



## **City of Lauderdale Lakes**

Office of the City Clerk

4300 Northwest 36 Street - Lauderdale Lakes, Florida 33319-5599

(954) 535-2705 - Fax (954) 535-0573

---

### **WORKSHOP MEETING AGENDA**

**Special Commission Workshop Located in the Alfonso Gereffi Room**

**March 20, 2017**

**5:00 PM**

---

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**

DISCUSSION REGARDING PROPOSED ORDINANCE AMENDING SECTIONS 30-33, 30-52, 30-86, AND 30-87.1 AND CREATING SECTION 30-96 OF ARTICLES II AND III OF CHAPTER 30, OF THE CODE OF ORDINANCES

This is a discussion regarding amending Sections to Chapter 30 of the Code of Ordinances.

DISCUSSION REGARDING PROPOSED ORDINANCE CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES

This is a discussion regarding creating a Section and amending Chapter 86 of the Code of Ordinance.

- 4. DISCUSSION OF PROPOSED ORDINANCE(S)**
- 5. ADDITIONAL WORKSHOP ITEMS**
- 6. REPORTS**

**FUTURE MEETINGS:**

### **PLEASE TURN OFF ALL CELL PHONES DURING THE MEETING**

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

Any person requiring auxiliary aids and services at this meeting may contact the City Clerk's Office at (954) 535-2705 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

---

**Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips,  
Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams**

---

# CITY OF LAUDERDALE LAKES

## Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
-------

DISCUSSION REGARDING PROPOSED ORDINANCE AMENDING SECTIONS 30-33, 30-52, 30-86, AND 30-87.1 AND CREATING SECTION 30-96 OF ARTICLES II AND III OF CHAPTER 30, OF THE CODE OF ORDINANCES
---

Summary
---------

This is a discussion regarding amending Sections to Chapter 30 of the Code of Ordinances.
---

Staff Recommendation
----------------------

**Background:**

At the February 13, 2016 Commission Workshop the City Commission requested a Special Workshop to discuss a proposed Ordinance amending sections in Chapter 30 of the Code of Ordinance related to the governing of code enforcement within the City and providing for criteria for trust fund conferring benefits.

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Tanya Davis-Hernandez, Director of Development Services & Edward Wallace, Code Compliance Supervisor

**Meeting Date:** 3/20/2017

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Proposed Ordinance Amending Chapter 30	Ordinance

## PROPOSED ORDINANCE

AN ORDINANCE AMENDING SECTIONS 30-33, 30-52, 30-86, AND 30-87.1 AND CREATING SECTION 30-96 OF ARTICLES II AND III OF CHAPTER 30, OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF CODE ENFORCEMENT WITHIN THE CITY; PROVIDING FOR CRITERIA FOR TRUST FUND CONFERRING BENEFITS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property values of a community are generally improved by the enhancement of the community's housing stock and environs, and

WHEREAS, a community's clean, well-lighted and safe streets sustain the entire community, giving rise to higher aspirations and improving opportunities, and

WHEREAS, the Code Enforcement and Development Services staffs have reviewed the Code of Ordinances and upon such review made recommendations for improvements to the Code by way of clarification, consistency and modernization, and

WHEREAS, there is a need for and a public purpose in establishing a code enforcement board and citation process within the City, and

WHEREAS, the City Commission has reviewed the recommendations and determined to implement the same,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Section 30-33 of Article II of Division 1 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-33. - Jurisdiction of code enforcement board and special master.

PROPOSED ORDINANCE

- (a) There shall be one City of Lauderdale Lakes Code Enforcement Board and one or more special masters.
- (b) The enforcement board shall have the exclusive jurisdiction to hear and decide cases in which violations are alleged of any provision of the building code, plumbing code, electrical code, gas code, and fire code chapters 18, 38, 46, and 50 of this code, excluding cases resulting from the issuance of citations in accordance with Section 30-87.1 herein.
- (c) Special masters shall have the exclusive jurisdiction to hear and decide cases involving violations of the business tax receipt regulations, and land developmental regulations code, chapters 6, 10, 22, 42, 54, 74, 82, 86 and 90 of this code, and all cases resulting from the issuance of citations in accordance with Section 30-87.1 of this code.
- (d) Should for any reason the enforcement board be unavailable, inactive, vacated or there exists a conflict of interest between a member of the enforcement board and a party to a case or should a hearing held before such enforcement board conclude in a tie vote, such case otherwise within the jurisdiction of the enforcement board shall be heard and decided by a special master. Likewise, should a special master appointed to hear a case be removed from office, unavailable, or there exists a conflict of interest between the appointed special master and a party to a case, the applicable case, otherwise within the jurisdiction of the special masters, shall be heard and decided by the enforcement board.

SECTION 3. AMENDMENT: Section 30-52 of Article II of Division 3 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-52. - Appointment and qualifications of members.

The city commission shall appoint a seven-member code enforcement board. Each member of the five-member city commission shall nominate for ratification by the city commission one member to the code enforcement board, with the remaining two members appointed by majority vote of the city commission. The terms of office of each member shall commence on July 1 and end on June 30 of the last year of the term for

which the appointment is made. Members of the code enforcement board shall be residents of the city and shall not become candidates for election to any public office or

hold any other appointive office or position under federal, state, county or municipal government while serving in this position, except one having extraordinary powers only. Appointments to the board shall be made in accordance with applicable laws and ordinances on the basis of experience or interest in the fields of zoning and building control. The membership of the code enforcement board shall, whenever practicable, include an architect, a businessman, an engineer, a general contractor, a subcontractor and a realtor. If this is not practicable, the city commission may appoint such persons of such qualifications as it deems advisable. The city commission may appoint up to two alternate members for the code enforcement board, each of whom may serve in the absence of an appointed board member by appointment of the chair. In the event of a vacancy on the enforcement board, the city commission shall appoint a person to fill such vacancy for the unexpired term thereof.

SECTION 4. AMENDMENT: Section 30-86 of Article II of Division 4 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-86. - Notices.

(a) All notices required by this article shall be provided to the alleged violator by:

- (1) Certified mail, return receipt requested, provided if such notices are sent under this paragraph to the owner of the property in question at to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. An additional notice may also be provided, and to any other address provided to the city may find for by such the property owner, and is returned as unclaimed or refused. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within thirty (30) days after the postmarked date of mailing, notice may be provided by posting as described herein and by first class mail directed to the address furnished to the local government with a properly executed proof of mailing or affidavit confirming the first class mailing;

PROPOSED ORDINANCE

- (2) ~~by~~ hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the city; or
  - (3) ~~by~~ leaving the notice at the violator's usual place of residence with any person therein who is above fifteen (15) years of age and informing such person of the contents of the notice;
  - (4) in the case of commercial premises, leaving notice with the manager or other person in charge.
- (b) In addition to providing the notice as set forth in subsection (a) of this section, at the option of the enforcement board, or special master, or the city, as applicable, notice may also be served by publication or posting, as follows:
- (1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in Broward County. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.
  - (c) In lieu of publication as described in subsection (b) of this section, such notice may be posted for at least ten (10) calendar days in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be in the city hall.
  - (d) Proof of posting shall be by affidavit of the person placing the notice, which affidavit shall include a copy of a notice posted and the date and places of its posting.
  - (e) Notice by publication or posting may run concurrently with, or may follow, an attempt to provide notice by hand delivery or by mail as required under subsection (a) of this section.
  - (f) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a) of this section, together with proof of publication or posting as provided in subsections (b) and (c) of this section, shall be sufficient to show that the notice

requirements of this article have been met, without regard to whether or not the alleged violator actually received notice.

SECTION 5. AMENDMENT: Section 30-87.1 of Article II of Division 5 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-87.1. - Supplemental code enforcement procedures, citation and schedule of civil penalties.

- (a) *Intent.* It is the intention of this section to further promote, protect and improve the health, safety and welfare of the citizens and residents of the city by providing an equitable, expeditious, effective and inexpensive method of enforcing any code or ordinances in force in the city where a pending or repeated violation continues to exist.
- (b) *Adoption.* The city by this section adopts the alternate code enforcement system set forth in Part II of Chapter 162, Supplemental County or Municipal Code or Ordinance Enforcement Procedures, presently codified at F.S. § 162.21, as the same may be amended.
- (c) *Penalties.* The following schedule sets forth those code violations for which civil penalties may be cited under this section ~~of violations and penalties shall be assessed by code inspectors for violations of city codes or ordinances,~~ pursuant to the procedures established in F.S. pt. II of ch. 162. The descriptions of violations are provided for purposes of general identification only. The specific code provisions applicable thereto are indicated in addition to the respective violation description. Amendments affecting the numbering of the referenced sections shall not affect the validity of the fines.

Violation Category	1st Offense	Repeat: 2nd Offense	Repeat: 3rd Offense	Repeat: 4th Offense
<del>Sec. LDR 704.2.3. Prohibited sales.</del>	<del>\$50.00</del>	<del>\$75.00</del>	<del>\$100.00</del>	<del>\$100.00</del>
<del>Sec. LDR 712.6.1. Storage of damaged vehicles.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 712.25. Outdoor cooking and barbecuing.</del>	<del>75.00</del>	<del>100.00</del>	<del>125.00</del>	<del>125.00</del>
<del>Sec. LDR 712.26. Outdoor sales, and service/or storage.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>

PROPOSED ORDINANCE

<u>Sec. LDR 905. Sign design, maintenance, and general standards.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. <del>CO 54 10</del>. Public solicitation. (Car washing, etc.)</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 6-7. - Hours during which sales are prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 6-8. - Additional requirements for lounges and nightclubs.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 6-9. - Music or entertainment creating disturbing noises.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 6-10. - Certain activities prohibited at alcoholic beverage establishments.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 10-4. - Feeding of wild or stray animals prohibited.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 10-10. – Nuisance animals prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 10-11. – Animal cruelty prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 10-32. - Running at large prohibited.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. <del>CO 10-38</del>. Allowing animal to defecate on public or private property.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 18-11. – Placement of Permit Card.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 18-12. – Work commencing before permit issuance.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 18-13. – Stop work order.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 18-21. – Requirements for construction waste.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. <del>CO 22-143(a)–(f)</del>. Certificate of use required.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 22-151. - Display of certificate.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 22-181. - Use of city address.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 22-184. – Business signage.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>
<u>Sec. 22-185. – Prohibited Outdoor Uses.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>
<u>Sec. 38-36. - Alarms caused by unregistered system or system without permit.</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>
<u>Sec. 42-6(b)(2). - Trash accumulation.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(11). - Maintenance of irrigation systems.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(12). - Lighting and illumination.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-6(b)(13). - Drainage systems.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-6(b)(14). - Building openings and passageways.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(16). - Storage of waste or salvaged materials.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(17). - Garbage disposal.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(18). - Appliances and white goods.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>



PROPOSED ORDINANCE

<u>Sec. 42-6(b)(20). - Garbage containers and enclosures.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(c)(1). - Outside laundry.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-6(c)(2). - Storage of personal property.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-6(c)(3). - Outdoor storage.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-7(d). - Tree abuse prohibited.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-8. - Temporary storage of portable storage containers and shipping containers.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-11(c). – Swimming pool inspections; right of entry.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-13. - Extermination of pests.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-14. - Placement of play equipment.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-32(i)</u>. Prohibited conditions. Bulk trash on swale area.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO <u>42-32(h)(i)</u>. Prohibited conditions. Overgrown grass on/or trees.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. <u>CO 42-35</u>. Littering.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO <u>42-36</u>. Outdoor storage of junk.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO <u>42-6</u>. Patio screen maintenance.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO <u>42-6</u>. Pool enclosure screens.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 1107.10(1). Swimming pools and spas.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO <u>42-7</u>. Graffiti on property.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<u>Sec. 42-61. – Sanitary nuisance.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<del>Sec. <u>CO 42-88</u>. Noise. Prohibited acts. Noise disturbance.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<u>Sec. 42-89. – Noise. Construction sites.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-91. - Limitation on noise emission of amplifiers.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 46-32. - Fire prevention codes. Violations.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 54-15. – Standards for the placement of flags.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 54-16. – Placement of signs on property of others.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 54-17. – Sales events and special events. Permit required.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 54-20. – Compliance with land developments regulations.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 54-241. – Yard Sales. Prohibition.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 74-35. - Unlawful disposal of waste.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<del>Sec. CO <u>74-37</u>. Removal of receptacle from right-of-way, garbage container(s) removal, storage.</del>	<del>25.00</del>	<del>50.00</del>	<del>100.00</del> <u>75.00</u>	<del>100.00</del>

PROPOSED ORDINANCE

<u>Sec. 78-17. – Obstruction of public streets and sidewalks.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 78-18. – Prohibited sprinkling or propelling of water.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 78-19. – Unlawful discharge onto public property.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. CO 82-31. Business tax receipt required.</u>	50.00	75.00	100.00	100.00
<u>Sec. 86-7. - Through truck traffic prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 86-15. - Repair and maintenance of vehicles.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 86-16. – Parking of a vehicle for washing or greasing.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 86-17. – Displaying a motor vehicle, boat or trailer for sale.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 86-18. – Storage of materials, supplies or equipment in or on vehicles.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 86-30. - Standing or parking prohibited in specified places.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 86-35. - Parking in residential zones.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. CO 86 35(e). Repairs to vehicle.</u>	400.00	450.00	300.00	500.00
<u>Sec. CO 86 35(4). Parking in residential zones. Storage of materials.</u>	35.00	50.00	100.00	400.00
<u>Sec. 86-36. - Use of parking facilities in non-residential zoning districts.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 90-73. - Year-round restrictions on landscape irrigation.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. LDR 704.2.3. Illegal sale of fruit or merchandise</u>	50.00	75.00	100.00	100.00
<u>Sec. LDR 1112.5. Prohibited home occupations.</u>	50.00	75.00	100.00	100.00
<u>Sec. LDR 704.2.3. Prohibited sales.</u>		\$50.00		
<u>Sec. LDR 712.6.1. Storage of damaged vehicles.</u>		50.00		
<u>Sec. LDR 712.25. Outdoor cooking and barbecuing.</u>		75.00		
<u>Sec. LDR 712.26. Outdoor sales, and service/or storage.</u>		50.00		
<u>Sec. LDR 905. Sign design, maintenance, and general standards.</u>		100.00		
<u>Sec. CO 54 10. Public solicitation. (Car washing, etc.)</u>		50.00		
<u>Sec. CO 10 38. Allowing animal to soil on public or private property.</u>		25.00		
<u>Sec. CO 22-143(a) – (f). Certificate of use required.</u>		50.00		
<u>Sec. CO 42-32(i). Prohibited conditions. Bulk trash on swale.</u>		50.00		
<u>Sec. CO 42 32(h)(i). Prohibited conditions. Overgrown</u>		50.00		

PROPOSED ORDINANCE

<del>grass and/or trees.</del>	
<del>Sec. CO 42-35. Littering.</del>	<del>25.00</del>
<del>Sec. CO 42-36. Outdoor storage of junk.</del>	<del>50.00</del>
<del>Sec. CO 42-6. Patio screen maintenance.</del>	<del>50.00</del>
<del>Sec. CO 42-6. Pool enclosure screens.</del>	<del>50.00</del>
<del>Sec. LDR 1107.10(1). Swimming pools and spas.</del>	<del>50.00</del>
<del>Sec. CO 42-7. Graffiti on property.</del>	<del>50.00</del>
<del>Sec. CO 42-88. Prohibited acts. Noise disturbance.</del>	<del>50.00</del>
<del>Sec. CO 74-37. Removal of receptacle from right of way, garbage container(s) removal, storage.</del>	<del>25.00</del>
<del>Sec. CO 82-31. Business tax receipt required.</del>	<del>50.00</del>
<del>Sec. CO 86-35(e). Repairs to vehicle.</del>	<del>50.00</del>
<del>Sec. CO 86-35(4). Parking in residential zones. Storage of materials.</del>	<del>35.00</del>
<del>Sec. LDR 704.2.3. Illegal sale of fruit or merchandise.</del>	<del>50.00</del>
<del>Sec. LDR 1112.5. Prohibited home occupations.</del>	<del>50.00</del>

(d) *Citations.*

- (1) Code inspectors shall have the authority to initiate enforcement proceedings by issuing a citation to a person that may require the appearance of the violator or property owner at an administrative hearing before a special magistrate.
- (2) Prior to issuing a citation, the code inspector shall provide a written notice to the person or the property owner in violation that there is a violation of a city code or ordinance, and shall establish a reasonable time period, not to exceed thirty (30) calendar days, within which the person must correct the violation. If, upon personal investigation, the code inspector finds that the person has not corrected the violation within the designated time period, the code inspector may issue a citation to the person who has committed the violation or the property owner where the violation has occurred.
- (3) Service of notice of a citation shall be deemed appropriate by hand delivering the citation to the violator or property owner; or posting the citation at the

location of the mailing address identified in the public records of the county property appraiser or sState Division of Corporations, through the registered agent, for the violator or property owner in a conspicuous manner.

- (4) The code inspector is not required to provide the alleged violator or property owner with a reasonable period of time to correct the violation prior to issuing the citation if a repeat violation is found, or if the code inspector has reason to believe that the violation presents a serious threat to the public health, safety or welfare, or that the violator or the property owner is engaged in violations of an itinerant or transient nature, or if the violation is irreparable or irreversible.
- (5) The citation form shall include, but not be limited, to the following:
  - a. Date and time of issuance;
  - b. Name of the code inspector and jurisdiction;
  - c. Name and address of the violator;
  - d. Code section or ordinance that has been violated;
  - e. Brief description of the nature of the violation, including location, date and time of violation;
  - f. Amount of the applicable civil penalty;
  - g. Procedure for the person to follow in order to pay the civil penalty or to contest the citation;
  - h. Notice that if the person fails to pay the civil penalty within the time allowed, ~~and fails to request an administrative hearing before the special master within ten calendar days of service of the citation,~~ the person shall be determined to ~~have waived their rights to~~ contest the citation and ~~that,~~ in such a case, an administrative hearing shall be scheduled before a special magistrate judgment may be entered for the applicable maximum civil penalty; and

i. Notice that the person may be liable for reasonable costs of the hearing should the violator be found guilty of the violation.

(e) Citation issued to appear before a special ~~master~~ magistrate:

- (1) The person who has been served with a citation to appear before a special magistrate shall either correct the violation, and pay the civil penalty in the manner indicated on the citation; or
- (2) Request an administrative hearing before a special magistrate to appeal the decision of the code inspector. ~~Said appeal shall be filed not later than ten calendar days after the service of the citation.~~
- (3) Failure of the violator or property owner to correct the violation and pay the civil penalty ~~appeal the decision of the code inspector within the ten~~ twenty-one (21) ~~calendar days shall constitute a waiver of the violator's right to~~ result in the scheduling of an administrative hearing before a special magistrate. ~~A waiver of the right to an administrative hearing may result in the imposition of a fine against the violator and/or costs which may result in a lien on the property where the violation occurred.~~
- (4) Should the violator ~~appeal the citation and~~ be found in violation by the special magistrate, in addition to the imposition of a fine, the violator shall be assessed an administrative cost of \$35.00, which may result in a lien on the property where the violation occurred. The special magistrate shall not waive the administrative costs.

~~(f) The following table sets forth those code violations for which civil penalties may be cited under this section. The descriptions of violations are provided for purposes of general identification only. The specific code provisions applicable thereto are indicated in addition to the respective violation description. Amendments affecting the numbering of the referenced sections shall not affect the validity of the fines.~~

Violation Category	1st- Offense	Repeat:- 2nd-	Repeat: 3rd Offense	Repeat: 4th Offense
--------------------	-----------------	------------------	------------------------	------------------------

PROPOSED ORDINANCE

		Offense		
<del>Sec. LDR 704.2.3. Prohibited sales.</del>	<del>\$50.00</del>	<del>\$75.00</del>	<del>\$100.00</del>	<del>\$100.00</del>
<del>Sec. LDR 712.6.1. Storage of damaged vehicles.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 712.25. Outdoor cooking and barbecuing.</del>	<del>75.00</del>	<del>100.00</del>	<del>125.00</del>	<del>125.00</del>
<del>Sec. LDR 712.26. Outdoor sales, and service/or storage.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 905. Sign design, maintenance, and general standards.</del>	<del>100.00</del>	<del>150.00</del>	<del>300.00</del>	<del>500.00</del>
<del>Sec. CO 54 10. Public solicitation. (Car washing, etc.)</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 10 38. Allowing animal to soil on public or private property.</del>	<del>100.00</del>	<del>150.00</del>	<del>300.00</del>	<del>500.00</del>
<del>Sec. CO 22 143(a) (f). Certificate of use required.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 32(i). Prohibited conditions. Bulk trash on swale area.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 32(h)(i). Prohibited conditions. Overgrown grass on/or trees.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 35. Littering.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 36. Outdoor storage of junk.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 6. Patio screen maintenance.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 6. Pool enclosure screens.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 1107.10(1). Swimming pools and spas.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 7. Graffiti on property.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42 88. Prohibited acts. Noise disturbance.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 74 37. Removal of receptacle from right-of-way, garbage container(s) removal, storage.</del>	<del>25.00</del>	<del>50.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 82 31. Business tax receipt required.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 86 35(e). Repairs to vehicle.</del>	<del>100.00</del>	<del>150.00</del>	<del>300.00</del>	<del>500.00</del>

PROPOSED ORDINANCE

<del>Sec. CO 86-35(4). Parking in residential zones. Storage of materials.</del>	35.00	50.00	100.00	100.00
<del>Sec. LDR 704.2.3. Illegal sale of fruit or merchandise</del>	50.00	75.00	100.00	100.00
<del>Sec. LDR 1112.5. Prohibited home-occupations.</del>	50.00	75.00	100.00	100.00

SECTION 6. AMENDMENT: Section 30-91 of Article III of Chapter 30 of the Code of Ordinances is hereby created to read as follows:

Sec. 30-91. - Criteria for conferring trust fund benefits.

In order to be eligible for a trust fund award, an applicant shall be required to show, by substantial, competent evidence, in the record, must be low to moderate income within the meaning of then current HUD guidelines, and in compliance with at least two of the following:

- (1) Senior citizen (55 years of age or older);
- (2) Affected property is homestead property within the meaning of section 4 of article X of the Florida Constitution;
- (3) The death of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support within a one-year period immediately prior to the filing of the application contemplated in section 30-90;
- (4) A debilitating illness, physical or mental condition of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support within a one-year period immediately prior to the filing of the application contemplated in section 30-90;
- (5) The hospitalization of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support for a period in excess of fourteen (14) calendar days within any 30-day period, or twenty-one (21) calendar days within any 90-day period, next preceding the filing of the application;

PROPOSED ORDINANCE

(6) Unemployment of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support for a period of three or more months next preceding the date of application as a result of a physical or mental impairment; or

(7) Applicant has conceded the propriety of the violation.

(8) The cause of the violation being entirely out of the property owner's control and the direct result of a violation of certain provisions of this Code by an unrelated third- party.

SECTION 7. CREATION: Section 30-96 of Article III of Chapter 30 of the Code of Ordinances is hereby created to read as follows:

Sec. 30-96. – Funding.

A funding source for the Code Enforcement Trust Fund shall be established by a resolution adopted by the city commission.

SECTION 8. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 9. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 10. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word



PROPOSED ORDINANCE

"Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 11. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING BY THE CITY COMMISSION ON THE \_\_\_\_\_ DAY OF MARCH, 2017.

PASSED ON SECOND READING BY THE CITY COMMISSION THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
HAZELLE ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
SHARON HOUSLIN, CITY CLERK  
JCB:jl  
Sponsored by: EDWARD WALLACE, Code Compliance Supervisor/Development Services

PROPOSED ORDINANCE

**VOTE:**

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

# CITY OF LAUDERDALE LAKES

## Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
-------

DISCUSSION REGARDING PROPOSED ORDINANCE CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES
---

Summary
---------

This is a discussion regarding creating a Section and amending Chapter 86 of the Code of Ordinance.
---

Staff Recommendation
----------------------

**Background:**

At the February 13, 2016 Commission Workshop the City Commission requested a Special Workshop to discuss a proposed Ordinance amending Chapter 86 of the Code of Ordinance providing for the governing of parking, stopping and standing of vehicles within the City.

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Tanya Davis-Hernandez, Director of Development Services & Edward Wallace, Code Compliance Supervisor

**Meeting Date:** 3/20/2017

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Proposed Ordinance Amending Chapter 86	Ordinance

## PROPOSED ORDINANCE

AN ORDINANCE CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF PARKING, STOPPING AND STANDING OF VEHICLES WITHIN THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property values of a community are generally improved by the enhancement of the community's housing stock, and

WHEREAS, a community's clean, well-lighted and safe streets sustain the entire community, giving rise to higher aspirations and improving opportunities, and

WHEREAS, the Code Enforcement and Community Development staffs have reviewed the Code of Ordinances and upon such review made recommendations for improvements to the Code by way of clarification, consistency and modernization, and

WHEREAS, there is a need for and a public purpose for regulating parking and the movement of vehicles within the City, and

WHEREAS, the City Commission has reviewed the recommendations and determined to implement the same on a chapter-by-chapter basis,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. CREATION: Section 86-5 of Chapter 86 of Article II of the Code of Ordinances is hereby created to read as follows:

Sec. 86-5. – ~~Reserved~~ Florida Uniform Traffic Control Law Adopted.

The city hereby adopts the Florida Uniform Traffic Control Law, established in Chapter 316 of the Florida State Statutes, as it may be amended from time to time. Any violation of the Florida Uniform Traffic Control Law warranting a citation or enforcement action shall be hereby considered an enforceable violation of this Code.

SECTION 3. AMENDMENT: Section 86-35 of Chapter 86 Article II of the Code of Ordinances is hereby amended to read as follows:

Sec. 86-35. - Parking in residential zones.

(a) Prohibitions

1. No passenger vehicle shall be parked within a residential district except upon a driveway paved with a hard, dust-free paving material complying with the Florida Building Code, as amended from time to time, or within a carport, garage or screened side yard but not to encroach into any rear setback or easement.
2. No passenger vehicle, recreational vehicle, trailer, or commercial vehicle shall be parked upon a driveway in a manner that is parallel to the right-of-way abutting such driveway, except where a driveway or portion thereof is of a circular or semi-circular design, in which case all vehicles shall be parked parallel to the perimeter edge of such driveway.
3. No passenger vehicle, recreational vehicle, trailer, or commercial vehicle wider than eight feet, longer than 22 feet or taller than eight feet shall be permitted to park in any residentially zoned district. For the purposes of this section, width of vehicles shall be measured using the permanent sides of the vehicle; length shall be measured from front bumper to rear bumper; height shall be measured from level grade to highest permanent point. Trailers used to transport recreational vehicles shall be permitted to exceed the length of the recreational vehicle a maximum of 25 percent.
4. No heavy commercial vehicle or equipment, as defined herein, shall be permitted to park in any residential district, unless otherwise noted.
5. No residentially zoned property shall be utilized for the storage of vehicles for sale by or in the inventory of any motor vehicle dealer. The presence of more than one vehicle displaying a dealer's license plate upon any residential

PROPOSED ORDINANCE

property shall be prohibited. The same shall be reasonably considered prima facie evidence of the operation of an unlicensed motor vehicle dealership which shall be punishable under the provisions of this code.

6. It shall be unlawful to park any passenger vehicle or commercial vehicle upon any driveway or swale area in a manner which obscures or prevents the visibility of an attached license tag from the nearest right-of-way.

(b) Parking within swale areas

1. No motor vehicle, regardless of ownership, is permitted in the swale areas adjacent to the following designated collector or arterial roads at any time:
  - a. Oakland Park Boulevard.
  - b. State Road 7 (U.S. 441).
  - c. NW 52nd Avenue (between Oakland Park Boulevard and NW 43rd Court and NW 41st Street).
  - d. NW 50th Avenue (between Oakland Park Boulevard and NW 36th Street NW 43rd Court and NW 42nd Street).
  - e. NW 43rd Avenue (between Oakland Park Boulevard and NW 36th Street NW 44th Avenue and NW 37th Street).
  - f. NW 41st Street.
  - g. NW 47th Terrace (between Oakland Park Boulevard and ~~to~~ NW 34th Street).
  - h. NW 44th Street (between SR7 and NW 31st Avenue ~~NW 43rd Avenue and Oakland Park Blvd.~~).
  - i. NW 33rd Street (between NW 43rd Avenue and NW 46th Avenue ~~Oakland Park Blvd.~~).
  - j. NW 26th Street (between ~~SR7~~ NW 49th Avenue and NW 39th Way).
  - k. NW 21st Street (between SR7 to the Park).
  - l. NW 19th Street.
  - m. NW 24th Street (between SR 7 and NW 34th Avenue)
  - n. NW 29th Street (between SR 7 and NW 33rd Avenue)
  - o. NW 34th Street (between SR 7 and NW 36th Terrace)
  - p. NW 36th Terrace (between Oakland Park Boulevard and NW 34th Street)
  - q. NW 35th Avenue (between Oakland Park Boulevard and NW 35th Street)
  - r. NW 37th Street (between SR 7 and eastern City Limit)
  - s. NW 39th Street (between NW 31st Avenue and NW 31st Terrace)

- t. NW 36th Street (between SR 7 and Cul-de-sac)
  - u. NW 46th Avenue (between Oakland Park Boulevard and 33rd Street)
  - v. NW 49th Avenue (between Oakland Park Boulevard and southern City Limit)
  - w. The Access Road between Oakland Park Blvd and NW 52nd Avenue.
2. Where an accessway intersects a public right-of-way or where property abuts the intersection of two or more public rights-of-way, it shall be prohibited to park any vehicle within twenty feet of the intersection of any two streets.
  3. Except where prohibited herein, private passenger vehicles owned or operated by the owner, occupant, tenant or their guests of real property within a single-family zoning district (RS-2, RS-3, RS-4) shall be permitted to park within swale areas abutting such property between the hours of 6:00 p.m. to 10:00 a.m.
  4. No person shall drive, operate or park a motor vehicle within a swale area which abuts the private real property of another without the express permission of the owner, lessee and/or occupant of the private real property abutting such swale or swale area, and the city hereby devotes the swale or swale area to the reasonable use of each abutting property owner thereof, his guests, licensees and invitees, to the exclusion of all others; provided that such use shall not be inconsistent with the laws of the city or the rights of the municipal government.
  5. It shall be unlawful for any owner, agent, operator or person in charge of any commercial or recreational vehicle to park, store or keep such commercial or recreational vehicle on the pavement of, or in the swale area adjacent to, any public street within the city except in accordance with subsections (c) and (d) herein.
  6. Any vehicle lawfully parked within a swale area or other right-of-way within the city shall be parked with the flow of traffic, parallel to the paved portion of the right-of-way, with two wheels parked upon such paved portion of the right-of-way. No vehicle, or portion thereof, nor anything therein or thereon shall extend into, onto or over such paved portion of the right-of-way by more than 18 inches.
  7. Nothing contained in this section shall prohibit the operation of a city vehicle, emergency vehicle on an emergency service call, or vehicle owned by a utility which is in the course of official business, to park upon the swale area anywhere within the city.
- (c) Parking of commercial vehicles
1. Commercial or heavy commercial vehicles actively engaged in a lawful repair, moving or construction activity for the owners, lessee or occupants, of a property shall be permitted to park upon such property between the

hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. Sundays and national holidays. Construction and moving vehicles actively engaged in a permitted operation may be parked overnight in a residential zone, provided the vehicle is not operating between the hours of 7:00 p.m. to 7:00 a.m. Monday through Saturday and 6:00 p.m. to 9:00 a.m. Sundays and national holidays.

2. Within single-family zoning districts (RS-2, RS-3, RS-4) commercial vehicles shall be parked entirely upon a paved driveway, within a garage, within a carport, or on an area in the side yard located five feet behind the front building setback and a minimum of one foot from the side property line but shall not encroach into any rear setback or easement. Side yard parking areas should be paved if vehicle ingress-egress is frequent enough to cause degradation to the grass area. In all cases the commercial vehicle shall be opaquely screened on three sides by a wall, fence or hedge a minimum of six feet in height.
3. Within single-family zoning districts (RS-2, RS-3, RS-4) commercial vehicles shall be parked on a paved driveway shall not have attached any ladders, or other attachments, which exceed the height of the highest point on the vehicle by more than two feet and such vehicle shall have any signage thereon covered entirely by an opaque cover as permitted in section 86-11 herein. Commercial vehicles may cover signage with a magnetic cover provided it is the same color of the commercial vehicle.
4. Commercial vehicles within multi-family districts (RM-10, RM-16 and RM-20) parked in paved areas that are sufficiently screened from public view. The approved site plan shall dictate the location of areas approved for the parking of commercial and recreational vehicles.
5. Commercial vehicles shall not be used in the conduct of a home business, unless the business has an approved home occupational license from the city. Any person owning or having use of a vehicle parked in a residential district associated with an approved home occupational license shall also abide by the requirements of section 1112 of the land development regulations.
6. No commercial equipment may be stored on a commercial vehicle that is parked on a residentially zoned lot. Such commercial equipment shall be stored only within a fully enclosed structure. No commercial equipment or material which is hazardous, obnoxious, offensive, or has bad odors or dust emanating therefrom may be stored on any residentially zoned property.
7. The restrictions contained herein shall not apply to the temporary parking of any commercial vehicle or equipment while its owner or operator is performing lawful and authorized public or private work, including but not limited to performing service or construction work, making deliveries of merchandise or household items, public utility service work, or any authorized emergency vehicles as defined herein. Additionally, vehicles



owned and operated by a physically impaired individual when a medical doctor has certified that the vehicle is necessary due to said physical impairment shall also be exempt from the restrictions contained herein.

(d) Parking of recreational vehicles

1. Within single-family zoning districts (RS-2, RS-3, RS-4) recreational vehicles shall be parked entirely upon a paved driveway, within a garage, a carport, or on an area in the side yard located five feet behind the front building setback and a minimum of one foot from the side property line but shall not encroach into any rear setback or easement. Side yard parking areas should be paved if vehicle ingress-egress is frequent enough to cause degradation to the grass area. In all cases the recreational vehicle shall be opaquely screened on three sides by a wall, fence or hedge a minimum of six feet in height.
2. Recreational vehicles shall be permitted to be temporarily parked in the front of single-family homes, to allow for loading, unloading, cleaning and minor repairs, provided such time period does not exceed 24 hours prior to or after the recreational vehicles have been used by the resident, but in no case shall the loading and unloading period exceed a total of 48 hours within a seven-day period.
3. Recreational vehicles within multi-family districts (RM-10, RM-16 and RM-20) parked in paved areas that are sufficiently screened from public view. The approved site plan shall dictate the location of areas approved for the parking of commercial and recreational vehicles.
4. Recreational vehicles shall not be occupied and may not maintain electrical, water or sewage connections at any time while parked upon a residentially zoned property except that electrical service connections may be attached for a maximum of 24 hours prior to and in preparation for departure from the property.
5. Parking or storage of recreational vehicles shall be limited to those owned by the occupants of the property or their guests.

SECTION 5. CREATION: Section 86-39 of Chapter 86 of Article II of the Code of Ordinances is hereby created to read as follows:

**Sec. 86-39 Exemptions**

In recognition of the characteristics, configuration or other factors affecting certain areas of the city, the following exemptions shall apply:

PROPOSED ORDINANCE

1. Motor vehicles, parked in the swale areas adjacent to the following collector or arterial roads shall be exempt from the provisions of Section 86-35(b)(6):

- a. NW 41 Street

SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING BY THE CITY COMMISSION, ON THE \_\_\_\_ DAY OF MARCH, 2017.

PROPOSED ORDINANCE

PASSED ON SECOND READING BY THE CITY COMMISSION THE  
\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF  
LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
\_\_\_\_\_, 2017.

\_\_\_\_\_  
HAZELLE ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
SHARON HOUSLIN, CITY CLERK

JCB:ja

Sponsored by: EDWARD WALLACE, Code Compliance Supervisor/Development Services

**VOTE:**

Mayor Hazelle Rogers	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sandra Davey	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Gloria Lewis	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Beverly Williams	_____ (For)	_____ (Against)	_____ (Other)