

ORDINANCE NO. 2868-12

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA
REGULATING PARKING IN ELECTRIC VEHICLE CHARGING
STATION SPACES DESIGNATED FOR THE CHARGING OF
ELECTRIC VEHICLES; PROVIDING FOR CODIFICATION,
CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

R E C I T A L S

WHEREAS, the City Commission of the City of Winter Park has previously authorized a program that will promote the use of electric vehicles in the City of Winter Park under terms that are safe, lawful and appropriate;

NOW, THEREFORE, be it ordained by the City Commission of the City of Winter Park, as follows:

Section 1. Recitals.

The recitals are incorporated herein by reference.

Section 2. Definitions.

(1) "Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose.

(2) "Electric vehicle charging station" means a public parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Section 3. Electric vehicle charging stations on public property.

Public electric vehicle charging stations that are located on public property are reserved for parking and charging electric vehicles only. When a sign provides notice that a space is a designated public electric vehicle charging station, no person shall park or stand any nonelectric vehicle in that space. Any nonelectric vehicle is subject to fine or removal. Any electric vehicle in any designated public electric vehicle charging station space on public property that is not electrically charging shall be subject to a fine and/or removal. For purposes of this subsection, "charging" means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

Where public electric vehicle charging stations are constructed and installed, the city engineer shall cause appropriate signs and markings to be placed in and around the parking spaces of said stations, indicating prominently thereon the parking regulations. The signs shall state that the parking space is reserved for charging electric vehicles and that an electric vehicle may only park in the space for charging purposes.

Section 4. Enforcement.

A violation of this Ordinance or section shall be enforceable pursuant to the procedures for Code Violations and enforcement against Code Violations provided in Chapter 1, including Sections 1-21 and 1-23 of the Municipal Code of the City of Winter Park, and the fine for any violation found shall be a Class II violation in accordance with the provisions in Chapter 1, of the Municipal Code.

Section 5. Codification.

Sections 2, 3 and 4 hereof shall be codified as Section 98-8 in the Municipal Code, and thereafter Sections 98-9 through 98-30 will be reserved. Also, Section 1-24 of the Municipal Code will be amended to add this new Section 98-8 to the Schedule of Violations and Penalties.

Section 6. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural or any other reason, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or portions hereof or hereto.


Section 7. Conflicts.

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 8. Effective Date.

This ordinance shall take effect immediately upon its passage and adoption.

Adopted at a regular meeting of the City Commission of the City of Winter Park, Florida on the 27th day of February, 2012.



MAYOR KENNETH W. BRADLEY

ATTEST:



CYNTHIA BONHAM, CITY CLERK