ORDINANCE 2013-03

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING THE TRAFFIC CODE: CHAPTER 72, STOPPING, STANDING, AND PARKING, OF THE CODE OF ORDINANCES, SECTION 72.06, RESTRICTIONS ON PARKING AND USE OF TRAVEL TRAILERS, BY ADDING DEFINITIONS OF "TRAILER," "BOAT TRAILER," AND "PORTABLE STORAGE UNIT" TO THE REGULATIONS; AMENDING SECTION 72.06(A) TO INCLUDE TRAILERS, BOAT TRAILERS, AND PORTABLE STORAGE UNITS, TO THE TYPE OF TRAILER OR UNIT WITH RESTRICTED PARKING; PROVIDING FOR PENALTIES, PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 72, *Stopping, Standing and Parking* of the Town of Longboat Key Code of Ordinances restricts how and where trailers can be parked in the Town; and

WHEREAS, the Town currently regulates the location and the length of time that travel trailers can be parked in Longboat Key; and

WHEREAS, the Town wishes to improve community standards and protect property values; and

WHEREAS, it is the desire of the Town to also restrict how and that trailers, portable storage units, and boat trailers can be parked or placed on a property; and

WHEREAS, in order to better enforce the parking of trailers, portable storage units, and boat trailers, the Town wishes to provide a definition for the word "trailer," "temporary storage unit," and "boat trailer"; and

WHEREAS, the Planning and Zoning Board finds that the subject Code amendment will improve community standards and protect property values in the Town and recommends approval of the proposed amendments; and

WHEREAS, the Town Commission, after careful consideration of the issues, finds that the proposed amendments are in the best interest of the health, safety and welfare of the citizens of Longboat Key.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 72, *Stopping, Standing and Parking* is amended to read as follows:

Subsection 72.06, is hereby renamed *Restriction on parking and use of portable storage unit, travel trailers, boat trailer, and trailer.*

(A) Definitions

(1) For the purpose of this section, the words *"house car," "travel trailer," "camper," "motorhome,"* or *"self-propelled vehicles with sleeping accommodations"* shall mean any structure intended for or usable for human habitation, mounted on or susceptible of being mounted on wheels, and which can be moved from place to place, either by its own power or power supplied by some vehicle attached or to be attached to the structure.

(2) For the purpose of this section, "boat trailer" shall mean any boat trailer that requires a state license plate to operate upon a public street.

(3) For the purpose of this section, the words *"storage trailer," "equipment trailer," "work trailer," "enclosed trailer," "open trailer," or "construction trailer"* shall mean any trailer that requires a state license plate to operate upon a public street other than those defined in (A)(1) and (2) above.

(4) For the purpose of this section, the words *"enclosed storage container," "temporary storage unit," "pod," "storage pod," or "storage container"* shall mean any portable storage unit that is used for the storage of furniture, equipment, or other materials.

(B) It shall be unlawful for any person to park any vehicle designed to be occupied or used for living purposes, including but not limited to, vehicles commonly known as campers, travel trailers, house trailers, ~~and~~ motorhomes, or trailers, for more than nine hours within any 24-hour period while the vehicle is parked on any of the following:

(1) Public streets.

(2) Public or municipal parking lots.

(3) Public or municipal rights-of-way.

(4) Private parking facilities which are open to the public generally or to any particular segment thereof.

(C) Parking restrictions

(1) It shall be unlawful for any person to park, place, or locate, or for the owner of the lot to allow to park, place, or locate any house car, ~~trailer,~~ travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations, portable storage unit, or trailer on any lot, tract, or parcel of land within the town for more than five days in any 30-day period, except as follows:

(a) In a carport, garage, or other building.

(b) In a permitted mobile home park.

(c) In a parking area of an existing motel or hotel.

(2) It shall be unlawful for any person to park, place, or locate, or for the owner of the lot to allow to park, place, or locate more than one boat trailer to be located on a single family parcel, unless the boat trailer is located in a carport, garage, or other building.

(D) No person shall use the house car, trailer, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations for sleeping accommodations within the town, except when it is located in a permitted mobile home park.

(E) It shall be unlawful for occupants of any house car, trailer, travel trailer, camper, motorhome, or self-propelled vehicle with sleeping accommodations to cook food therein, or to serve any foods cooked therein, or to connect such vehicles to any source of electrical power or potable water during the time that the vehicle is parked in any of the areas described in subsection (B), and within the prohibited areas described in subsection (C).

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. This Ordinance shall take effect upon second reading in accordance with law and the charter of the Town of Longboat Key.

Passed on the first reading the ____ day of _____, 2013.

Adopted on the second reading and public hearing the _____ day of _____, 2013.

_____
James L. Brown, Mayor

ATTEST:

_____
Trish Granger, Town Clerk