

ORDINANCE 06-07

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA,
AMENDING CHAPTER 30 OF THE BELLE ISLE CODE OF
ORDINANCES REGULATING THE PARKING OF VEHICLES
FOR THE PURPOSE OF SALE; PROVIDING SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Belle Isle, Florida, has determined that certain limitations and restrictions for the parking of vehicles for sale within the City of Belle Isle, Florida are necessary in order to provide for public safety and general welfare of the City and to preserve the City's residential character;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Belle Isle, Florida as follows:

SECTION 1. Chapter 30, Article III, of the Belle Isle Code of Ordinances are hereby amended to add a new section, to be numbered Sec. 30-79 that shall read as follows:

Sec. 30-79 Parking for purpose of sale.

a) No motor vehicle, recreational vehicle, watercraft, or utility trailer shall be parked upon any public street, right-of-way, or public property, for the purpose of displaying the vehicle for sale.

1) A violation of this subsection shall result in a civil citation pursuant to Sec. 30-74 through 30-77. Each day the violation occurs will result in a separate citation.

b) No motor vehicle, recreational vehicle, watercraft, or utility trailer shall be parked upon any residential property within the City for the purpose and intent of displaying the vehicle for sale without first obtaining a permit, which shall be issued by the City Manager or designee, pursuant to the following:

1) No more than two permits shall be issued in any given calendar year for use at any residential address or for sale of any particular vehicle.

2) A permit shall be issued only to the owner of the vehicle being sold and only to a person residing at the residential property.

3) Each permit shall expire after a period of 90 days.

4) A City "For Sale" sign shall be issued with each permit, which sign shall be conspicuously displayed on the subject vehicle at all times while parked within the City. The sign shall identify the vehicle by color, make, model and state registration or tag number, if applicable.

5) A permit fee of \$10.00 shall be paid.

6) A violation of this subsection shall be subject to notice of violation issued by a code enforcement officer, which notice shall provide that the owner obtain an after-the-fact permit and pay the after-the-fact permit fee of \$20.00. Failure to cure the violation shall be referred to the Code Enforcement Board for action pursuant to provisions of Chapter 14, Article II.

c) A motor vehicle, recreational vehicle, watercraft, or utility trailer shall be deemed to be parked for the purpose of displaying the vehicle for sale if it is left parked for a period of 8 or more hours and displays signage indicating it is for sale.

d) Nothing in this section authorizes the parking of any vehicle, watercraft or utility trailer in any manner otherwise prohibited by this Code.

SECTION 2. SEVERABILITY. If any word, phrase, sentence, clause or other portion of this Ordinance is determined to be invalid, void, or unconstitutional, the remainder of this Ordinance shall remain in effect.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective 90 days after adoption.

FIRST READING: held this 6th day of June, 2006

SECOND READING: held this 11th day of July, 2006

ADVERTISED FOR SECOND READING: JULY 2, 2006.

	YES	NO	ABSENT
Trudy Prince	_____	_____	_____
Thomas G. Petruzzi	_____	_____	_____
Charles Scott	_____	_____	_____
Larry Ady	_____	_____	_____
"Harv" Readey	_____	_____	_____
Lydia Pisano	_____	_____	_____
Eric Spaulding	_____	_____	_____

ATTEST:

William G. Brooks, Mayor

Belinda Bateman, MMC, City Clerk

Approved as to form and legality
John F. Bennett, City Attorney

I, BELINDA BATEMAN, CITY CLERK of the City of Belle Isle, Florida do hereby affirm that the above and foregoing ordinance was duly and legally passed by the Belle Isle City Council, in session assembled on the 11th day of July, 2006, at which meeting a quorum of its members were present.

Belinda L. Bateman, MMC