

RESOLUTION NO. 2025-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCOA BEACH, FLORIDA, ADOPTING A FINE SCHEDULE APPLICABLE TO VIOLATIONS OF ORDINANCE 1704 RELATING TO THE REGULATION OF IMMOBILIZATION OF VEHICLES BY THE USE OF AN IMPOUNDMENT DEVICE; MAKING FINDINGS; ADOPTING A FINE SCHEDULE FOR THE UNAUTHORIZED USE OF AN IMMOBILIZATION DEVICE; REQUIRING POSTING OF FINE AMOUNTS ON CITY WEBSITE AND IMPLEMENTATION OF NEW FINES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Cocoa Beach has authorized the adoption of fines by Resolution in Ordinance 1704; and

WHEREAS, the City Commission of the City of Cocoa Beach, Florida, finds it in the public interest to regulate the non-consensual immobilization (“booting”) of vehicles by the use of an impoundment device on private property to protect the residents of the city, visitors to the city, property owners, vehicle owners, and companies that provide booting services; and

WHEREAS, the City Commission finds that the unregulated non-consensual booting of vehicles from properties in the city can cause hardship to vehicle owners and unnecessary disputes between property owners, companies that provide booting services, businesses and law enforcement;

WHEREAS, the City Commission of the City of Cocoa Beach has genuine safety concerns concerning the unregulated non-consensual booting of vehicles in the City and find that such safety concerns justify the enactment of this fine resolution; and

WHEREAS, the City of Cocoa Beach has recently learned of numerous complaints about predatory non-consent booting of vehicles in the city which has already damaged the reputation of the city as a family-friendly tourist venue, and the imposition of fines for violation of Ordinance 1704 is appropriate;

WHEREAS, the City Commission hereby finds and declares that this fine schedule is in the best interest of the public health, safety, and welfare, and that the fines are justified considering the importance of this subject matter and the potential of damages to the city as a whole, individuals, and businesses that is likely to result if violations of Ordinance 1704 occur.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Cocoa Beach, Florida, as follows:

SECTION 1: INCORPORATION OF RECITALS - The above recitals are true and correct and by reference are hereby incorporated and made an integral part hereof as though fully set forth herein.

SECTION 2: FINES. The fines in Exhibit 1 – Fines for Violation of Ordinance 1704 are hereby adopted, as reflected in the Exhibit.

SECTION 3: CONFLICTS. The fines established in this Resolution supersede any fines that would otherwise be assessed for violation of Ordinance 1704.


SECTION 4: POSTING OF THE SCHEDULE OF FEES AND CHARGES. The fines reflected on Exhibit 1 shall be posted on the City website.

SECTION 5: DIRECTING THE IMPLEMENTATION OF THE ESTABLISHED FINES. The City Manager, or designee, is authorized and directed to implement this Resolution.

SECTION 6: EFFECTIVE DATE: This Resolution shall become effective upon adoption.

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Ayes: _____
Nays: _____
Absent or Abstaining: _____



Keith Capizzi,
Mayor-Commissioner

ATTEST:



Karin Grooms, City Clerk

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**EXHIBIT 1
FINES**

Each violation of Ordinance 1704 shall be punished through fines imposed by Citation as follows:

For each individual violation that *does not* involve the actual impoundment of a vehicle there shall be a TWO HUNDRED AND FIFTY DOLLAR (\$250.00) fine.

For each individual violation that *does* involve the actual impoundment of a vehicle there shall be a FIVE HUNDRED DOLLAR (\$500.00) fine.

If multiple violations occur relating to a single incident, multiple Citations can be issued up to a maximum of FIFTEEN HUNDRED DOLLARS (\$1,500.00) in total fines for a single incident involving multiple violations.

