

ORDINANCE NO.: 92-03

APR 27 2 29 PM '92
SECRETARY OF STATE
FILED

AN ORDINANCE AMENDING
CHAPTER 20 HERNANDO
COUNTY CODE OF
ORDINANCES, MOTOR
VEHICLES AND TRAFFIC,
SPECIFICALLY AMENDING
SECTION 20-45 AND
AMENDING SECTION 20-46,
PROVIDING FOR
SEVERABILITY, PROVIDING
FOR INCLUSION IN THE
CODE, PROVIDING FOR AN
EFFECTIVE DATE.

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION I. Chapter 20, Hernando County Code of Ordinances is amended to read as follows:

A. Chapter 20, Section 20-45, Civil Penalties is changed to read as follows:

(a) Any person who stops, parks or stands a vehicle in violation of the terms of Section 20-40 or 20-42 shall be deemed to be charged with a noncriminal violation and shall be assessed a civil penalty of ten (\$10.00) dollars.

(b) Any person who stops, parks or stands a vehicle in violation of the terms of Section 20-41 shall be deemed to be charged with a noncriminal violation and shall be assessed a civil penalty of one hundred (\$100.00) dollars.

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

(d) The amount of any civil penalty specified in this section shall be increased by fifteen (\$15.00) dollars if payment is not received by the clerk within the described thirty (30) day period after the issuance date of citation.

(e) The owner of a vehicle is responsible and liable for payment of any parking ticket violations, except that the owner of a vehicle is not responsible for parking ticket violations if the vehicle involved was, at the time, stolen and reported as such.

B. Chapter 20, Section 20-46, Procedures Governing Payment of Civil Penalties and Proceedings to Enforce Payment, is changed

to read as follows:

(a) Any person issued a county parking ticket, pursuant to Section 20-44 shall answer the ticket by either of the following procedures within a thirty (30) day period which begins to run on the day immediately following the day that said ticket is issued:

(1) Payment of the civil penalty indicated on the ticket may be remitted to the clerk, pursuant to the directions of such ticket, which civil penalty is subject to increase pursuant to the terms of the article.

(2) A hearing may be requested by the person receiving such citation or the cited vehicle's registered owner for the purpose of presenting evidence before a county judge concerning a parking violation. Any person requesting a hearing shall execute a statement on a form prepared by the clerk indicating his or her willingness to appear at such hearing at a time and place specified thereon.

(b) Any election to request the hearing constitutes a waiver of the right to pay the civil penalty indicated on the parking ticket, and a county judge after said hearing may impose a fine not to exceed one hundred (\$100.00) dollars, plus court costs for each parking violation.

(c) If payment of the civil penalty is not received or a hearing is not requested within the thirty (30) day period after the citation was issued pursuant to Chapter 20-44, the clerk shall send a notice to said owner by mail requiring compliance with paragraph (a)(1) of this section.

(d) If the clerk does not receive payment within a ten (10) day period which begins to run on the day that said notice was mailed pursuant to paragraph (c) of this section, the clerk shall cause the registered owner first listed on the parking ticket to be penalized in accordance with Florida Statutes 316.1967.

SECTION II. SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence

phrase or provision of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

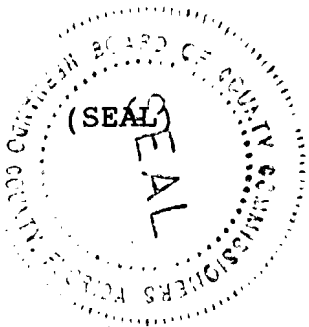
SECTION III. INCLUSION IN THE CODE.

It is the intention of the Board of County Commissioners of Hernando county, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall become effective upon receipt of official acknowledgement from the Secretary of State that said Ordinance has been filed.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular Session this 21st day of April, 1992, A.D.



BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA.

Attest: Michelle L. Huntsman, Deputy By: John Richardson
KAREN NICOLAI Clerk JOHN RICHARDSON Chairman
Clerk