

EXHIBIT A

¹Section 74-1. Definition.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The definitions in F.S. § 316.001 apply to this chapter.

Alley means a narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances or buildings abut, which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street.

Center parkway means such stretch of land planted in grass, or shrubbery, or both, which is flanked on either side by a street.

Commercial vehicle means a vehicle designed, used or maintained primarily for a commercial purpose.

Double parking, double standing, or double stopping means the parking, standing, or stopping of a vehicle upon the driveway side of another vehicle parking, standing, or stopping, but not legally within, or adjacent to, an open parking space.

Employee parking lot means any area owned by the city and assigned as an area for persons to park providing they have secured the proper permit and paid a fee as established by the city commission.

General public use parking means any parking spaces developed by the city or privately developed pursuant to an approved entitlement with the city where the spaces are in excess of minimum parking requirements found in the zoning code (section 5-1409).

Holidays are as established by section 1-2.

Non-city issued tickets means parking tickets which have a reasonable likelihood of confusion in their appearance with a valid Miami-Dade County Uniform Parking Citation.

Operator means and includes every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner.

Other governing body means any governing body other than the city commission.

Parking area means any on-street parking lane, city-owned parking lot or parking garage, located in the city and dedicated to the use of parking vehicles.

Parking garage means any building owned by the city and used for the parking of vehicles upon payment of a fee as established by the city commission.

Parking lot means any property owned by the city and assigned as an area for the parking of vehicles.

Parking meter means any mechanical or electronic device or application used to regulated parking by collecting revenue in exchange for the right to park a vehicle in a particular place for a limited amount of time.

¹ Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

EXHIBIT A

Privately owned, metered surface parking lots means privately owned and/or operated surface parking lots available for public parking upon payment and shall not include the surface owned and/or operated by the University of Miami or any hospitals within the City of Coral Gables.

Privately owned parking facilities means privately owned, metered surface parking lots, as defined herein, and privately owned and/or operated parking garages available for public parking upon payment, excluding those owned and/or operated by the University of Miami or any hospitals within the City of Coral Gables.

Ridesharing service means a bona fide ridesharing service, including taxis or taxicabs.

Skateboard means any form of wheeled conveyance with or without self-propulsion consisting of any number of wheels attached to a flat surface which is designed to be operated by the rider standing thereon.

Swale means that portion of land lying between a sidewalk and street.

Taxi or *taxicab* means a licensed public motor vehicle for hire designed and constructed to seat not more than seven persons and operating as a common carrier on call or demand.

Vehicle means any device in, upon or by which any person or property is or may be transported into a parking area.

Section 74-84. Signage and other requirements

- (a) All pay stations and signage at privately owned, ~~metered surface parking lots~~ facilities shall be noticeably different in color, shape and markings than city pay stations.
- (b) All privately owned, ~~metered surface parking lots~~ facilities shall prominently display legible and clearly visible signs at all vehicular entrances and as reasonably required by the parking department throughout the ~~surface~~ privately owned parking lot facilities that shall include the following information:
 - (1) explaining a statement that the parking facility ~~lot~~ is privately owned;
 - (2) a working phone number and an e-mail address to contact the privately owned parking facility operator for the purpose of receiving inquiries and complaints;
 - (3) the parking rates and any charges that may be imposed for violating the rules of the privately owned parking facility operator;
 - (4) notice of a fifteen (15) minute grace period upon entrance to the privately owned parking facility before any parking charges may be incurred (provided the motor vehicle does not park during that time);
 - (5) notice of the dispute and appeal process in this section; and
 - (6) and citing a citation to sections 74-84, 74-85 and 74-86 of the city Code.
- (c) Any electronic pay station used to collect revenue in exchange for the right to park a vehicle ~~on~~ in the privately owned, ~~metered surface parking lots~~ facility shall also display information stating that the parking facility ~~lot~~ is privately owned and citing sections 74-84, 74-85 and 74-86 of the city Code. Any mobile application used to collect revenue in

EXHIBIT A

exchange for the right to park a vehicle ~~on~~ in the privately owned, ~~metered surface~~ parking facility ~~lots~~ shall state that the parking facility ~~lot~~ is privately owned and direct patrons to onsite parking signage for all parking restrictions. The mobile application shall not include the term "Coral Gables" in the description of any privately owned ~~surface~~ parking facilities ~~lots~~.

- ~~(c) The parking rates, fees for overtime parking, non-payment of parking, improper parking by not parking wholly in parking space, parking so as to obstruct traffic, and parking in a restricted parking zone, and hours of operation for the surface parking lot must be prominently displayed on signs clearly visible at the parking lot entrance and pay station. Signs must also include a phone number and to contact the parking lot operator~~
- (d) It shall be unlawful for any person engaged in the operation of a privately owned, ~~metered surface~~ parking facility ~~lot~~ to issue a non-city issued ticket to any vehicle that is parked ~~on~~ in the parking facility ~~lot~~ under their control. Any such notice non-city issued ticket is declared null, void, and unenforceable.
- (e) Any person issuing any such non-city issued ticket to any vehicle that is parked ~~on~~ in the ~~lot~~ privately owned parking facility under their control shall be subject to penalty described in section 1-7 of the city Code.
- (f) Any privately owned ~~metered surface~~ parking facility ~~lot~~ owner or operator who authorizes the issuance of any such non-city issued ticket to any vehicle that is parked ~~in~~ on a ~~lot~~ parking facility under their control shall be subject to fines as provided in section 1-7. Any such non-city issued ticket found to be placed upon any vehicle or electronically issued against the vehicle parked ~~on~~ in a ~~lot~~ privately owned parking facility under their control shall be prima facie evidence of a violation of this section.
- (g) A third violation may result in the revocation of the operator's business license, effectively disallowing the operation of the parking facility ~~lot~~ until the license ~~is~~ is reinstated by the city manager. Such reinstatement may include the imposition of conditions and collection of fines. Along with the prescribed fines, the operator shall also reimburse patrons for any payments received pursuant to receipt of any violation, citation or ticket in excess of the actual accrued posted parking fees.
- (h) In addition to any other remedies provided by this section or any other city ordinance, the city attorney or designee shall have judicial remedies available for violations of this section including, but not limited to:
 - (1) The institution of a civil action in a court of competent jurisdiction to establish liability and to recover damages for any costs incurred by the city in conjunction with the abatement of any condition prohibited by the provisions of this chapter.
 - (2) The institution of a civil action in a court of competent jurisdiction to seek injunctive relief to enforce compliance with the terms of this chapter or any rule or regulation promulgated hereunder, to enjoin and prohibit said violation, or to compel the performance of actions which will result in compliance with the terms of this chapter.
- (i) Any person engaged in the operation of a privately owned, ~~parking facility~~ lot may issue an invoice for parking charges imposed for violating the parking facility operator's rules:

EXHIBIT A

- a-(1) Any invoice shall include the following statement in uppercase type:
THIS INVOICE IS PRIVATELY ISSUED, IS NOT ISSUED BY A GOVERNMENTAL AUTHORITY, AND IS NOT SUBJECT TO CRIMINAL PENALTIES.
- (2) Any invoice must be placed on the motor vehicle in a prominent location or mailed within five (5) business days of the violation.
- (3) Any invoice must include a method to dispute and appeal the invoice by a party who believes they have received the invoice in error. Such dispute must be filed with the parking lot operator within fifteen (15) days after the invoice is placed on the motor vehicle or after the postmarked date of the mailing of the invoice. The parking lot operator shall have five (5) business days in which to render a decision on the filed dispute. The party may then, within ten (10) days after receipt of the operator's decision, appeal such decision. The appeal must be determined by a neutral-third party adjudicator with the authority to review and approve or deny the appeal. If the appeal is approved, the invoice shall be dismissed. If the appeal is denied, the party shall pay the original invoice within fifteen (15) days after the decision of the adjudicator.
- (4) No late fee may be assessed by the parking facility operator:
- (i) until expiration of the fifteen (15) day period following the denial of any appeal filed pursuant to this section of the city Code; or
 - (ii) for a period of at least thirty (30) days after the invoice is placed on the motor vehicle or the postmarked date of the mailing, whichever is later.