

ORDINANCE NO. 2703

AN ORDINANCE AMENDING ORDINANCE 2634; WHICH AMENDS CHAPTER 22 TRAFFIC AND VEHICLES – ARTICLE IV. STOPPING, STANDING, AND PARKING – SECTION 22-179 FIRE AND SAFETY LANES WITHIN SHOPPING CENTERS AND MALLS; ADDING A DEFINITION FOR “AUTHORITY HAVING JURISDICTION”; PROVIDING THE AUTHORITY HAVING JURISDICTION WITH THE AUTHORITY TO CREATE LOADING ZONES; AUTHORIZING CODIFICATION; REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Panama City has determined that there should be designated loading zones within shopping centers and malls;

WHEREAS, designated loading zones within shopping centers and malls will prevent unauthorized parking for citizens trying to load large items purchased and is necessary for the health, safety, and welfare of the citizens of Panama City, Florida;

WHEREAS, the intent of the City Commission is to allow loading zones to provide convenience to citizens needing to load large items and prevention of obstructions to other citizens within the shopping center and malls in Panama City;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY;

(~~Strikethrough~~ words are deletions; Underlined words are additions.)

Sec. 22-179. - Fire and safety lanes within shopping centers and malls.

- (a) *Applicability.* This section shall apply to all shopping centers and malls within the municipal limits of the city.
- (b) *Requirements.* All shopping centers and malls within the city shall have a fire and safety lane of a minimum width of ten feet contiguous and adjacent to the pedestrian walkway affronting the entrance to shops and stores in the shopping center or mall, and should a pedestrian walkway not exist, then a fire lane shall be contiguous to the exterior perimeter wall of the shopping center or mall structure.
- (c) *Definitions.*

1) *Shopping Center.* A "shopping center" or "mall" is any structure having more than ten tenant spaces available for rent under a single roof structure or a connecting roof structure having more than 50,000 square feet, collectively, that are rented to tenants offering goods or services to the public.

2) *Authority Having Jurisdiction (AHJ).* In regards to public safety, per Florida Fire Code 1, the Authority Having Jurisdiction may be a federal, state, local or other regional department or individual such as a fire chief, fire marshal, or chief of a fire prevention bureau. The AHJ for the City of Panama City is the designated fire chief.

(d) *Designation.* The fire safety lane shall be posted at intervals of 50 feet by a sign which states: "Fire Safety Lane. Parking, Standing or Stopping of Motor Vehicles Prohibited at All Times."

(e) *Parking, stopping or standing prohibited, penalty.* The parking, stopping or standing of a motor vehicle within the designated fire lanes is prohibited, and such shall constitute a violation of this section. The operator or owner of a motor vehicle who violates this section shall be subject to a fine of \$50.00. The fire department and the police department shall have the right to have any motor vehicle found in violation of this section removed from the fire lane at the owner's expense.

(f) *Exceptions.*

1) The temporary parking of delivery trucks at the rear of stores and shops or at designated areas for such purposes shall not be deemed a violation of this provision, provided the area does not provide an access way to and from the stores or shops for customers at such location or the delivery area.

2) The AHJ may grant the designation of an active loading zone for the convenience of customers in loading merchandise. Commercial vehicles are prohibited in the active loading zones. The active loading zone shall be clearly marked and any vehicle using it shall be constantly attended. The location, size and marking of the loading zone shall be at the discretion of the AHJ.

(g) *Compliance.* All shopping centers and malls shall comply with the provisions of this section within six months from July 24, 1990. The owner or operator of a mall, shopping center or complex may petition the zoning board of adjustment to extend the period of compliance, provided the petition is filed within six months from July 24, 1990. The zoning board of adjustment shall have the right, upon the showing of good cause, to extend the period of compliance up to three years from the date of its determination. Compliance with this section shall be deemed to have been met where there is a minimum of two traffic lanes having a width of not less than 12 feet each which are adjacent and contiguous to the pedestrian walkway affronting the entry into the stores or shops in the shopping mall or center, or the exterior perimeter wall thereof; subject, however, to all other provisions of this section.

PASSED, APPROVED, AND ADOPTED at the regular meeting of the Commission of the City of Panama City, Florida on the 9th day of September, 2019.

CITY OF PANAMA CITY, FLORIDA

By _____
Greg Brudnicki, Mayor

ATTEST:

Darlene Hachmeister, City Clerk-Treasurer