

Ordinance No. 110371

An Ordinance of the City of Gainesville, Florida, creating and adding a new section 26-102 to the Code of Ordinances, relating to Downtown mid-street parking; providing requirements, conditions and limitations; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing to be held in the City Commission Auditorium, City Hall, City of Gainesville; and

WHEREAS, the Public Hearings were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

Section 1. A new section 26.102 is hereby created and added to the Code of Ordinances of the City of Gainesville, Florida, to read as follows:

Sec. 26-102. Downtown Loading and Unloading Procedures – Mid-Street Parking

(a) A business or entity making a downtown delivery of goods, supplies or materials, desiring to use mid-street loading and unloading, shall have a vehicle that is clearly identified and marked for business purposes, by signs, painted lettering, or similar permanent markings.

(b) A clearly marked business vehicle may utilize mid-street parking for the temporary short-term loading and unloading of goods, supplies or materials on two-way Downtown off-streets (defined as side streets, not major thoroughfares or roadways, such

1 as University Avenue or Main Street), as long as the parking of the vehicle does not
2 obstruct traffic and conforms to the following requirements:

3 (1) The vehicles shall straddle the center lines, leaving at least 10 feet on each
4 side for other vehicles to pass, and shall not be positioned so as to prevent or block access
5 from or to any streets, driveways, parking lots, or parking spaces, or to interfere with
6 pedestrian crosswalks or traffic.

7 (2) Mid-street parking shall be limited to no more than 15 minutes, and shall
8 be utilized solely for purposes of loading or unloading of goods, supplies or materials.

9 (3) All vehicles parked in accordance with this procedure shall be parked at
10 least 30 feet from the intersection and shall have the emergency hazard flashers activated
11 at all times.

12 (4) No mid-street parking or the loading and unloading of the vehicle is
13 allowed between the hours of 1:30 a.m. and 2:30 a.m.

14 (5) No mid-street parking or the loading and unloading of the vehicle is
15 allowed during any special downtown events, or when traffic conditions otherwise render
16 mid-street parking unsafe, as ordered by a law enforcement officer.

17 **Section 2.** It is the intention that Section 1 of this Ordinance shall become and be
18 made a part of the Code of Ordinances, of the City of Gainesville, Florida, and that the
19 sections and paragraphs of this ordinance may be renumbered or re-lettered in order to
20 accomplish such intentions.

21 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this
22 ordinance or the application hereof to any person or circumstance is held invalid or

1 unconstitutional, such finding shall not affect the other provisions or applications of the
2 ordinance which can be given effect without the valid or unconstitutional provisions or
3 application, and to this end the provisions of this ordinance are declared severable.

4 **Section 4.** All ordinances or parts of ordinances, in conflict herewith are to the extent of
5 such conflict hereby repealed.

6 **Section 5.** This ordinance shall become effective immediately on adoption.

7

8 **PASSED AND ADOPTED** this ___ day of _____, 2011.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

CRAIG LOWE
MAYOR

ATTEST

APPROVED AS TO FORM AND LEGALITY

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

23 This Ordinance passed on first reading this ___ day of _____, 2011.

24 This Ordinance passed on second reading this ___ day of _____, 2011.