

OFFICE OF MANAGEMENT AND BUDGET

115 S. Andrews Avenue, Room 404 • Fort Lauderdale, Florida 33301 • 954-357-6345 • FAX 954-357-6364

MEMORANDUM

September 3, 2021

TO: Board of County Commissioners

FROM: Norman Foster, Director *Norman Foster*
Office of Management and Budget

SUBJECT: Proposed Ordinance Creating Section 20-164.2 and Amending Section 8½-16 of the Broward County Code of Ordinances, Relating to Private Parking Tickets and Private Enforcement of Parking Tickets.

Summary

The proposed ordinance creates section 20-164.2 and amends section 8.5-16 of the Broward County Code of Ordinance. Section 20-164.2 establishes definitions relating to private parking tickets and violations prohibited. The proposed section would make it unlawful for any person, including a parking facility operator or agent to issue a private ticket to a motor vehicle or to the owner of any such vehicle. Such parking tickets are declared null, void, and unenforceable. In addition, it also makes it unlawful for any private parking facility operator or agent to apply an immobilization device or tow a vehicle parked in private parking facility, unless it is done in accordance with Section 20-176.13 of the Broward County Code of Ordinances.

Section 8.5-16 establishes a civil penalty for issuing a private ticket or applying an immobilization device in violation of Section 20-164.2 in the amount of \$250 for first time violators and \$500 for repeat violators.

Fiscal Impact

Over the past year there have been twelve complaints received by Environmental and Consumer Protection relating to private tickets, four of which resulted in a refund or waived fee, for a total of \$430.95. Additionally, the County does not have access to data regarding the number of private tickets issued, immobilization devices used, or number of vehicles towed. Since it cannot be determined how many complaints received will be valid and will result in a first violation and how many would be a repeat violation, the fiscal impact cannot be determined at this time.

NF:mc