

ORDINANCE NO. 696-12

AN ORDINANCE OF THE MIAMI SHORES VILLAGE COUNCIL, MIAMI SHORES VILLAGE, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES, CHAPTER 20, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" BY CREATING SECTIONS 20-18 AND 20-19, SETTING FORTH CERTAIN PROHIBITED CONDUCT ON VILLAGE ROADS, STREETS, PUBLIC RIGHT-OF-WAYS, AND ALLEYS, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A need exists to create and enforce certain prohibitions upon vehicular parking under certain circumstances, for certain purposes, and upon the vehicular use of Village alleys, in order to best serve and protect the best interests of the Village residents; and,

WHEREAS, It is in the best interest of the Village to amend the Code to add new Sections relating to prohibited conduct upon Village roads, streets, public right-of-ways and alleys;

NOW, THEREFORE, BE IT ORDAINED BY THE MIAMI SHORES VILLAGE COUNCIL, that:

Section 1. The Miami Shores Village Code of Ordinances is hereby amended by adding a section to be numbered 20-18, which said section reads as follows:

Sec. 20-18 Parking Prohibited for Certain Purposes.

- a) No person shall park a vehicle upon any road, street, or public right-of-way, including the sidewalk, parkway and swale, located within Miami Shores Village, for the purpose of:
 - 1) Displaying such vehicle for sale.
 - 2) Performing maintenance or repair upon such vehicle, except repairs necessary in an emergency.
 - 3) Displaying advertising.
 - 4) Selling merchandise from such vehicle.
 - 5) Storage for more than twenty-four (24) continuous hours.

Nothing contained herein shall prohibit loading and unloading of vehicles by the adjacent property owner.

- b) Any vehicle in violation of this section may be towed. (Vehicle owner shall be responsible for all fines, towing fees, storage fees, and any administrative and enforcement fees that result from the enforcement of this section). The Village may lien the vehicle and any real property owned by the violator in Miami-Dade County until all fines, enforcement costs, and administrative costs are paid by the violator.

Section 2. The Miami Shores Village Code of Ordinances is hereby amended by adding a section to be numbered 20-19, which said section reads as follows:

Sec. 20-19 Alleys, Parking in; Obstructing.

- a) No person shall stop, stand, or park a vehicle in an alley in such a manner as to obstruct the free movement of vehicular traffic.
- b) No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway or entrance to any property of another.

Nothing contained herein shall prohibit loading and unloading of vehicles by the adjacent property owner.

Section 3. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance, which shall be deemed to be severable therefrom.

Section 4. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith, are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with this Ordinance.

Section 5. This ordinance shall take effect immediately upon approval and adoption on second reading.

APPROVED on first reading this 6th day of November, 2012.

PASSED AND APPROVED on second reading this 20th day of November, 2012.

ATTEST:

Jim McCoy, Mayor

Barbara A. Estep, MMC
Village Clerk

APPROVED AS TO FORM:

Richard Sarafan
Village Attorney