

Modifications to Section 50-37 Prohibited Parking

Section 3 A – no parking in swales between the hours of 2am – 6am., **without a permit**, except this prohibition shall not apply in residential districts between November 15 and January 15 of each calendar year, unless otherwise temporarily modified by council resolution, as deemed in the best interest of the city, ~~or unless the record owner of the property adjacent to a swale or swale area has requested specific enforcement of this provision in writing during the relevant time period each year.~~

History On 9.7.04 by a vote of 5-2 no parking in swales from 2-6 am was adopted by the city council. There were 5 speakers on the topic, 2 for, 1 against, another speaker asked about drainage and the last speaker wanted swales repaired by commercial vehicles. No video of meeting is available.

How to get a permit – go to police station during regular business hours and complete “Swale Vehicle Parking Permit”. Color of permit changes annually so that renewal can be enforced. Fee of \$50.00 is due to the additional administrative work.

Who can get a permit – homeowner only with valid Florida ID

Where vehicle can be parked – registered vehicle only can be parked in swale in front of registered address only. All 4 tires must be in the swale.

Rules

- Only one vehicle per household per swale
- Not permitted for streets that do not allow swale parking (Maple Ave)
- No permits provided for commercial vehicles
- Applies to single family homes only
- Permit only good for one year, renewal is not guaranteed if there are complaints or issues
- Cannot block fire hydrants or crosswalks, cannot be parked within 25 feet from a street intersection

Pros

*Alleviates parking issues for families

*Police to enforce and ticket cars parked without a permit

*This would not conflict with the city regulation that limits parking for no more than 72 consecutive hours at the same location

Cons

*Swale not large enough to accommodate a vehicle completely off the roadway

Legal Discussion

Revoking of permit to be done by magistrate? What is the basis for the revocation? Should that be permanent or for a limited time?

City of Marco Island
Police Department
51 Bald Eagle Drive
Marco Island, FL 34145
Phone 239-389-5050

SWALE VEHICLE PARKING PERMIT

PERMIT # _____

Applicant Information

Property Owner

Property owner's mailing address

Permit Application Date _____ Permit Expiration Date _____ Permit Color _____

Vehicle Information

Type of Vehicle _____ Tag or Registration _____

Regulations and Information

1. Only the registered vehicle may be parked on the swale from 2am-6am at the registered address only.
2. The permit for such period (one year) shall be affixed to the vehicle in a conspicuous place
3. No sleeping or living activities may take place within the vehicle while parked.
4. No vehicles are to be parked in swale if Marco Island is under a storm/hurricane situation
5. Fee of \$50.00 to cover administrative cost

I, _____, hereby certify that the above information given in this application is true and correct. I also understand that this permit shall be forfeited if rules are not followed.

Signature of Applicant

Date

Pursuant to and subject to the provisions of this code and in consideration of the statements made by the applicant. This permit is hereby issued for the parking of a vehicle in the registered swale of the above-mentioned address.

Authorized Signature

Date

THIS PERMIT IS ONLY VALID ON THE DATES SPECIFIED ABOVE.