

ORDINANCE NO. 2015-07

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 62-57 (REGULATION STANDARDS OF DISABLED VEHICLES) OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO CLARIFY THE LOCATIONS AND CIRCUMSTANCES IN WHICH DISABLED VEHICLES MAY BE PARKED ON THE SIDE OR REAR OF A STRUCTURE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Edgewood City Council hereby finds that it is in the best interests of the residents and business community of the City to exercise its legislative home rule authority by amending the City of Edgewood Code of Ordinances; and

WHEREAS, the City of Edgewood Code of Ordinances contains regulations related to the parking or storage of disabled vehicles; and

WHEREAS, the City Council of the City of Edgewood has determined it to be in the best interest of protecting the general welfare of Edgewood citizens, businesses and visitors clarify the locations in which disabled vehicles may be parked in certain situations.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Florida as follows:

NOTE: Underlined words constitute additions to the City of Edgewood Code of Ordinances, ~~strike through~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this ordinance.

Section 2. Section 62-57 of the City of Edgewood Code of Ordinances shall be amended as follows:

Sec. 62-57. Regulation standards of disabled vehicles.

- (a) Except as provided in paragraph (c) or (d) herein, disabled motor vehicles and recreational equipment which is not operable and motor vehicles and recreational equipment which is improperly registered shall not be permitted to be parked or stored between the principal structure and the front lot line or between the principal structure and any side lot line~~in a front or side yard as defined by the zoning regulations of the city~~, provided, however, that a reasonable time, not to exceed ten days from the time of disability, shall be permitted for the removal or servicing of a disabled or improperly licensed and registered motor vehicle in any emergency caused by accident or sudden breakdown of the vehicle. For purposes of this section "improperly registered" shall mean the vehicle or recreational equipment does not have a current license plate and vehicle registration affixed to it.

- (b) Except as provided in paragraph (c) or (d) herein, no more than one disabled or improperly registered motor vehicle may be permitted between the principal structure and the rear lot line ~~in the rear yard~~ of a residential, commercial or industrial lot as an accessory use to the main use of the lot, provided that the location of such vehicle does not violate the zoning regulations of the city. Service and repair work may be performed on such vehicle and parts, tools and equipment essential to such service and repair thereto may be stored and used. Nothing herein contained shall be construed as authorizing the disassembling, tearing down or scrapping of a motor vehicle, or to permit one motor vehicle to be scavenged or stripped for parts for use on another motor vehicle. A disabled or improperly registered motor vehicle shall not be permitted to remain outside of a building for a period in excess of 30 days on any lot used for residential purpose or on that portion of any lot within 20 feet of an abutting lot used for residential purpose.
- c) A business possessing a local business tax receipt for a mechanical garage or other vehicular repair or storage use may park or store disabled or improperly registered vehicles on a properly permitted paved parking area located between the principal structure and rear lot line ~~within the rear yard~~ of the property upon which the business is located. All disabled vehicles parked or stored in such paved parking area ~~the rear yard~~ pursuant to this paragraph shall be screened from view by properly permitted buildings, fences, walls or evergreen hedges, which screening shall be at least six feet in height and shall create and maintain a visual barrier that blocks all sight of any disabled vehicles from any public roads and residentially zoned property. No disabled or improperly registered motor vehicle parked or stored upon such paved parking area ~~within the rear yard of property~~ pursuant to this paragraph shall remain on such property in excess of 60 days unless work is actively being performed on such vehicle. For purposes of this Section, a rebuttable presumption shall exist that work is not actively being performed if there is no visual evidence work is being performed on the vehicle for a period of 30 days.
- d) A business possessing a local business tax receipt for a mechanical garage or other vehicular repair or storage use located on property without a paved parking area between the principal structure and the rear lot line ~~within the rear yard~~ may park or store up to three disabled or improperly registered vehicles per automobile work bay used by the business upon a properly permitted paved parking area between the principal structure and a side lot line ~~within the side yard~~ of the property, provided no disabled or improperly registered vehicle shall be parked within 150 feet from any public road. No disabled or improperly registered vehicle parked or stored on property pursuant to this paragraph shall remain on such property in excess of 60 days.

Section 3. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Edgewood.

Section 4. Severability. If any section, sentence, phrase, word or portion of this ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.


Section 5. Conflicts. All ordinances that are in conflict with this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this **20th** day of **October**, 2015, by the City Council of the City of Edgewood, Florida.

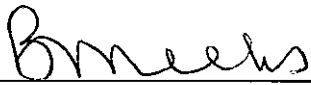
PASSED ON FIRST READING: **September 21, 2015**

PASSED ON SECOND READING: **October 20, 2015**



John Dowless, Council President

ATTEST:



Bea L. Meeks, MMC
City Clerk