



**ORDINANCE NO. 10- 26**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA TO REGULATE THE PARKING, STORAGE OR USE OF VEHICLES BY PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR TITLE; PROVIDING FOR APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR LIMITATIONS ON PARKING, STORAGE AND USE OF VEHICLES WITHOUT CURRENT LICENSE PLATES; PROVIDING FOR LIMITATION ON PARKING, STORAGE OR USE OF RECREATIONAL VEHICLES; PROVIDING FOR PARKING OF COMMERCIAL VEHICLES OR COMMERCIAL EQUIPMENT IN RESIDENTIAL AREAS; PROVIDING LIMITATION ON BOATS OR OTHER FLOATING EQUIPMENT AS DWELLING UNITS; PROVIDING FOR REPEAL OF ORDINANCE NO. 08-64; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2010 JUN 25 AM 11:02

FILED

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of existing and future residents of the county by enacting and enforcing regulations concerning the use of property necessary for the protection of the public; and

WHEREAS, at its October 14, 2008 meeting the Board of County Commissioners (BCC) directed that the regulations concerning the parking, storage and use of recreational vehicles be moved from the Land Development Code (LDC) to the Collier County Code of Laws and Ordinances; and

WHEREAS, also at the October 14, 2008 meeting the BCC directed that these regulations be amended to provide additional time for recreational vehicles to be stored or parked on properties within residentially zoned areas as well as to provide for a "streamlined" permitting process.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:**

**SECTION ONE: Purpose and Intent**

This Ordinance is hereby considered to be remedial and shall be construed and interpreted to secure the public health and general welfare through the prevention of the long-term open storage of vehicles about the front and sides of residentially zoned properties.

## **SECTION TWO: Title**

This Ordinance shall be known and may be cited as the "Collier County Parking, Storage and Use of Vehicle Control Ordinance".

## **SECTION THREE: Applicability**

This Ordinance shall apply to, and be enforced in, all unincorporated areas of Collier County, Florida.

## **SECTION FOUR: Definitions**

When used in this Ordinance, the following words, phrases, or terms shall have the following meanings, unless the content clearly indicates otherwise:

1. **RECREATIONAL VEHICLE:** a vehicular type portable structure without permanent foundation which can be towed, hauled or driven and primarily designed as a temporary living accommodation when engaged in recreation, camping or travel use. This type of vehicle includes but is not limited to travel trailers, truck campers, camping trailers, self-propelled motor homes, boats, jet skis and trailers used for transporting the vehicles.
2. **RESIDENTIAL DISTRICT:** a residential zoning district as described in the Land Development Code to include: RSF-1, RSF-2, RSF-3, RSF-4, RSF-5, RSF-6, RMF-6, RMF-12, RMF-16, RT, VR and MH Zoning Districts as well as the single-family and multi-family residential components of Planned Unit Development (PUD) Zoning Districts.
3. **YARD, FRONT:** The required open space extending across the entire width of the lot between the front building line and street right-of-way line. Where double-frontage lots exist, the required front yard shall be provided on both streets except as otherwise provided for herein.

## **SECTION FIVE: Limitations on Parking, Storage of Vehicles Without Current License Plates**

- A. Vehicles or trailers of any type that are not immediately operable, or used for the purpose for which they were manufactured without mechanical or electrical repairs or the replacement of parts; or do not meet the Florida Safety Code; or do not have current valid license plates; or do not meet the definition of Recreational Vehicle shall not be parked or stored in any Residential District, including the E estates district, other than in a completely enclosed building. For the purpose of this section, a license plate shall not be considered valid unless it is both affixed to a vehicle or trailer in a fashion authorized by Florida law and is registered to the vehicle or trailer upon which it is displayed.

## **SECTION SIX: Limitation on the Parking, Storage or Use of Recreational Vehicles**

- A. No Recreational Vehicle shall be used for living, sleeping, or housekeeping purposes when parked or stored on a lot in a Residential District, or any location not approved for such use.

In Residential Districts permitting single family homes or mobile homes, a Recreational Vehicle may be parked or stored only in a rear yard, or in a completely enclosed building, or in a carport, or on davits or cradles adjacent to waterways on residentially zoned property; provided, however, that such Recreational Vehicle may be parked anywhere on residential premises, other than on county rights-of-way or right-of-way easements for a period not to exceed six hours within a time period of seven days for loading and unloading, and/or cleaning prior to or after a trip. For the purpose of this section, the rear yard for a corner lot shall be considered to be that portion of the lot opposite the street with the least frontage. For through lots, the rear yard shall be considered to be that portion of the lot lying between the rear elevation (by design) of the residence and the street.

**B.** The following exceptions may be granted by the County Manager or his designee:

1. Recreational Vehicles may be parked only on a driveway located within the front yard and/or on a driveway located within the side yard of a single-family or mobile home residence other than on County rights-of-way or right-of-way easements for a period not to exceed 48 hours within any given 7-day time period so long as a permit is obtained from the Collier County Code Enforcement Department. Said permit must be affixed to the Recreational Vehicle in such a way that the permit is visible from the street. Such permits shall be available on-line at the Collier County Code Enforcement Department website.
2. Recreational Vehicles may be parked upon the premises of the resident for a period not exceeding seven days for the purpose of repairing and/or cleaning prior to or after a trip. A temporary use permit must be obtained from the Collier County Code Enforcement Department to authorize this activity. Said permit must be affixed to the Recreational Vehicle in such a way that the permit is visible from the street. No more than two consecutive permits may be issued and the maximum number of permits issued during one calendar year shall be restricted to four.
3. Nonresident: Such car, trailer, bus or motor home, when used for transportation of visitors to this county to visit friends or members of the visitor's family residing in this county may be parked upon the premises of the visited family for a period not exceeding seven days. A temporary use permit must be obtained from the Collier County Code Enforcement Department to authorize this activity. Said permit must be affixed to the Recreational Vehicle in such a way that the permit is visible from the street. This does not allow for living, sleeping, or housekeeping purposes. No more than two consecutive permits may be issued and the maximum number of permits issued during one calendar year shall be restricted to four.

#### **SECTION SEVEN: Parking of Commercial Vehicles or Commercial Equipment in Residential Areas**

It shall be unlawful to park a commercial vehicle or commercial equipment on any lot in a Residential District unless one of the following conditions exists:

1. The vehicle and/or equipment is engaged in a construction or service operation on the site where it is parked. The vehicle or equipment must be removed as soon as the

construction or service activity has been completed.

2. The vehicle and/or equipment is parked in a garage or fully enclosed structure or carport which is structurally or vegetatively screened and cannot be seen from adjacent properties or the street serving the lot.
3. The vehicle is parked in the rear of the main structure and is enclosed within a vegetative screening which conceals the vehicle from the view of neighbors.
4. Automobiles, passenger type vans, and pickup trucks having a rated load capacity of one ton or less - all of which do not exceed 7.5 feet in height, nor 7.0 feet in width, nor 25 feet in length shall be exempted from this section unless otherwise prohibited by a special parking overlay district created pursuant to LDC Section 2.03.07 M.
5. Exempted from this section are small commercial equipment such as ladders and pipes that cannot be contained in the vehicle. Said equipment shall be limited to one ladder or one unit of pipe which does not exceed 12 inches in diameter per commercial vehicle. Said equipment shall be secured atop the vehicle and shall not extend beyond the length, height or width of the vehicle.

#### **SECTION EIGHT: Limitation on Boats or Other Floating Equipment Used as Dwelling Units**

Boats or other floating equipment being used as dwelling units or as commercial establishments may not anchor or tie up in waters under the jurisdiction of the county for longer than 48 hours, except at facilities located in zoning districts permitting such use and at facilities within such districts designated for such use and meeting county and state health standards for such use.

#### **SECTION NINE: Repeal of Ordinance No. 08-64**

This Ordinance repeals and supersedes Ordinance No. 08-64.

#### **SECTION TEN: Conflict and Severability**

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any court of competent jurisdiction holds any phrase or portion of this Ordinance invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

#### **SECTION ELEVEN: Inclusion in the Code of Laws and Ordinances**

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

**SECTION TWELVE: Effective Date**

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 22<sup>nd</sup> day of June, 2010.

ATTEST:

DWIGHT E. BROCK, CLERK

By: *Dwight E. Brock*  
Dwight E. Brock, Deputy Clerk

Attest as to Chairman's  
signature on...

Approved as to form  
and legal sufficiency:

*Heidi Ashton-Cicko*

Heidi Ashton-Cicko  
Section Chief, Land Use/Transportation

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: *Fred W. Coyle*  
FRED W. COYLE, Chairman

10.0001/10

This ordinance filed with the  
Secretary of State's Office the  
25 day of June, 2010  
and acknowledgement of that  
filing received this 1 day  
of July, 2010  
By: *Dwight E. Brock*  
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2010-26**

Which was adopted by the Board of County Commissioners on the 22nd day of June, 2010, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 23rd day of June, 2010.

DWIGHT E. BROCK  
Clerk of Courts and Clerk  
Ex-officio to Board of  
County Commissioners.

  
By: Teresa Polaski,  
Deputy Clerk

