

ATTACHMENT A

Sec. 106-98. - Creation of Construction Management Plan (CMP).

- (1) In order to obtain or maintain a building and/or grading and shoring permit for all projects with a value in excess of \$250,000.00, the contractor of record shall be required to provide to the city a CMP. The parking director shall review the CMP. Failure to provide the CMP, or obtain parking director approval of the CMP shall preclude the issuance of a building or grading and shoring permit. The CMP shall minimize CEVPI to the surrounding commercial or residential areas. The CMP must:
 - a. Reduce CEVPI related to the proposed construction;
 - b. Contain construction related parking within the project site, whenever possible;
 - c. Document where the parking areas will be provided for the employees, subcontractors, and contractors, if not on site; and
 - d. The contractor, owner of the property, and tenant are required to sign, under oath, the proposed CMP, confirming their understanding of the plan, and the penalties associated with noncompliance.
- (2) Development orders issued prior to enacting of the ordinance codified in this division shall be exempt from application of this division 1.
- (3) The city's municipal garage located at 42 Street may not be used for CEVPI or CEV uses.
- (4) To use any other city municipal garage for CEVPI or CEV uses shall require city manager and parking director authorization and final authorization of the city commission.

(Ord. No. 2015-3922, § 1(106-118), 2-11-15)

Sec. 106-99. - Requirements of CMP.

- (1) The CMP shall contain the following required elements to address the CEVPI:
 - (a) A copy of the building permit application/processing number, that is not expired, with the building department.
 - (b) A system to minimize the effect of CEV parking in commercial and residential neighborhoods.
 - (c) Document the number of workers: identify by description and vehicle license plate number all vehicles that will be present on the site during various phases of construction; and indicate whether sufficient privately owned/operated off-street parking will be provided. Provide proof of such off-street private parking arrangements.
 - (d) The construction contractor, owner/developer shall schedule a pre-construction meeting with city staff after permit issuance, but prior to start of work, to review CMP implementation.
- (2) The construction site parking and staging plan shall provide the following specific information:
 - (a)

All construction related parking (whether for employees, contractors, subcontractors, suppliers, etc.) shall be located on-site where the construction is to take place, or at an approved off-site locations, as approved by city staff. Swale right-of-way, or parking metered locations may be permitted, upon approval of the parking director, to be used for loading, deliveries, and supplies. However, this temporary authorization shall not be considered a proper parking area for employees, subcontractors or contractors under the CMP.

- (b) Delineate the details as to the number of proposed vehicles; type of vehicles accessing the construction site; identify the vehicles by year, make, model, and Florida license plate number.
- (c) Identify where all on-site parking will be located (minimum 8.5 feet x 18 feet per stall) and how vehicles will enter and exit the construct site from or the street.
- (d) If off-site parking is required to accommodate employee, subcontractor or contractor parking needs, identify the off-site location to be used and how the employees, subcontractors or contractors will get to and from the construction site. Provide proof of lease, exclusive use, etc., to the parking director as park of the CMP.
- [(e) Reserved.]
- (f) Identify any fencing around the construction site and all access points. A site plan may be required.
- (g) Identify material staging area(s).
- (h) Provide any other notes necessary to clarify the CMP, as may be applicable.

(Ord. No. 2015-3922, § 1(106-119), 2-11-15)

Sec. 106-100. - Review and approval.

The CMP shall be reviewed and require the approval of the parking director.

(Ord. No. 2015-3922, § 1(106-120), 2-11-15)

Sec. 106-101. - Issuance of permit.

- (1) A CMP permit shall be issued upon approval of the CMP and payment of fees.
- (2) A CMP permit fee shall be assessed for each CMP and related building permit, as set forth in appendix "A" to this Code.
- (3) Thereafter a building or a grading and shoring permit may issue. Failure to obtain parking department authorization of a CMP permit shall preclude the issuance of building permit.

(Ord. No. 2015-3922, § 1(106-121), 2-11-15; Ord. No. 2022-4473, § 2, 3-9-22)

Sec. 106-102. - Parking in designated areas.

- (1) Pursuant to the requirements of section 106-109, contractors, subcontractors and construction employees shall register and provide vehicle make, model, year, color, and license plate to the parking department.
- (2) CEVs shall prominently display a parking permit for the corresponding parking facility(ies) related to the building permit/construction project identified in the underlying CMP. Such parking permit shall be displayed so as to be clearly visible to the city's enforcement personnel.
- (3) CEVs found at any location other than those stipulated in the CMP shall be in violation of this section.

(Ord. No. 2015-3922, § 1(106-122), 2-11-15)

Sec. 106-103. - Enforcement.

- (1) A city code inspector may issue a citation for a violation of this chapter. Enforcement shall be through chapter 30 of the city's Code. A city code inspector means the code compliance officers, parking department employees, a parking enforcement specialist, or any authorized agent or employee of the city whose duty it is to assure code compliance.
- (2) All violations of this chapter are civil infractions. Each violation of this chapter shall constitute a separate offense. Violations of this chapter will be punished as follows:
 - (a) For a first offense: A \$5,000.00 fine issued to both contractor and property owner/tenant.
 - (b) For a second offense: A \$10,000.00 fine issued to both contractor and property owner/tenant.
 - (c) For a third offense: A \$15,000.00 fine issued to both contractor and property owner/tenant.
 - (d) For each additional/subsequent offense: A one-day stop work order issued by the city's building official.
 - (e) For purposes of this section, an offense shall be deemed to have occurred on the date that the violation occurred.
 - (f) The failure of any person to pay the appropriate fine within the time allowed or to appeal the violation shall constitute a waiver of the right to an administrative hearing before the special magistrate and fines may be accessed accordingly.
 - (g) A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the recording of any such lien that which remains unpaid, the city may foreclose or otherwise execute upon the lien.

(Ord. No. 2015-3922, § 1(106-123), 2-11-15; Ord. No. 2021-4431, 7-28-21)

Sec. 106-104. - Revocation of permits and other penalties.

Any contractor, subcontractor, property owner or tenant who has obtained a valid citation under section 106-103, and who has failed to pay the fine, and failed to cure the violation, shall have the building permit revoked. Failure to comply shall subject such participant to enforcement procedures by the city and may result in fines of up to an additional \$500.00, per day, and liens as provided by law.

(Ord. No. 2015-3922, § 1(106-124), 2-11-15)