

GOLDEN BEACH, FLORIDA

ORDINANCE NO. 435.98

*Revised 5/11/98
Revised 5/18/98
Amended 5/19/98*

AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA; AMENDING CHAPTER 38, "TRAFFIC AND VEHICLES" ARTICLE II, "STOPPING, STANDING AND PARKING"; PROVIDING FOR RESTRICTIONS ON PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES, NON OPERATING VEHICLES, SALE OF VEHICLES, AND OUTDOOR STORAGE OF MATERIALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Article II, "Stopping, Standing and Parking" of Chapter 38 "Traffic and Vehicles" is hereby amended to provide as follows:

"ARTICLE II. STOPPING, STANDING AND PARKING

DIVISION 1. GENERALLY

Sec. 38.26. Habitable Vehicles restricted.

(a) No housecar, campcar, boat on trailer, trailer, truck over three-quarter-ton capacity, commercial or construction equipment (unless in use for duly permitted construction, Vehicle used primarily for commercial purposes), aircraft, camper or house trailer, nor any recreational Vehicle or any part of a Vehicle designed or adaptable for human habitation by whatever name known, whether such Vehicle moves by its own power or by power supplied by separate unit, shall be kept or parked on public or private property, between the hours of midnight to 7:30 a.m. A housecar, boat, trailer, camp car, camper or other recreational Vehicle or equipment designed or adaptable for human habitation must be parked or stored within the confines of an enclosed garage and unoccupied.

(b) No Vehicle mentioned in this section shall be used for sleeping or living quarters.

Sec. 38-27. Nonoperating motor vehicles.

No person in charge of or in control of any premises as owner, lessee, tenant, occupant or otherwise shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle to remain on such property longer than 72 hours. This section shall not apply to any vehicle in an enclosed building.

Sec. 38-28. Repair of vehicles.

No motor vehicle of any type shall at any time undergo major overhaul, including body work in Town, unless such vehicle is totally housed within a garage. Repair work shall be limited to the resident's own private vehicles.

Sec. 38-29. Commercial sales.

Commercial sales of motor vehicles within the Town are prohibited, except this section shall not prohibit a resident from selling his or her personal motor vehicle, recreational vehicle or boat. The continuous recurring sales of motor vehicles, recreational vehicles or boats for profit is prohibited.

Sec. 38-30. Storage.

No unenclosed storage of materials, equipment, supplies or waste shall be permitted. Storage related to the construction, remodeling or repairing of a building on the premises, shall be allowed to remain thereon for up to one week after its completion."

Section 2. Conflict That all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Ordinance but they shall remain in effect, notwithstanding the invalidity of any part.

Section 4. Inclusion In The Code. That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance, shall become and be made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

Section 5. Effective Date. That this Ordinance shall become effective immediately upon its adoption on second reading.

The Motion to adopt the foregoing Ordinance on first reading was offered by Councilwoman Chikovsky, seconded by Councilman Fistel and on roll call the following vote ensued:

Mayor Cuenca	<u>Aye</u>
Vice Mayor Addicott	<u>Aye</u>
Councilwoman Chikovsky	<u>Aye</u>
Councilman Fistel	<u>Aye</u>
Councilman Rodriguez	<u>Aye</u>


PASSED AND ADOPTED on first reading this 19th day of May, 1998.

The Motion to adopt the foregoing Ordinance on second reading was offered by Councilmember Chikovsky, seconded by Vice Mayor Addicott and on roll call the following vote ensued:

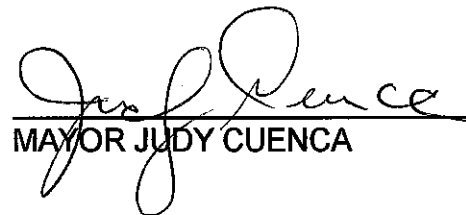
Mayor Cuenca	<u>Aye</u>
Vice Mayor Addicott	<u>Aye</u>
Councilwoman Chikovsky	<u>Aye</u>
Councilman Fistel	<u>Absent</u>
Councilman Rodriguez	<u>Absent</u>

PASSED AND ADOPTED on second reading this 16th day of June, 1998.

ATTEST:



MICHELE F. ROBINEAU, CMC
DEPUTY TOWN CLERK



MAYOR JUDY CUENCA

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



JON M. HENNING
TOWN ATTORNEY