicles for a limited time, subject to compliance with regulations.

*Parking violation hearing* means a hearing by a hearing officer in which a operator or owner of a vehicle bearing a license plate that has been issued a ticket or an owner of a vehicle who was issued a notice of default status may contest the issuance of a parking ticket or notice of default status. Parking violation hearings shall provide the opportunity for testimony and evidence to be presented, and the rules of evidence shall be liberally construed to allow for the presentation of testimony and evidence. Parking violation hearings shall also be used by a person wishing to challenge the immobilization of a vehicle in a post-immobilization hearing.

**Sec. 66-32. State statutes adopted.**

The provisions of F.S. §§ 316.1945, 316.195, 316.1951, 316.1955, 316.1957, 316.1958, 316.1959, 316.1965, 316.1967, 316.1974, and 316.1975, as such statutes pertain to parking violations, are hereby adopted and incorporated in this article by reference. Any violation of these statutes is considered as a violation of this chapter.

**Sec. 66-33. Establishment of parking zones.**

The city may approve parking zones and parking meter zones regulating the place and duration of parking on parking areas, lots, streets, and rights-of-way of the city.

**Sec. 66-34. Parking prohibited on certain areas, lots, streets, or rights-of-way.**

When signs are erected giving notice thereof, no person shall at any time park a vehicle upon any so designated and posted parking area, lot, street or right-of-way of the city.

**Sec. 66-35. Parking prohibited on one side of certain streets and/or rights-of-way.**

When signs are erected giving notice thereof, no person shall at any time park a vehicle on the prohibited side of any so designated and posted street and/or right-of-way of the city.

**Sec. 66-36. Parking prohibited during certain hours.**

When signs are erected giving notice thereof, no person shall park a vehicle between the hours specified upon any so posted or designated parking area, lot, street, or right-of-way of the city.

**Sec. 66-37. Reserved.**

**Sec. 66-38. Parking in restricted zone; parking for certain purposes prohibited.**

(a) No person shall stop, stand or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose for which parking in such zone is restricted, except that a driver of a passenger vehicle may stop temporarily in such a zone for the purpose of and while actually engaged in the loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purpose for which parking is restricted.

(b) No person shall park a vehicle upon any parking area, lot, street, or right-of-way of the city, for the principal purpose of:

(1) Displaying a vehicle for sale.

(2) Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency.

(3) Displaying signage~~advertising~~.

(4) Selling merchandise from the vehicle, except in a duly established marketplace or when so authorized or licensed under this Code or any other city ordinance.

(5) Storage or as junk or dead storage for more than 24 hours.

(6) Soliciting orders for or from which goods, wares, merchandise, fruits, plants, trees or palms are to be sold directly to the customer; however, this subsection shall not apply to vehicles of dealers in produce or other edibles, or dealers in wood, coal, or ice, where

the vehicles are parked temporarily for the purpose of soliciting orders from, or sale to, the occupants of the immediate premises only.

**Sec. 66-39. Placement of parking meters, devices or timed parking systems.**

The marking off of individual parking spaces in the parking meter zone, and the installation of parking meters, devices or timed parking systems for such spaces, is hereby authorized, ratified, and confirmed. The placement of parking meters shall be in accordance with applicable city ordinances and/or resolutions.

**Sec. 66-40. Parking meter deposit required; exceptions.**

Except in a period of emergency determined by an officer of the police or fire department, or in compliance with the direction of a police officer, police aide or traffic control sign or signal, when any vehicle shall be parked in any parking meter space alongside or next to which a parking meter or device is located or within a designated area controlled by a timed parking system, the operator of such vehicle, shall, upon entering said parking meter space, immediately deposit or cause to be deposited such proper payment as is required for said parking meter and as is designated by proper direction on the parking meter, device or timed parking system; and when required by the directions on the meter, device or timed parking system, the operator of such vehicle, after the deposit of the proper payment means as posted on the timed parking system meter or device, shall also set in operation the timing mechanism on such parking meter, device or timed parking system in accordance with directions properly appearing thereon; and failure to deposit such payment as posted, and to set the timing mechanism in operation when so required, shall constitute a violation of this section. Upon the deposit of such payment posted (and the setting of the timing mechanism in operation, when so required) the designated parking meter space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking meter space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a meter which indicates that unused time has been left in the meter by the previous occupant of the space shall not be required to deposit payment as posted so long as occupancy of said parking meter space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking meter space beyond the parking time limit set for such parking meter space, and if the parking meter, device or receipt from a timed parking system shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time; and such parking shall be deemed a violation of this section.

**Sec. 66-41. Cost; Charges by parking meter zones; acceptable currency.**

(a) The cost of parking or standing a vehicle in a parking meter space located in a parking meter zone shall be established by resolution.

(b) Parking meter zones and parking requirements, including the cost of parking, within the zones, shall be established by resolution.

(c) The only currency which the meters accept are those of the United States.

**Sec. 66-42. Parking meter violations.**

It shall be unlawful and a violation of the provisions of this section for any person:

(1) To cause, allow, permit, or suffer any vehicle registered in his/her name or under his/her control to remain or be placed in any parking meter space controlled by any parking meter, device or timed parking system while said meter, device or timed parking system is displaying a signal or a time-stamped receipt indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space;

(2) To cause, allow, permit or suffer any vehicle registered in his/her name or under his/her control to be parked across any line or marking of a parking meter space or in such a position that the vehicle shall not be entirely within the area designated by such lines or markings;

(3) To deface, injure, tamper with, open, break, destroy or impair the usefulness of any parking meter, device or timed parking system installed under the provisions of this section;

(4) To deposit, or cause to be deposited, in any parking meter, device or timed parking system, any slugs, device or metal substance, or other substitute for lawful currency.

**Sec. 16-43. Improper parking: parking within designated spaces, streets and right-of-way.**

(a) Any vehicle stopped, standing, or parked in or alongside a parking space as designated pursuant to this chapter shall park within the lines or markings designating such parking space. It is unlawful to park any vehicle in any such way that the same shall not be within the area so designated by such lines, delineations, markings, or sign post that corresponds with the parking space. The front bumper of the vehicle must be even with the lines, markings, or sign post that corresponds with the parking space or in close proximity thereto without parking beyond the established parking space, post or sign.

(b) No person shall park a vehicle in a street of the city other than parallel with the edge of the curb or paved roadway headed in the direction of lawful traffic movement, and with the curb side wheels of the vehicle within 12 inches of the curb or paved edge of the roadway, except, upon those portions of streets which have been marked, signed or metered for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign with the right front wheel against the curb. All vehicles shall be parked within the lined space provided for parking. All vehicles shall only be parked in a space designated as a zone which allows parking by the particular vehicle, and shall not park in a space which disallows parking by the particular vehicle.

(c) It is unlawful to park in a street or within the right-of-way except in designated parking spaces or parking lanes.

**Sec. 16-44. Leaving keys in ignition in parked vehicle.**

No person shall leave a parked vehicle unattended while allowing the keys to remain in the ignition of the vehicle or in plain view within the vehicle from outside the vehicle.

**SECTION 3:** Chapter 66, Article II, Division 2 of the City's Code of Ordinances is hereby deleted in its entirety (a copy of the deleted provisions is provided in Exhibit "A" attached hereto) and replaced as follows:

## ARTICLE II. STOPPING, STANDING AND PARKING

### *DIVISION 2. ENFORCEMENT*

**Sec. 66-101. Enforcement, in general.**

Enforcement of parking violations, and impoundment and immobilization of vehicles as provided herein serves a municipal purpose. Article VIII, section 2(b) of the Florida Constitution along with F.S. § 166.021, gives municipalities "home rule" powers. Article V, Section 1 of the Florida Constitution along with F.S. Ch. 162, empowers local governments to use local code enforcement boards or special magistrates. F.S. Ch. 316, provides the city with original jurisdiction over all streets and highways, except state roads, and allows for the placement of traffic control devices. In addition, F.S. Ch. 316, provides local jurisdictions with the authority to regulate specified activities on streets and highways to include, but not be limited to, parking and restricting the use of the streets. Municipalities are expressly authorized to regulate the parking of motor vehicles for any purpose with respect to streets, highways, or other property under the jurisdiction of the municipality. It is the intent of this chapter to regulate and enforce the enumerated areas within which the city may control certain traffic movements or parking within the jurisdiction of the City of Dunnellon as provided under F.S. Ch. 316, which shall be supplemental to any provisions of this chapter, but nothing herein shall be in conflict with F.S. Ch. 316. Unless otherwise specified, the regulation and disposition of violations of this chapter shall be enforced by using a hearing officer as defined herein.

**Sec. 66-102. Providing notice of violation; citation and invoicing; enforcement; payment options; hearings.**

(a) Notice of violation under this chapter shall be provided through the issuance of a parking ticket or a parking violation invoice.

(b) Parking tickets may be issued by a law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this chapter or F.S. Ch. 316. Parking tickets are to be on a form approved by the city and issued to a vehicle as identified by the license plate number, vehicle identification number, or with other specificity to ensure the vehicle in violation can be identified. Parking tickets may be delivered to the person determined to be operating or in control of the vehicle if attended; or if the vehicle is unattended, attached to the vehicle in a conspicuous place.

(c) Uniform traffic citations prepared by the Florida Department of Highway Safety and Motor Vehicles may not be issued by being attached to an unattended vehicle. A uniform traffic citation shall not be used for a parking violation of the Code.

(d) Nothing herein shall be interpreted as preventing the enforcement of any violation of Florida Statutes or any City of Dunnellon Ordinance through other means of enforcement or in conjunction with any other enforcement methods including City Code.

(e) The city may establish camera enforced parking to allow the capture of parking violations within the city as authorized under this section. Camera-enforced parking shall be permitted as follows:

(1) Camera-enforced parking violation penalties shall be the same as if enforced in person with the exception that administrative costs may be established by resolution and included with the penalties and included in the parking violation invoice.

(2) Camera-enforced parking areas must allow for at least a fifteen (15) minute grace period upon entry before any parking charges may be incurred, provided that the motor vehicle does not park at that time.

(3) The city shall identify any area in which camera-enforced parking occurs by placing signage that is legible and clearly visible to persons entering the area used for camera enforced parking. The signage must state that the property is operated by the city, list the rates for parking charges for violations, provide a working phone number and e-mail address to receive inquiries and complaints, and provide notice of the grace period and appeal process provided by this chapter.

(4) Camera-enforced parking invoices must be placed on the motor vehicle as provided in this section or mailed by first-class mail within five (5) business days of the violation. A delinquency fee may not be assessed until expiration of the payment periods under this section. The mailing of the invoice constitutes notification.

(5) In addition to other required information under this section, camera parking enforced invoices shall state that the registered owner has a right to review the photographic or electronic images or the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The invoice must provide instructions for viewing the evidence of the violation.

(6) If the registered owner or co-owner of the motor vehicle, or the person designated as having care, custody, or control of the motor vehicle at the time of the violation, or an authorized representative thereof, initiates a proceeding to challenge the violation, such person waives any challenge or dispute as to the delivery of the camera enforced parking invoice.

(7) The photographic or electronic image or streaming video of a camera enforced parking violation is evidence that a violation occurred and is admissible in any proceeding to enforce the violation and raises a rebuttable presumption that the motor vehicle named in the parking violation invoice or shown in the photographic or electronic image or streaming video evidence was used in violation if it shows the clear entry and exit of the vehicle and violation of the grace period along with evidence being presented that payment was not made.

(8) Unless a ticket is placed on the vehicle, violations captured through camera enforced parking will result in the issuance of a parking violation invoice to the registered owner of the motor vehicle involved in the violation by first-class mail to the address of the registered owner. In the case of joint ownership of a motor vehicle, the invoice shall be mailed to the first person appearing on the registration, unless the first name is a business organization, in which case the second name appearing on the registration may be used. The owner of a leased vehicle is not responsible for paying the camera enforced parking

invoice and is not required to submit an affidavit as provided in the chapter if the name on the registration is in the name of the lessee of such motor vehicle.,

(9) For the issuance of tickets and citations in-person, a law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this chapter or other law may issue a parking ticket form as may be used by the city to a vehicle as identified by the license plate number, vehicle identification number, or with other specificity to ensure the vehicle in violation can be identified and deliver it to the driver; or if the vehicle is unattended, attach such ticket to the vehicle in a conspicuous place, except that a uniform traffic citation prepared by the Florida Department of Highway Safety and Motor Vehicles may not be issued by being attached to an unattended vehicle. A uniform traffic citation shall not be used for a parking violation of the Code.

(10) For the issuance of invoice by mail, a law enforcement officer or parking enforcement specialist who discovers a vehicle parked in violation of this chapter via "non-payment" or other law may issue an invoice via mail to the vehicle owner as identified by the license plate number, vehicle identification number, or with other specificity to ensure the vehicle in violation can be identified and deliver the invoice to the vehicle's registered owner by mail.

(11) Parking violation invoices: May be issued by a law enforcement officer or parking enforcement specialist utilizing the following procedures along with any rules adopted by the city:

A. Review the approved camera playback system and verify a violation;

B. Verify the registered owner;

C. Confirm the date, time, location and all required information is identified on a parking violation invoice; and

D. Issue a parking violation invoice as provided under this section.

**Sec. 66-103. Issuance of parking ticket, citations, or invoices; payment or contesting tickets, citations or invoices; requesting a review.**

(a) A parking ticket and/or parking violation invoice shall provide:

(1) The date and time of the violation;

(2) The issuance date if different than the date and time of the violation;

(3) The name or identification number of the law, parking, or code enforcement specialist who issued the ticket or invoice;

(4) A description of the violation;

(5) The penalty amount;

(6) The period of time in which it must be paid or set for a parking violation hearing before it is considered in delinquent status;

(7) The vehicle information;

(8) Information on how and where the ticket or invoice may be paid;

(9) A photo of the tag captured if camera-enforced; and

(10) Information on how the ticket or invoice may be contested.

(c) A person who wishes to contest a ticket without being assessed additional penalties or costs for delinquency shall complete and submit a written request for a parking violation hearing which must be received by the City within fourteen (14) calendar days of the date of the violation. A request for a parking violation hearing shall be on the form prescribed by the city. Requests shall include a complete name and address of the person contesting the hearing, and if available, a phone number and e-mail address. A copy of the parking ticket must be included with the request for a hearing. Upon such request, a notice of hearing will be issued, confirming the time and date of the hearing. A copy of the person's driver's license and vehicle registration, or other document acceptable to the city attorney's office, will be necessary to set a parking violation hearing. All contested parking violation hearings shall be heard by a hearing officer. The city shall send a notice of hearing which states:

(1) The date, time, and location of a pre-scheduled parking violation hearing; and

(2) That a person who elects to contest the ticket may be assessed a penalty if found in violation after a hearing by a hearing officer;

(3) That a person who elects to contest a violation and then fails to appear at the parking violation hearing shall be deemed to have waived his or her right to a hearing and may be found in violation by default subject to a penalty), unless otherwise authorized or prohibited by law;

(4) That unpaid violations will be in delinquent status and are subject to being sent to collections for payment;

(5) That vehicles bearing license plates which are identified as belonging to owners who have tickets in delinquent status are subject to immobilization or impoundment as provided in this chapter.

(d) The notice of hearing shall be sent by mail or e-mail to the person making the request for a parking violation hearing at the physical address or e-mail address provided in the request. A certification by the City that the notice of hearing was mailed to the physical address or e-mail address provided on a request for a parking violation hearing constitutes prima facie evidence that the person on the notice of hearing was served with the notice. Upon notification, the person requesting a parking violation hearing is required to comply with the directions on the notice of hearing or face a finding of violation due to default. Additional penalties or costs may be imposed by a hearing officer upon finding of a violation; however, a violation which was set for a parking violation hearing upon a timely requested parking violation hearing shall not be assessed fees for delinquency if timely paid after a finding of a violation.

(e) A person who requests a parking violation hearing waives his or her right to pay the initial civil penalty amounts set forth in this chapter. The hearing officer, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a civil penalty unless otherwise authorized or prohibited by law, plus administrative costs.

(f) The city clerk, or their designee, will establish a city review procedure for requesting a preliminary review of a parking ticket issued by the city or an immobilization and/or

impoundment of a vehicle pursuant to this chapter. Any person wishing to request a review shall complete a written request for review on the prescribed form by the city. Within seven (7) calendar days of receiving a request for review, the city will make a determination and mail or e-mail to the address provided in the review request a written notification of the determination to the person requesting the review. The determination can affirm the issuance of the ticket or immobilization/impoundment, dismiss the ticket, or allow for a reduction in the penalty. For immobilization/impoundment, the determination shall either affirm the immobilization/impoundment, allow the release of the immobilization device without penalty, or complete a waiver of impoundment fees as may be appropriate. The request for a review will not toll any time periods herein. The review shall at a minimum allow review of an improperly written ticket, a malfunctioning pay station, a vehicle which has been sold or stolen and is no longer the property of the registered owner of the license plate affixed to the vehicle when the ticket was written, or a vehicle which was improperly immobilized and/or impounded. The city clerk, or their designee, may establish procedures to allow affidavits to be submitted as described in F.S. § 316.1967. The burden shall be on the person challenging the validity of the parking ticket, invoice and/or immobilization and/or impoundment to the satisfaction of the city clerk or designee. The city clerk, or their designee, may dismiss or reduce a ticket.

**Sec. 66-104. Vehicles parked in violation of regulations deemed nuisance; continuous parking in metered parking spaces; habitual parking status; liability of owners; notice of delinquent status; obtaining a parking violation hearing upon a notice of delinquent status.**

(a) The owner of any vehicle shall be held responsible for any vehicle found upon a street or highway in violation of any provision of this chapter, or any ordinance(s) or executive order for emergency which regulates the stopping, standing or parking of vehicles. Nothing contained in this chapter shall limit the ability of the city to seek other enforcement action as may be permitted in the Code nor limit the ability of the city to enjoin a nuisance.

(b) It is unlawful for any vehicle in violation of this chapter to remain in any lawful parking space for more than two (2) hours after a ticket has been issued for violation of any provision of this chapter. For continuous parking beyond each two (2) hour period, a new offense shall be deemed to have occurred and a law enforcement officer or a parking enforcement specialist is authorized to issue an additional ticket for each subsequent two (2) hour period.

(c) It is unlawful to park a vehicle in violation of this chapter which is in habitual parking status. A vehicle meeting the qualifications of habitual parking status commits an additional violation under this subsection punishable by a penalty as outlined in this chapter and shall be immediately immobilized, and if necessary impounded, as provided for under this chapter.

(d) Any vehicle issued a parking ticket is deemed to be charged with a noncriminal civil infraction and the owner shall be deemed responsible for complying with the directions on the ticket for paying or contesting the violation.

(e) Except for parking tickets dismissed after a review request and review per Sec. 66-103(f), all tickets which have not been paid or set for a parking violation hearing as described in this chapter shall be deemed in delinquent status at the expiration of the fourteen (14) day time

period, and the city shall send the owner of the vehicle that was issued a ticket a notice of delinquent status which states:

(1) The ticket number, date, time, description, and amount of penalties to include the original amount of the penalty, the amount of penalties for delinquency, and administrative fees;

(2) The options for methods of payment of the ticket;

(3) The due date;

(4) The owner may still elect to contest a ticket and delinquent status at a parking violation hearing by appearing in front of a hearing officer who will hear testimony and consider evidence;

(5) The date, time, and location of a pre-scheduled parking violation hearing which must be confirmed along with the method for confirming the hearing;

(6) A copy of the owner's driver's license and vehicle registration shall be necessary to confirm a hearing date;

(7) That failure to pay the ticket or confirm the parking violation hearing by the date specified will be deemed as a waiver of the owner's right to contest the ticket and a finding of violation will be entered for the amount stated in the notice of delinquent status;

(8) That an owner who elects to contest the ticket waives his or her right to pay the penalty amount in the notice of delinquent status and the owner may be assessed a penalty if found in violation after a hearing by a hearing officer;

(9) That an owner who elects to contest a violation and then fails to appear shall be deemed to have waived his or her right to a hearing and may be found in violation by default subject to a penalty;

(10) That unpaid violations shall remain in delinquent status and are subject to being sent to collections for payment;

(11) That any vehicle(s) bearing a license plate identified as belonging to owners who have tickets in delinquent status are subject to immobilization or impoundment as provided in this chapter.

(f) The notice of delinquent status shall be sent by U.S. mail to the person and address given on the motor vehicle registration. A certification by the city that the notice of delinquent status was mailed to the address given on the motor vehicle registration constitutes prima facie evidence that the person on the notice of delinquent status was served with the notice. Mailing the notice of delinquent status to the address listed on the motor vehicle registration constitutes notification and requires the owner to comply with the directions on the notice of delinquent status.

(g) Any owner who fails to satisfy the directive on the notice of delinquent status may be assessed additional penalties or costs by a hearing officer.

(h) An owner who wants to contest a ticket or notice of delinquent status without being assessed additional penalties or costs for delinquency shall confirm the parking violation hearing as instructed in the notice of delinquent status within fourteen (14) calendar days from the date

of the notice of delinquent status. A copy of the owner's driver's license and vehicle registration will be necessary to confirm a hearing date. The city clerk or their designee may establish other necessary procedures for an owner's confirmation of a parking violation hearing upon receiving a notice of delinquent status.

(i) A finding of violation occurs when a parking ticket is paid, not contested after notice of violation, in default, or after a hearing by a hearing officer results in a finding of violation. All findings of violations are considered an adjudication on the merits.

**Sec. 66-105. Cancellation or continuances of hearings; burden of proof; payment after hearing.**

(a) A scheduled parking violation hearing shall be cancelled if full payment of the pending violation(s) is received prior to the hearing date. A person wanting to continue a parking violation hearing date shall deliver a written request for continuance to the city at least seventy-two (72) hours prior to the hearing date and shall be granted one continuance for a scheduled parking violation hearing of a contested ticket or post-immobilization hearing. The city clerk or their designee shall establish the procedure for delivery of a written request for a continuance and for providing notice of the rescheduled parking violation hearing time and date.

(b) A violation shall be proven at a hearing by a preponderance of the evidence.

(c) A finding of violation requires all penalties and costs to be paid within fourteen (14) calendar days of the finding unless additional time is granted by the hearing officer or the city.

(d) Failure to pay outstanding penalties or costs after a finding of a violation at a hearing shall result in the ticket being in delinquent status if not paid within the time period allowed.

**Sec. 66-106. Relocation, immobilization, impoundment.**

(a) Any police officer of the city is authorized to attach a device that is capable of immobilizing a motor vehicle so that it cannot be moved under its own power without damage to such motor vehicle, when three or more parking citations for unlawful or illegal parking involving the motor vehicle have been outstanding for more than 30 days and have not been disposed of by payment of the fines as provided by this article.

(b) The immobilizing device shall be attached to the motor vehicle at the place where it is found, except that no motor vehicle shall be immobilized within the traveled portion of any street or any portion of a street when immobilization at such place would create a hazard to the public or to traffic on the street. At the same time as the immobilizing device is attached to the motor vehicle, a notice shall be affixed to the windshield or other prominent place on the motor vehicle stating that the immobilizing device has been so attached, cautioning the operator not to attempt to operate the motor vehicle while the immobilizing device has been so attached, and informing the owner or operator of the motor vehicle of the number and age of, and total fines and charges assessable under, the citations for which the motor vehicle is immobilized, including the removal charge for the removal of the immobilizing device, and where the owner must go in order to pay the fines and charges and have the immobilizing device removed from the motor vehicle.

(c) The immobilizing device shall be removed from the motor vehicle upon payment of the total fines and late payment charges assessed against the owner of the vehicle. The police officer may approve the removal of the immobilizing device upon obtaining satisfactory arrangements for the stated fines and late charges or upon the owner posting bond for a hearing.

(d) The police officer may tow or cause to be towed and impound any motor vehicle immobilized under this article if payment for fines and late payments or satisfactory arrangements in lieu thereof have not been paid or obtained within 24 hours of the attaching of the immobilizing device. All expenses for towing or impounding shall be borne by the owner of the vehicle.

**Sec. 66-107. Establishment of post-immobilization hearings.**

(a) The registered owner or co-owner of the motor vehicle, or the person designated as having care, custody, or control of the motor vehicle at the time of the violation, or an authorized representative thereof, wishing to challenge the immobilization of a vehicle pursuant to this chapter shall be entitled to a post-immobilization hearing before a hearing officer. Post-immobilization hearings shall be handled on the same date and time as parking violation hearings. A person who wishes to contest an immobilization without being assessed additional penalties or costs for impoundment shall post a bond for the entire amount in dispute with the city prior to impoundment and complete and submit a written request for post-immobilization hearing which must be received by the city prior to the impoundment. A request for post-immobilization after impoundment will require all parking penalties and impound fees paid in order to request a hearing. The payment of parking fees will be considered a bond pending a hearing. A bond may be posted for impound fees in accordance with F.S. § 713.78(5). A request for a post-immobilization hearing after impoundment must be received by the city at the time of the payment of the bond for the parking penalties in dispute which led to the immobilization. A request for a post-immobilization hearing shall be on the form provided by the city. Requests shall include a complete name and address of the person requesting a hearing, and if available, a phone number and e-mail address. A description of the dispute must be included with the request for a hearing. Upon such request, a notice of hearing shall be issued, confirming the time and date of the hearing. A copy of the person's driver's license and vehicle registration will be necessary to schedule a post-immobilization hearing. All contested hearings shall be heard by a hearing officer who hears parking violation hearings. The city shall send a notice of hearing which states:

(1) The date, time, and location of a pre-scheduled post-immobilization hearing;

(2) That a person who elects to contest the ticket waives his or her right to pay the initial amount due at the time of the immobilization unless a bond was posted and the person will accrue additional penalties and costs for the impoundment of the vehicle until a hearing is held and a determination is made as to whether the vehicle was immobilized in accordance with city code;

(3) That a person who elects to contest a violation and then fails to appear shall be deemed to have waived his or her right to a hearing and any bond posted with the city will be forfeited to the city; and

(4) That any vehicles which are impounded after immobilization are subject to liens in accordance with F.S. § 713.78.

(b) The notice of hearing shall be sent by mail or e-mail to the person making the request for a post-immobilization hearing to the physical address or e-mail address provided in the request. A certification by the city that the notice of hearing was mailed to the physical address or e-mail address provided on a post-immobilization request constitutes prima facie evidence that the person on the notice of hearing was served with the notice. Upon notification, the person wanting a post-immobilization is required to comply with the directions on the notice of hearing or waive his or her right to challenge the immobilization.

(c) A person who requests a post-immobilization hearing waives his or her right to pay the initial penalty and costs due as of the date of the immobilization unless a bond was posted. After the hearing, the hearing officer shall determine whether an immobilization was done in accordance with this chapter. If the hearing officer determines that the immobilization carried out by the city pursuant to this chapter was not in accordance with the applicable ordinances, statutes and regulations, the aggrieved party shall be entitled to a reimbursement of any bond, fines, costs or penalties paid related to the contested immobilization or if the vehicle is still impounded, the vehicle shall be immediately released with the city bearing the costs for the tow fees.

**Sec. 15-129. Penalties and fees.**

The penalties and fees for parking infractions and violations as set forth is this chapter are hereby established as follows:

(1) Expired meter (overtime parking):

a. 1st offense - not to exceed one hundred dollars ($100.00).

b. 2nd offense within six (6) months - not to exceed one hundred fifty dollars ($150.00).

c. 3rd or subsequent offense within one (1) year - two hundred fifty dollars ($250.00).

(2) Parking in a no parking zone – not to exceed one hundred dollars ($100.00.)

(3) Disabled parking without valid permit displayed - two hundred fifty dollars ($250.00). If a citation is issued to a person legally entitled to park in a designated handicapped zone, the fine shall be waived upon presentation of proof of a disabled parking permit at the police department.

(4) Stopping, standing, and parking in fire zone - not to exceed two hundred dollars ($200.00).

(5) Late fees - not to exceed seventy-five dollars ($75.00).

(9) Immobilization fee:

a. 1st offense - not to exceed two hundred dollars ($200.00).

b. 2nd offense within six (6) months - not to exceed three hundred dollars ($300.00).

c. 3rd or subsequent offense within one (1) year - not to exceed five hundred dollars ($500.00).

(10) Unlawfully displaying a vehicle for sale, hire, or rental (F.S. § 318.18(22)) - five hundred dollars ($500.00).

(11) Administrative fee (F.S. § 318.18(19)) - twelve dollars and fifty cents ($12.50).

(12) Found to be in violation after contesting a citation, ticket or invoice - not to exceed one hundred dollars ($100.00).

(13) Failure to appear after requesting a hearing - not to exceed one hundred dollars ($100.00).

(14) Issuance of notice of delinquent status for any provision of this chapter - not to exceed one hundred dollars ($100.00). (No such fee shall be assessed when a parking ticket, citation, or invoice is dismissed or is found to not be in violation.)

(14) Payment pursuant to this section may be made by authorized legal tender or other forms of payment approved by resolution upon recommendation of the mayor and approved by city council.

(15) The fine for violations of 66-42 (3), (4) of this article shall be $500.00.

(16) *Other violations.* The fine for any other violation of this article or provisions of the Florida Statutes pertaining to parking shall be $100.00.

(17) *Leaving vehicle with keys in ignition.* The fine for leaving a parked vehicle while the keys remain in the ignition shall be $50.00.

State law reference(s)—Amount of penalties, F.S. §§ 318.18(19), 318.18(22).

**SECTION 4. CONFLICTS.** In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

**SECTION 5. SEVERABILITY**. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 6. CODIFICATION**. The provisions of this Ordinance shall be codified as and become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance," or similar words, may be changed to "Section," "Article," or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective on _____, 202_.

**Upon motion duly made and carried**, the foregoing ordinance was adopted on the first reading on the _____ day of _____ 202_.

**Upon motion duly made and carried**, the foregoing ordinance was adopted on the second and final reading on the ____ day of _____ 202_.

Ordinance Posted on the City's website on _____, 202_. Public hearing advertised on the City's website on _____ and advertised in the Riverland News on _____.

_____
Walter L Green, Mayor

Attest:

_____
Amanda L. Odom, CMC
City Clerk

**CERTIFICATE OF POSTING**

**I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this __ day of _____ 2025.

_____
Amanda L. Odom, CMC
City Clerk

EXHIBIT "A"

**~~Sec. 66-61. Enforcement; violations.~~**

~~(a) *Issuance of parking tickets.* The police department of the city, acting through certified law enforcement officers, or parking enforcement specialists, shall issue municipal parking tickets, on ticket forms authorized by city council or their designee, to the operator if the motor vehicle is attended, and if the motor vehicle is unattended, attach such ticket, issued to the registered owner, to the vehicle in a conspicuous place.~~

~~(b) *Contents of parking ticket.* The ticket shall specifically describe the following:~~

~~(1) Describe the illegally parked motor vehicle;~~

~~(2) Indicate its location;~~

~~(3) Specify the nature of the violation;~~

~~(4) Indicate the amount of the fine;~~

~~(5) Give notice to the violator that he or she must pay the fine within 30 days or appeal the ticket; and~~

~~(6) Describe the procedures to be followed in either paying such fine or electing not to pay such fine and requesting a hearing before a county court official concerning the parking violation, and the penalty for failure to comply with the directions on the ticket.~~

~~A sequential numbering system shall be used.~~

~~(c) *Continuing violations.* Each day any violation occurs or continues shall be a separate offense.~~

~~(d) *Liability for payment of fine.* The registered owner is responsible and liable for payment of any parking ticket violations.~~

~~(e) *Computation of time.* If the last day of any time period described in this section falls on a Saturday, Sunday or legal holiday, the time period shall run until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday.~~

**~~Sec. 66-62. Schedule of fines.~~**

~~The following fines apply for the violations listed:~~

~~(1) *Overtime parking.* The fine for parking overtime shall be $100.00.~~

~~(2) *Parking in fire zone.* The fine for parking in an area designated as a fire zone shall be $200.00.~~

~~(3) *Parking in a no parking zone.* The fine for parking in a no parking zone shall be $100.00.~~

~~(4) *Improper parking.* The fine for improper parking shall be $100.00.~~

~~(5) *Parking meter violations.* The fine for violations of 66-42 (1), (2) of this article shall be $100.00. The fine for violations of 66-42 (3), (4) of this article shall be $500.00.~~

~~(6) *Other violations.* The fine for any other violation of this article or provisions of the Florida Statutes pertaining to parking shall be $100.00.~~

(7) *Leaving vehicle with keys in ignition.* The fine for leaving a parked vehicle while the keys remain in the ignition shall be $50.00.

(8) *Parking in space reserved for handicapped or disabled persons.*

a. The fine for parking in a handicapped zone without a permit shall be $250.00.

b. If a citation is issued to a person legally entitled to park in a designated handicapped zone, the fine shall be waived upon presentation of proof of a disabled parking permit at the police department.

**Sec. 66-63. Payment of fine; appeals.**

(a) Violations of this division shall be referred to the county court for the county of the Fifth Judicial Circuit.

(b) An individual receiving a ticket pursuant to this section shall have 30 days from the date of issuance to pay the fine per the instructions on the ticket or request an appeal per subsection (c) below.

(c) *Appeal of parking ticket.*

(1) Any individual who receives a parking ticket issued pursuant to the requirements of this chapter may voluntarily elect to appeal the parking ticket and request a hearing within 30 days from issuance of the ticket, by requesting an appeal with the county court for the county of the Fifth Judicial Circuit per the instructions on the parking ticket.

(2) Any person who elects to appear before a designated official to present evidence waives his or her right to pay the fine cited on the ticket. The official, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a civil penalty or the fine amount designated on the ticket, plus court costs.

(d) *Failure to pay fine.* If the fine is not paid within 30 days from issuance, and no appeal is filed, then the appearance before the county court of persons who fail to comply with the provisions of this division will be compelled by the issuance of a summons by the deputy clerk of the court for the county of the Fifth Judicial Circuit. A warrant shall be issued by the court for the arrest of any person who fails to appear in response to such summons.

**Sec. 66-64. Reserved.**

**Sec. 66-65. Immobilization of vehicles.**

(a) Any police officer of the city is authorized to attach a device that is capable of immobilizing a motor vehicle so that it cannot be moved under its own power without damage to such motor vehicle, when three or more parking citations for unlawful or illegal parking involving the motor vehicle have been outstanding for more than 30 days and have not been disposed of by payment of the fines as provided by this article.

(b) The immobilizing device shall be attached to the motor vehicle at the place where it is found, except that no motor vehicle shall be immobilized within the traveled portion of any street or any portion of a street when immobilization at such place would create a hazard to the public or to traffic on the street. At the same time as the immobilizing device is attached to the motor

~~vehicle, a notice shall be affixed to the windshield or other prominent place on the motor vehicle stating that the immobilizing device has been so attached, cautioning the operator not to attempt to operate the motor vehicle while the immobilizing device has been so attached, and informing the owner or operator of the motor vehicle of the number and age of, and total fines and charges assessable under, the citations for which the motor vehicle is immobilized, including the removal charge for the removal of the immobilizing device, and where the owner must go in order to pay the fines and charges and have the immobilizing device removed from the motor vehicle.~~

~~(c) The immobilizing device shall be removed from the motor vehicle upon payment of the total fines and late payment charges assessed against the owner of the vehicle. The police officer may approve the removal of the immobilizing device upon obtaining satisfactory arrangements for the stated fines and late charges or upon the owner posting bond for a hearing.~~

~~(d) The police officer may tow or cause to be towed and impound any motor vehicle immobilized under this article if payment for fines and late payments or satisfactory arrangements in lieu thereof have not been paid or obtained within 24 hours of the attaching of the immobilizing device. All expenses for towing or impounding shall be borne by the owner of the vehicle.~~

**~~Sec. 66-66. Reserved.~~**

**RESOLUTION NO. RES2025-37**

**A RESOLUTION OF THE CITY OF DUNNELLON, FLORIDA, ADOPTING THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSECURITY FRAMEWORK VERSION 2.0; PROVIDING FOR NOTICE TO THE FLORIDA DIGITAL SERVICE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 282.3185(4), Florida Statutes requires municipalities with a population of less than 25,000 to adopt cybersecurity standards that are consistent with generally accepted best practices for cybersecurity, including the National Institute of Standards and Technology Cybersecurity Framework, by January 1, 2025; and

**WHEREAS**, Section 282.3185(4), Florida Statutes, provides that each local government shall adopt cybersecurity standards that safeguard its data, information technology, and resources to ensure availability, confidentiality, and integrity; and

**WHEREAS**, the City of Dunnellon has determined that it is in the best interest of its residents and employees to adopt the National Institute of Standards and Technology Cybersecurity Framework; and

**WHEREAS**, there is no funding required to adopt the National Institute of Standards and Technology Cybersecurity Framework.

**WHEREAS**, each local government shall notify the Florida Digital Service of its compliance with Section 282.3185(4), Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Dunnellon, Florida, as follows:

**Section 1.** Adoption. The National Institute of Standards and Technology Cybersecurity Framework Version is hereby adopted and shall be the guiding cybersecurity standard for all cybersecurity policies adopted by the City of Dunnellon.

**Section 2.** Notice. Upon execution of this Resolution, the City Clerk shall notify the Florida Digital Service of the City of Dunnellon's compliance with Section 282.3185(4), Florida Statutes.

**Section 3.** This Resolution shall be effective upon adoption by the City Council.

Adopted this 15th day of October 2025.

ATTEST: _____
Walter L. Green, Mayor

_____
Amanda L. Odom, CMC, City Clerk

Approved as to form:

_____
Andrew J. Hand, City Attorney

First Draft 10/06/2025 City Council Workshop

**RESOLUTION NO. RES2025-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNNELLON REPEALING RESOLUTION NO. RES1996-05 ESTABLISHING A PURCHASE ORDER REQUIREMENT.**

**WHEREAS**, the City Council of the City of Dunnellon, Florida previously adopted Resolution No. RES1996-05 establishing a $500.00 purchase order requirement; and

**WHEREAS**, the City Council of the City of Dunnellon, Florida adopted Ordinance No. ORD2015-08 establishing Purchasing Policies for the City of Dunnellon; and

**WHEREAS**, the City shall adhere to the requirements of Article IX. Purchasing Policies of the City of Dunnellon Code of Ordinances, as amended from time to time, for all purchases made by the City; and

**WHEREAS**, the City Council of the City of Dunnellon, Florida feels it is in the best interest of the public to repeal Resolution No. RES1996-05 and adhere to provisions set forth in the City's Code of Ordinances, Article IX Purchasing Policies.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dunnellon, Florida that effective upon passage of this resolution, Resolution No. RES1996-05 is hereby repealed.

Upon motion duly made and carried, the foregoing resolution was adopted by the City Council of the City of Dunnellon this 15th day of October 2025.

_____
Walter L. Green, Mayor

ATTEST:

_____
Amanda L. Odom, CMC
City Clerk

Approved as to form:

_____
Andrew J. Hand, City Attorney

First Draft 10/06/2025 City Council Workshop