

BUSINESS IMPACT ESTIMATE FORM

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This Business Impact Estimate is given as it relates to the proposed ordinance titled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; AMENDING CHAPTER 21, ARTICLE II “STOPPING, STANDING AND PARKING” SECTION 21-59 RESERVED, TO INCLUDE THE AUTHORITY TO MOVE VEHICLES LOCATED ON COUNTY PROPERTY IN VIOLATION OF THE CODE OF ORDINANCES AND DESIGNATING PARKING LOTS FOR CERTAIN PURPOSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Part I.

Summary of the proposed ordinance and statement of public purpose¹:

Chapter 21, Article II of the Okaloosa County Code of Ordinances establishes the Stopping, Standing and Parking regulations in Okaloosa County. Staff now brings forward an amendment to the Code of Ordinances that would permit the establishment of parking regulations specific to County owned facilities and properties, such as the Convention Center parking areas, the County parks and boat launch facilities. The public purpose of this Ordinance is to provide greater guidance, access and ensure no interference with citizens and citizen run events at County facilities. This will also help the citizens with greater access to county facilities.

¹ Address the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the County.

Part II.

Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the County: *(fill out subsections a-c as applicable, if not applicable write "N/A")*

- a. Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted:

Zero dollars.

- b. Identification of any new charges or fees on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and

Zero dollars.

- c. An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

No revenue, there may be a cost for towing of vehicles on County facilities that are in violation of the law.

Part III.

Good Faith Estimate of the number of businesses likely to be impacted by the ordinance:

Zero.

ORDINANCE 2024 - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; AMENDING CHAPTER 21, ARTICLE II “STOPPING, STANDING AND PARKING” SECTION 21-59 RESERVED, TO INCLUDE THE AUTHORITY TO MOVE VEHICLES LOCATED ON COUNTY PROPERTY IN VIOLATION OF THE CODE OF ORDINANCES AND DESIGNATING PARKING LOTS FOR CERTAIN PURPOSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with § 316.008, Florida Statutes, a local governmental entity may regulate or prohibit stopping, standing or parking within its jurisdiction; and

WHEREAS, Okaloosa County Code of Ordinances Chapter 21, Article II “Stopping, Standing and Parking” has been established to regulate such traffic violations; and

WHEREAS, there has been an increasing number of vehicles parking in public parking facilities, such as the Destin Fort Walton Beach Convention Center and certain beach parks, for days at a time which impedes other events and uses of such parking facilities and in some cases vehicle owners have refused to move their vehicle when requested to do so; and

WHEREAS, Okaloosa County finds it in the best interest of the public to authorize the removal of vehicles from County owned property and provide the ability to designate certain parking lots for certain purposes.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Okaloosa County as follows:

Section 1. The Okaloosa County Code of Ordinances, Chapter 21, Article II titled “Stopping, Standing and Parking”, Section 21-59 currently titled “Reserved” is hereby amended as follows (note strikethrough text indicates deletions, underline text indicates additions):

Section 21-59. ~~Reserved.~~ Authorization To Remove Vehicles From County Owned Property and Designation of Parking Lots for Certain Purposes

- (1) The Board of County Commissioners may, through the adoption of a resolution, designate any parking areas on County-owned property or portions thereof as a tow-away zone, for particular uses, particular type of vehicles, or for a particular time of the day, within County-owned property. Examples of types of parking uses/types/or times include, but are not limited to, “event only” parking, “park and recreational use only” parking, "boat trailer parking only" parking and “no overnight parking”.

- (2) The County Administrator or any County department director shall have the authority to enforce any Commission Parking designations and initiate the towing of any unauthorized vehicles parked on County-owned property. For purposes of this Section, "unauthorized vehicles" shall be defined as a vehicle parked, stored, or located on County-owned property in violation of the County Commission's adopted parking designations on County Property.
- (3) When a vehicle is towed from a County-owned property, the County shall notify law enforcement via a non-emergency number (Okaloosa Sheriff North (850) 689-5705 and South (850) 651-7400; Fort Walton Police (850) 833-9546; Shalimar Police (850) 651-1115; Crestview (850) 682-2055; Niceville (850) 279-6436x1200) within thirty (30) minutes of the towing and give law enforcement the following information: the date and time the vehicle was removed, the name, location, and phone number of the site where the vehicle is stored, the make model, color and license plate number of the vehicle.
- (4) Notice of a tow away zone shall be in compliance with § 715.07, Florida Statutes. Any wrecker service which tows vehicles from County-owned property shall comply with § 713.78, Florida Statutes, pertaining to the wrecker service's responsibilities for towing and storing vehicles.
- (5) Where County-owned parking lots or parking garages are limited to use by certain persons, certain uses or to use during certain hours, and such limitations shall be posted on signs at the entrance to the parking area/lot or garage, no person shall park in violation of the posted signs.

Section 2. CODIFICATION. It is the intent of the Okaloosa County Board of County Commissioners that the provisions of this ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provisions of this Ordinance.

Section 3. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 4. CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of the County, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

Section 5. EFFECTIVE DATE. This Ordinance shall be filed with the Secretary of State within ten (10) days of adoption and shall become effective upon filing.

PASSED AND ADOPTED in Regular Session this ___ day of _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF OKALOOSA COUNTY

, Chairman

ATTEST:

J.D. Peacock II, Clerk

APPROVED AS TO FORM:

Lynn M. Hoshihara, County Attorney

NOTICE OF INTENTION TO ADOPT ORDINANCE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Okaloosa County, Florida, on May 21, 2024 at 8:30 A.M. CST or soon thereafter, at the Okaloosa County Administration Building, Commission Chambers (First Floor) 1250 Eglin Parkway N, Shalimar FL 32579, will hold a public hearing to consider adopting an ordinance, the title and substance of said proposed ordinance being:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; AMENDING CHAPTER 21, ARTICLE II “STOPPING, STANDING AND PARKING” SECTION 21-59 RESERVED, TO INCLUDE THE AUTHORITY TO MOVE VEHICLES LOCATED ON COUNTY PROPERTY IN VIOLATION OF THE CODE OF ORDINANCES AND DESIGNATING PARKING LOTS FOR CERTAIN PURPOSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Offices of the County Commission located at Suite 100, Okaloosa County Administrative Building, 1250 N. Eglin Parkway, Shalimar, Florida 32579 and at Suite 302, 302 N. Wilson Street, Crestview, Florida 32536. Those offices can be contacted by telephone at 850-651-7105.

If any person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

Okaloosa County adheres to the Americans With Disabilities Act and will make reasonable modifications for access to these hearings upon request. Requests may be made to the County Commission Offices at the above address, and must be made at least 48 hours in advance of the hearings in order to provide the requested service.