

INTRODUCED BY:
VICE MAYOR LEE



ORDINANCE NO. 2010-02

A BILL TO BE ENTITLED

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING ARTICLE I IN GENERAL, SECTION 22-3(a) CERTAIN MOTOR VEHICLES PROHIBITED FROM PARKING IN COMMERCIAL DISTRICTS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Neptune Beach has determined that it is necessary to amend the following.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NEPTUNE BEACH, FLORIDA, that:

Section 1. Section. 22-3(a). Certain motor vehicles prohibited from parking in commercial districts shall be amended as follows:

Section 22-3. Certain motor vehicles prohibited from parking in commercial districts.

- (a) It shall be unlawful for any person or entity to park a bus, farm tractor, house trailer, road tractor, school bus, semi-trailer, motor home, recreational vehicle, boat, boat trailer, special mobile equipment, mobile signs, trailer, truck tractor or other commercial vehicle in the CBD, C-1, C-2 and C-3 zoning districts of the city unless such districts are properly zoned or an individual parcel is especially excepted for such parking. Storage, i.e. parking, in excess of ~~twelve (12)~~ three (3) consecutive hours) of any such vehicle within such zones shall be strictly prohibited. Deliveries being made at a loading dock or loading entrance shall not be considered parking if limited to twelve (12) hours or less. Parking of vehicles for deliveries is unlawful if the flow of traffic on public or private property is blocked. Motor vehicles used in the ordinary course of business by the owner, lessee or operator of a business located in the CBD, C-1, C-2 or C-3 zoning districts of the city shall be exempt from this provision, if that business holds an occupational license for the service being performed.
- (b) It shall be unlawful for any person or entity to park on commercial property any of the vehicles listed above and shall include automobiles, sports utility vehicles, pick-up trucks and motorcycles, at anytime, for the purpose of displaying same for sale.
- (c) Any driver or owner of any of the vehicles outlined in subsection (a) or (b) above and any commercial property owner or business that allows any of the vehicles outlined in subsection (a) or (b) above to be so parked or stored, shall be in violation of this section.
- (d) Any person or business violating subsection (a) of this section shall be guilty of an offense punishable by the following fine schedule: first offense, seventy-five dollars (\$75.00); second offense, one hundred fifty dollars (\$150.00); third and each subsequent offense, two hundred dollars (\$200.00). Any person in violation of subsection (b) of this section shall be guilty of an offense punishable the following schedule: first offense, twenty-five dollars (\$25.00); second offense, fifty dollars (\$50.00); third and each subsequent offense, seventy-five dollars (\$75.00).

The police department will be responsible for maintaining records of how many times each vehicle is cited for violations of sections (a) and (b) above. Each day shall constitute a separate violation. All fines are due within ten (10) days and payable to the Records Clerk, Public Safety Department, Neptune Beach, FL 32266. A late fee of ten (10) percent per day shall be attached to any fine not paid by the due date. The chief of police and/or his designee may have any vehicle or boat violating this section towed from public property, and from private with the permission of the property owner.

- (e) Any vehicle determined to be in violation of subsection (a) or (b) of this section may be ticketed by the city police department, and any ticketed vehicle not moved or relocated from the district within forty-eight (48) hours of such ticket, may be towed, at the expense of the vehicle owner, to a lot or location so contracted for such storage by the city, per existing (or amended) Florida Statutes.

(Ord. No. 2006-07, § 1, 6-5-06; Ord. No. 2006-14, § 1, 8-7-06)

Section 2. The Ordinance shall become effective immediately upon its passage by the City Council.

VOTE RESULTS OF FIRST READING:

Mayor Harriet Pruette	Yes
Vice Mayor Fred E. Lee	Yes
Councilor Eric Pardee	Yes
Councilor Kara Tucker	Yes
Councilor John Weldon	Absent

Passed on First Reading this day February 1, 2010.

VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Harriet Pruette	Yes
Vice Mayor Fred E. Lee	Yes
Councilor Eric Pardee	Yes
Councilor Kara Tucker	Yes
Councilor John Weldon	Yes

Passed on Second and Final Reading this March 1, 2010.

Harriet Pruette
Mayor

ATTEST:

Lisa Volpe, CMC
City Clerk

Approved as to form and correctness:

Christopher A. White
CITY ATTORNEY