

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA AMENDING ORDINANCE 282 BY ADDING SECTION 49A THERETO DEFINING "TRAILER"; AND AMENDING ORDINANCE 282 BY ADDING SUBSECTION 5.3A PROHIBITING PARKING OF TRAILERS, TRUCKS, AND VANS IN CERTAIN AREAS OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING PENALTY; PROVIDING INTENT THAT ORDINANCE NOT BE INCLUDED IN THE CITY CODE; PROVIDING FOR CERTIFICATION TO DADE COUNTY COURT; AND PROVIDING EFFECTIVE DATE.

WHEREAS, it has been brought to the attention of the City Council that large commercial trailers, trucks and vans have been parked within the city for extended periods of time for use as storage containers; and

WHEREAS, a Public Hearing was held by the City Planning and Zoning Board to determine the effect of such action upon the zoning of the city; and

WHEREAS, the City Council has held a Public Hearing on this matter;

NOW, THEREFORE, THE CITY COUNCIL FINDS:

1. That the placement and parking of commercial trailers, trucks, and vans on property within the city for extended periods of time for purposes of using same for storage constitutes a nuisance in that said trailers, trucks, and vans are unsightly, and in many instances, noisy by reason of the running of motors attached thereto; and

2. That the parking of such trailers, trucks, and vans may constitute violations of the off-street parking ordinance of the city by taking up parking spaces designated for automobile parking; and

3. That it is in the best interests of the city that the practice of parking trailers, trucks, and vans within the city for storage purposes be prohibited.

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST MIAMI, FLORIDA:

Section 1. That subsection 49A of Section 1 of Ordinance 282 is created to read:

"49A. TRAILER. A vehicle having one or more axles but without motive power, and designed to be drawn or towed by another powered vehicle."

Section 2. That Ordinance 282 is amended by adding thereto as Section 5.3A, the following:

"5.3A. It shall be unlawful to park or permit to be parked any trailer, truck, or van upon property within the city designated for off-street parking for a period of more than twenty-four (24) hours; and it is unlawful to use any such trailer, truck, or van for storage purposes on such property for a period of more than twenty-four (24) hours. Provided, however, that this section shall not apply to parking permitted under Sections 4A.1, 4A.2, and 4A.3, of Ordinance 282."

Section 3. If any section or subsection of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. Because of the content of this ordinance it is the intent of the Council that the provisions hereof shall not be made a part of the code of the city.

Section 5. Any violations of this ordinance shall be punishable upon conviction, by a fine of not more than \$500.00, or by imprisonment of not more than sixty (60) days in the county jail, or both, at the discretion of the county judge. It is the intent of the City Council that this ordinance be certified to the Clerk of the Dade County Court as a penal ordinance of the city.

Section 6. This ordinance shall become effective August 21, 1978.

PASSED AND ADOPTED, this 16 day of August, 1978.



President, City Council

ATTEST:



City Clerk

APPROVED:



MAYOR