

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, AMENDING CHAPTER 11, ENVIRONMENT, OF THE CITY OF LARGO CODE OF ORDINANCES BY AMENDING SECTION 11-19 TO REGULATE PUBLIC NUISANCES GENERALLY, INCLUDING ANY CONDITIONS THAT ARE PREJUDICIAL TO THE HEALTH, SAFETY, OR WELLBEING OF THE PUBLIC, AND TO ALLOW THE CITY TO ABATE NUISANCES THAT ARE CAUSED OR CREATED; AMENDING SECTION 11-20 TO REGULATE THE DISCHARGE OF NOXIOUS FUMES AND DEBRIS ON ANY PROPERTY WITHIN THE CITY; AMENDING SECTION 11-21 TO REQUIRE THAT PITS BE MAINTAINED AND TO PROHIBIT WATER FROM BECOMING A PUBLIC NUISANCE; AMENDING SECTION 11-46 TO REDEFINE CERTAIN TERMS CONSISTENT WITH THE CHANGES MADE BY THIS ORDINANCE; AMENDING SECTION 11-47 TO REPLACE PROPERTY MAINTENANCE REQUIREMENTS RELATED TO LAWN CARE WITH REQUIREMENTS RELATED TO GENERAL OUTDOOR CLUTTER BY PROHIBITING DEBRIS AND OTHER ENUMERATED OBJECTS FROM BEING KEPT OUTDOORS; AMENDING SECTION 11-48 TO ADD PROPERTY MAINTENANCE REQUIREMENTS RELATED TO LAWN CARE; AMENDING SECTION 11-49 TO CLARIFY EXISTING PROVISIONS RELATED TO NUISANCE ABATEMENT; AMENDING SECTION 11-73 TO ADD VARIOUS DEFINED TERMS, INCLUDING DEFINED TERMS RELATED TO VEHICLES AND COMMERCIAL EQUIPMENT, CONSISTENT WITH THE CHANGES BEING MADE BY THIS ORDINANCE; REPEALING SECTION 11-74; AMENDING SECTION 11-75 TO INCORPORATE THE DEFINED TERM INOPERATIVE VEHICLES; AMENDING SECTION 11-76 TO REVISE THE MANNER IN WHICH THE CITY PROVIDES NOTICES REGARDING INOPERATIVE VEHICLES; REPEALING SECTION 11-77; AMENDING SECTION 11-78 TO INCORPORATE VARIOUS NEW DEFINED TERMS AND TO REVISE WHEN CERTAIN VEHICLES MAY AND MAY NOT BE PARKED OR STORED IN CERTAIN RESIDENTIAL AREAS; REPEALING SECTION 11-80; AMENDING SECTION 11-82 TO REMOVE THE BUILDING OFFICIAL'S AUTHORITY TO ENFORCE THE ARTICLE AND TO ALLOW THE COMMUNITY STANDARDS MANAGER TO ENFORCE THE ARTICLE; AMENDING SECTION 11-83 TO CLARIFY THE FORM OF THE NOTICE THAT THE CITY PROVIDES FOR LOCAL ORDINANCE VIOLATIONS; AMENDING SECTION 11-111 TO REVISE THE DEFINITION OF MOTOR VEHICLE TO INCLUDE ALL ELECTRIC VEHICLES; AMENDING SECTION 11-114 TO AUTHORIZE THE

CITY MANAGER TO DELEGATE HIS OR HER AUTHORITY REGARDING WAIVERS FROM NOISE REQUIREMENTS; AMENDING SECTION 11-118 TO CLARIFY THAT THE SECTION APPLIES SPECIFICALLY TO WATER CRAFTS; AMENDING SECTION 11-119 TO EXPAND THE NOISE PROHIBITION FROM APPLYING ONLY TO MECHANICAL OR ELECTRICAL DEVICES TO APPLYING TO ALL FORMS OF DEVICES; AMENDING SECTION 11-121 TO PROVIDE THAT VIOLATIONS OF THE ARTICLE ARE PUNISHABLE IN ACCORDANCE WITH CHAPTER 9 OF THE CODE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Largo finds that in order to preserve and enhance the City of Largo as a desirable community in which to live, visit, and do business, a pleasing, visually attractive environment that is safe for vehicular and pedestrian traffic, is of the foremost importance; and

WHEREAS, Chapter 11 of the City of Largo Code of Ordinances codifies regulations relating to the environment within the City; and

WHEREAS, the City Commission determines that it is in the public interest to amend the regulations relating to the environment within the City with the intent of enhancing the visual environment of the City of Largo and promoting its continued wellbeing; and

WHEREAS, the City Commission finds and determines that the amendments adopted in this ordinance are in the public health, safety and welfare: and

WHEREAS, the City Commission finds that adoption of this ordinance is consistent with its police powers and will protect the public health, safety, and welfare of the residents of the City.

NOW, THEREFORE, THE CITY OF LARGO CITY COMMISSION HEREBY ORDAINS:

SECTION 1. The above recitals are true, correct, and are hereby incorporated by reference as the findings of the City Commission.

SECTION 2. Section 11-19 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-19. – Public nuisances.

- (a) *Creation.* No person shall create, maintain or contribute to a nuisance or condition which is prejudicial to the health, safety, or well-being of the public. A nuisance which is prejudicial to the health, safety, or well-being of the public is a nuisance which tends to annoy the

community, impair the health of the citizens thereof or which tends to corrupt the public morals. Such nuisances are hereby declared to be unlawful.

- (b) *Abatement*. Whenever it shall be determined that any person is causing, creating or maintaining a nuisance in the city in violation of the provisions of this article, it shall be the duty of the city manager or his/her designee to cause the same to be abated as provided by F.S. ch. 60 and/or section 11-49.

SECTION 3. Section 11-20 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-20. - Businesses not to become offensive; discharge of noxious fumes or substances.

No property owner, business owner or occupant of any property or other place of business shall permit the same to become a nuisance, or offensive or unhealthy, or suffer or permit any foul, unclean, nauseous or offensive liquid, fumes, debris or other substance to pass therefrom, or from any premises under their control, into, over or upon any street, alley or open drain, gutter or sewer or over or upon any private grounds of any person.

SECTION 4. Section 11-21 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-21. - Maintenance of pools, spas, ponds, pits and fountains.

All swimming pools, architectural pools, spas, manmade ponds, pits and fountains shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted or become a public nuisance to the public, such as by harboring insect infestation. Designated retention and detention ponds are exempt from this section.

SECTION 5. Section 11-46 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-46. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Debris means material which is stored externally and is not inside a fully enclosed structure, storage container or an enclosed utility trailer that is legally registered with the state, and shall include, but not be limited to, the following: household items, inoperative machinery, automobiles or appliances, garbage, junk, used scrap or lumber, pipe, steel, aluminum or other metals, plumbing fixtures, insulation, and other building material, construction equipment, tanks, totes, cans, barrels, boxes, drums, piping, glass, plastic, cleared or fallen trees, removed tree stumps, inoperative boats, inoperative bicycles or other inoperative recreational equipment.

Environmentally sensitive means land protected in its natural state by any other governmental agency.

Excessive growth means the growth of grass, weeds or vegetation which are not cultivated or landscaped or regularly tended which reach a height in excess of 12 inches.

Land clearing means the cutting and/or removal of vegetation growth whose individual stems are two inches in diameter or greater with that growth covering a discernible portion of the property.

Mowing means the mechanical cutting of woody or grassy plant growth whose individual stems are less than two inches in diameter.

Owner means the person, corporation, partnership, company, trust, estate or any combination of other business or legal entities, singular or plural, which is a record owner as recorded on the current tax rolls of the county or in the county property appraiser's database.

Pit means a hole in the ground, either man-made or naturally occurring.

Property means any individual, platted parcel of real property within the city, or any portion thereof, as it is recorded in the public records of the county, whether or not such parcel is contiguous to any other platted parcel, or any individual parcel of real property described by metes and bounds in the public records of the county.

Undeveloped state means land which is in a natural state and land which has never been cut or mowed.

SECTION 6. Section 11-47 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-47. - Duty of owners and occupants.

- (a) No person in charge or in control of any private real property, whether that person is the property owner, tenant, occupant, lessee or otherwise, shall store, keep or allow to be kept outside of a legally constructed fully enclosed structure the following items, or any similar items: totes; tarps; cleaning supplies; dismantled, partially dismantled, non-operative, or discarded household or commercial appliances or items; building materials; interior furniture; machinery; vehicles or parts of any such items; scrap metals; debris; dismantled, partially dismantled, non-operative, non-functional, or discarded mailboxes. All items stored, kept, or allowed to be kept outside under this code must be maintained in operable condition and be functional. Items may not be stored outside of a legally constructed fully enclosed structure in such numbers that they constitute a public safety hazard or nuisance.
- (b) No person in charge or control of any private real property, whether that person is the owner, tenant, occupant, lessee or otherwise, shall allow any temporary structure or tent, constructed with poles, attached to the ground using any type covering or siding material to serve as a storage structure, temporary carport, or other temporary use. Exempt items from this section include shade sails and other similar items used for coverage of outdoor patio areas in side and rear yards only.
- (c)

SECTION 7. Section 11-48 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-48. - Removal of excessive growth of weeds and debris which are hazardous to health required.

- (a) Weeds, grass, underbrush, overgrowth and/or uncultivated vegetation which has, over a discernible portion of a defined area or tract of land, attained a mean height of 12 inches and/or accumulations of debris shall constitute a hazard to health, safety, proper fire control, and a public nuisance.
- (b) In such areas the provisions of this section shall relate to privately owned land within 100 feet of the nearest public or private boundary or right-of-way and to all developed or improved tracts or lots under ten acres in area. These provisions shall not relate to land in undeveloped state, nor wetlands and environmentally sensitive areas as designated in the adopted environmental management conservation plan.
- (c) No person who owns, occupies or act as agent for the owner of any private property whether that person is the owner, tenant, occupant, lessee or otherwise shall fail to remove or cause to be removed weeds, grass, overgrowth, vegetation, debris and other materials or matter that may constitute a hazard to health, safety, proper fire control or public nuisance on any such property.

All property owners or occupants of any private real property abutting any street shall be required to keep that part of the right-of-way between such property lines and the curb lines or drivable area of the street of which such property abuts, in a clean and sanitary condition at all times by keeping the same free from excessive weeds, vegetation, grass growth and trash of all kinds and by keeping the grass mowed as required in parts (a) and (b) of this section.

SECTION 8. Section 11-49 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-49. - Inspection of property, notice to comply with article; hearing upon request; city to do work when owner or occupant fails to do so; lien on property for cost of work.

- (a) The city manager or his/her duly appointed representative shall have authority to inspect all properties within the city to determine compliance with the requirements of this article. In any case where he/she shall determine that there is a failure to comply with such provisions, he/she shall cause a notice to be sent to such person ~~or~~ and to be affixed to such property. Such notice shall constitute a notice of violation and generally specify the manner in which this article is being violated. It shall fix a date for compliance with this article, which shall not be less than ten business days from the mailing or posting of such notice. Such notice shall also contain a statement that if the violation is not abated as directed and no written request for a hearing before the commission is made within the prescribed time, the city may abate such condition and assess the prescribed cost thereof against the property as a lien. If such violation has not been abated by the person to whom the notice has been sent, nor a commission hearing requested thereon within the time prescribed, then the city may cause such condition to be alleviated or the objectionable materials removed and the cost thereof, in accordance with the currently adopted rates including all administrative costs, shall be a lien upon the property affected thereby.
- (b) Charges for services provided to private properties in violation of this article can be found on file with the city in the city clerk's office.

SECTION 9. Section 11-73 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-73. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. *Commercial construction, landscaping and land clearing equipment* means cranes, draglines, earth movers, bulldozers, bobcats, tractors, backhoes, trenchers, front loaders, tar pot trailer, concrete mixers, concrete pumpers, stump grinders, Chippers, brush shredders, debris trailers, or similar commercial equipment or trailer designed to be towed behind a motorized vehicle.
- b. *Commercial vehicle* means any vehicle used or maintained for the transportation of persons for hire, compensation, or profit, or designed, used, or maintained primarily for the transportation of goods, and includes, but is not limited to, stepvans, heavy vehicles, semi-trailers, truck-trackers, tractor-trailers, moving vans, box trucks, delivery trucks, dump trucks, service vehicles, tow trucks, wreckers, utility trucks, flatbed trucks, garbage trucks, pump-out trucks, chemical trucks, gasoline trucks, fuel oil trucks, or similar vehicles designed or utilized to transport wastes or hazardous or noxious or toxic materials and buses.
- c. *Exempt commercial vehicles*: pickup trucks, including those with toppers, campers, and racks; passenger vans; panel vans including those with racks; taxicabs; and other personal vehicles with commercial signage or wraps.
- d. *Fully enclosed structure* means any commercial or residential garage and any other manmade and permitted building structure which effectively screens and prevents viewing of its contents from adjacent residents, walkways, roadways or alleys. Temporary covers including, but not necessarily limited to, tarpaulins, lattice, screens, linens, and curtains shall not be used to enclose and qualify as a fully enclosed structure.
- e. *Heavy vehicle* means any motor vehicle with a gross vehicle weight of more than 11,000 pounds and which is designed or used for the carriage of goods or persons or equipped with a connecting device for the purpose of drawing a trailer that is attached or coupled thereto by means of such connecting device and includes any such motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers.
- f. *Hobby* means the repairing, reconditioning, or rebuilding of any vehicles which is done for personal enjoyment or entertainment only, with no profits, compensation, or reimbursement of any kind involved.
- g. *Inoperative vehicle* means any self-propelled vehicle designed for travel along the ground, in the air or through water under its own power which is not capable of such travel in its existing mechanical condition; or any dismantled, partially dismantled, discarded, wrecked, demolished or partially demolished vehicle; or any vehicle, including a trailer not displaying a visible license plate with a current registration.
- h. *Period of continuous construction* means a period when construction on a project is progressing forward, as evidenced by a valid building permit and, at a minimum, involves

biweekly inspections documenting construction activity that is continuing in a reasonable manner.

- i. Person* shall mean any person, firm, partnership, association, corporation, company, business entity, or other organization of any kind.
- j. Property* means any individual, platted parcel of real property within the city, or any portion thereof, as it is recorded in the public records of the county, whether or not such parcel is contiguous to any other platted parcel, or any individual parcel of real property described by metes and bounds in the public records of the county.
- k. Recreational vehicle* means a vehicle primarily designed as temporary living quarters for recreational camping or travel use, but not as permanent living quarters or dwelling, such as, but not limited to, a "RV", camper, trailer or fifth wheel. Also considered a recreational vehicle are all enclosed or open trailers, all terrain vehicles, boats, boat trailer, jet skis, jet ski trailers, mopeds, scooters, aircrafts, or aircraft trailers.
- l. Reverse frontage* means a legally described parcel having both front and rear lot frontage on a publicly dedicated right-of-way.
- m. Semitrailer* means any vehicle without motor power designed to be coupled to or drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.
- n. Vehicle* means any machine propelled by power other than human power designed to travel along the ground, in the air or through water by use of wheels, treads, runners, slides, wings, propellers or hulls to transport persons or property or pull non-self-propelled vehicles or machinery and includes, without limitation, automobile, airplane, boat, truck, trailer, motorcycle, motor home, motor scooter, moped, and tractor.

SECTION 10. Section 11-74 of the City of Largo Code of Ordinances is hereby repealed.

SECTION 11. Section 11-75 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-75. - Inoperative vehicles.

- (a) No person shall knowingly leave any inoperative vehicle on any street, right-of-way, alley or highway within the city.
- (b) It shall be unlawful for any person to store or keep any inoperable vehicles on any property within the city.
- (c) Exceptions.
 - (1) Inoperative vehicles, provided that such vehicles are maintained in such a manner that they do not constitute a health, safety, or fire hazard and are contained in a fully enclosed structure.
 - (2) Vehicles stored or kept on the property of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise, provided that any inoperative, dismantled, discarded, wrecked, demolished, or partially

demolished vehicles are stored in a fully enclosed structure or in an approved junkyard as provided in the comprehensive development code.

SECTION 12. Section 11-76 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-76. - Removal of inoperable vehicles.

- (a) It shall be unlawful for any person to park, store, place or locate on any private or public property, or the owner or occupant of any property to park, store, locate or allow to be located on private or public property owned or occupied by such owner or occupant, outside of a legally constructed fully enclosed structure, any abandoned, disabled or inoperative vehicle or parts thereof.
- (b) In the event any person or the owner or occupant of any property fails to remove any inoperative vehicle unlawfully stored or displayed on the property as described in subsection (a) of this section within ten days after having received written notice requiring such removal, the city may cause the removal and disposal of such unlawfully stored or displayed inoperative vehicle. The removal and disposal of such inoperative vehicles may be accomplished either by city work force or by private contract.
- (c) In the event the person or the owner or occupant of any property upon which is located an inoperative vehicle outside of a fully enclosed legally constructed structure shall fail to remove such inoperative vehicle within ten days after having
been served with written notice requiring such removal, the city or its private contractor may remove such inoperative vehicle and shall store the same for a maximum period of 30 days. During such 30-day period, the owner of the vehicle may redeem such inoperative vehicle after paying to the city the reasonable and necessary charges for the removal and storage of such inoperative vehicle and presentation to the city of adequate proof of ownership of such inoperative vehicle. After such 30-day period, the city may dispose of such inoperative vehicle. For the purpose of this subsection, the term "occupant" shall mean any person in apparent control or possession of the property upon which the inoperative vehicle is located.
- (d) The written notice required by this section shall be deemed to have been served if:
 - (1) A copy of the notice is personally delivered to the party to be notified;
 - (2) A copy is left at the party's usual place of abode with some person above 15 years of age who resides at the party's usual place of abode, and informing such person of the contents thereof;
 - (3) A copy is mailed by certified United States mail; or
 - (4) If the name of such party or the place of residence or post office address cannot be ascertained after diligent search and inquiry or in the event a notice sent by either registered or certified mail shall be returned undelivered, such notice is posted in a conspicuous place on the property upon which the items described in this section are or were located.

- (e) Should a violation notice be issued for a violation having occurred pursuant to subsection (c) of this section, any subsequent violation of the same section on the same real property by the same owner or occupant of the real property on which the violation previously occurred, occurring within 180 calendar days, shall result in a reduction of time for compliance from ten consecutive days to five consecutive days, and the city may proceed with removal of the inoperative vehicle and/or other appropriate action or proceeding in a court of competent jurisdiction or the city's code enforcement board in order to abate any such violation. In addition, the provisions of this section may be enforced by and through any means available for the enforcement of city codes.
- (f) The notice required by this section shall contain a complete description of the inoperative vehicle to be removed, a description of the location of the inoperative vehicle to be removed, the section of the code violated, and the date by which the inoperative vehicle must be removed or brought into compliance. In addition, the notice must contain notification that a hearing may be held at the person's, owner's or occupant's request. The hearing may be requested by notice in writing to the city at the address prescribed in the notice of violation. The notice that a hearing is requested must be received by the city prior to the tenth day from the date of service
- of the written notice of violation provided for in this section. A hearing, if requested, shall be held by the code enforcement board prior to the city's removal of the inoperative vehicle. The alleged violator, the city and all interested parties shall have the right to present evidence and appear before the code enforcement board either in person or through counsel.
- (g) At any hearing held pursuant to this section, the code enforcement board shall decide, based upon the evidence presented and the applicable ordinances and laws, whether or not the violation specified is sustained by the facts and shall rule expeditiously. The code enforcement board shall not be bound by the strict rules of evidence. If a hearing is requested, the city shall not cause the removal of the inoperative vehicle until the code enforcement board has sustained the violation and five consecutive days have elapsed from the date that the code enforcement board's decision is served upon the violator which service shall be complete upon mailing by registered United States mail or upon delivery by hand or facsimile.

SECTION 13. Section 11-77 of the City of Largo Code of Ordinances is hereby repealed.

SECTION 14. Section 11-78 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-78. - Parking or storage of certain types of vehicles prohibited in designated single-family, duplex and triplex residential areas

- (a) *Within street right-of-way.* It shall be unlawful for any person to park, cause to be parked, or allow to be parked any of the vehicles described below on any street or right-of-way unless actual cleaning, loading or unloading is taking place:
- (1) Any aircraft or aircraft trailer.

- (2) Any boat or boat trailer.
 - (3) Any hauling trailer.
 - (4) Any of the following recreational type vehicles: travel trailers, motor homes, mobile homes, camping trailers, motor coaches, pop-up camping trailers, pickup coaches, auto campers or any other such vehicle designed or utilized for permanent or temporary residence.
 - (5) Any commercial vehicle as defined in section 11-73(b).
 - (6) Any inoperable vehicle either in whole or in part.
 - (7) Any recreational vehicle as defined in section 11-73(k).
 - (8) Any heavy vehicle as defined in section 11-73(e).
- (b) *Within any frontal building setback area from the street right-of-way or in the case of corner lots, within the side setback area from the side street.* It shall be unlawful for any person to park, place, install, or store, cause to be parked, placed, installed, or stored, or allow to be parked, placed, installed, or stored within frontal building setback areas from the street right-of-way or in the case of corner lots, also within the side setback area from the side street, on single-family, mobile home lot, duplex and triplex residentially platted, zoned or designated property, the following type vehicle or structures:
- (1) Any aircraft or aircraft trailer.
 - (2) Any vehicle of whatever type displaying a "for sale" sign and which vehicle is not titled to the owner or occupant of the premises upon which the vehicle is located.
- (c) *Prohibited vehicles and equipment.* It shall be unlawful to park or store or cause to be parked or stored or allow to be parked or stored upon any residentially zoned or designated property any commercial vehicle, heavy vehicle or commercial construction, landscaping and land clearing equipment.
- (d) *Exceptions.*
- (1) The foregoing parking restrictions shall not apply to:
 - a. Noncommercial and fully operative passenger vehicles, passenger vans and passenger pickup trucks;
 - b. Emergency vehicles (licensed and defined by state law);
 - c. Public or quasi-public utility vehicles less than 20 feet in overall length (as measured in a straight line between extremities);
 - d. Official vehicles of governmental agencies;
 - e. One recreational vehicle when parked or stored within the front portion of a residence, between the front of the structure and the right-of-way. Recreational vehicles may also be stored in the side or rear yard of a residential property but no more than a total of three (3) recreational vehicles may be stored on any residential property. Recreational vehicles parked in the front portion of a residence, between the front of the structure and the right-of-way, shall not exceed 26 feet in overall length and shall be parked on an improved surface such as shell, gravel, pavers,

concrete, or asphalt. Boats stored on a boat trailer shall count as one recreational vehicle and the trailer tongue will not count towards total vehicle length;

- f. One exempt commercial vehicle when parked or stored within the front portion of the residence, between the front of the structure and the right-of-way. One additional exempt commercial vehicle may be stored in the side or rear yard of the residential property;
 - g. Any vehicle when the City Commission issues a local declaration of a state of emergency.
- (2) The foregoing parking restrictions shall not apply to commercial vehicles during the actual performance of a service at the premises where the same is parked. Neither shall the foregoing parking restrictions apply to the loading, unloading or minor repairing or cleaning of recreational vehicles provided such act is fully completed within the shortest reasonable time period possible (under no circumstances longer than 24 hours).
- (e) *Scope of section.* The parking of vehicles, boats and trailers, etc., in residential areas, including commercial, industrial, and mixed-use areas designated for residential use, shall be subject to these parking restrictions regardless of the date such parking commenced, and shall not be deemed an allowable nonconforming use within the meaning prescribed within the comprehensive development code; provided, however, that these provisions shall not be construed to affect lawful nonconforming uses of the land itself.

Obstruction of sidewalk. Other provisions of this section to the contrary notwithstanding, it shall be unlawful to park or store, cause to be parked or stored, allow to be parked or stored any vehicle, including but not limited to, passenger, recreational or commercial in such a manner that any portion of a public sidewalk is obstructed by any part of the vehicle.

SECTION 15. Section 11-80 of the City of Largo Code of Ordinances is hereby repealed.

SECTION 16. Section 11-82 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-82. - Enforcement of article.

The provisions of this article shall be enforced by the Community Standards Manager and by the chief of police or their designated agents. The Community Standards Manager and the chief of police are authorized to remove or have removed any such items as are defined and prohibited.

SECTION 17. Section 11-83 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-83. - Penalties.

Penalties may be imposed by the following methods:

- (a) *Administrative abatement.* The city corrects a violation of the code and the costs of such abatement is then recouped by the city as provided in sections 11-49 and 11-50 and includes the placement of a lien against the property on which the violation occurred.
- (b) *Notice to appear.* The issuance of a notice to appear with a fine as specified in the county uniform fine schedule regarding local ordinance violations as provided in chapter 9.

SECTION 18. Section 11-111 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-111. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ambient noise means the all-encompassing noise associated with a given environment, being usually a composite of sound from many sources near and far.

A-weighted level (dBA) means the total broadband sound level of the noise spectrum as measured using the A-weighted network of a sound level meter. The unit of measurement is the dBA. Sound level meter settings shall be for slow response, except for motor vehicle measurements which shall be fast response.

Commercial zone means any geographic area designated for commercial or professional activities by the city's comprehensive plan.

Continuous noise means a noise which remains essentially constant in level during the period of observation.

Decibel (dB) means a division of a logarithmic scale used to express the ratio of two like quantities proportional to power or energy. The ratio is expressed in decibels by multiplying its common logarithm by ten.

Emergency means a situation wherein immediate work is necessary to restore property to a safe condition following a public calamity or immediate work is required to protect persons or property from an imminent exposure to danger.

Gross combination weight rating (GCWR) means the value specified by the manufacturer as the loaded weight of a combination vehicle.

Gross vehicle weight rating (GVWR) means the value specified by the manufacturer as the loaded weight of a single vehicle.

Impulsive noise means a noise which is characterized by brief excursions of sound pressure which significantly exceed the ambient noise level.

Industrial zone means any geographic area designated for industrial or manufacturing activities by the city's comprehensive plan.

Intermittent noise means a noise whose sound pressure level exceeds the ambient noise level at either regular or irregular intervals.

Motorcycle means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

Motor-drive cycle means every motorcycle and every motor scooter with a motor which produces not to exceed five-brake horsepower, including every bicycle with a motor attached.

Motor vehicle means any vehicle which is self-propelled and every vehicle which is propelled by electric, but not operated upon rails.

Noise means one or a group of loud, harsh, nonharmonious sounds or vibrations that are unpleasant and irritating to the ear.

Noise level means the sound pressure level as measured in dBA unless otherwise specified. A measurement of noise must be at least five dB above the ambient noise level.

Octave band means all of the components in a sound spectrum whose frequencies are between two sine-wave components separated by an octave.

Residential zone means any geographic area designated for single-family or multifamily dwellings by the city's comprehensive plan.

Sound level meter means an instrument to measure the sound pressure level of relatively continuous and broadband noises. The sound level meter used to determine compliance with this article shall meet or exceed the requirements for type 2 sound level meter in accordance with ANSI Standard S1-4.

Sound pressure level means the squared ratio, expressed in decibels, of the sound pressure under consideration to the standard reference pressure of 0.0002 dyne/cm².

The ratio is squared because pressure squared, and not pressure, is proportional to energy.

Vehicle means any device, in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

SECTION 19. Section 11-114 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-114. - Waivers.

- (a) Applications for waivers for relief from the maximum allowable noise level limits designated in this article shall be made in writing. Such applications for waivers shall

be made to the city manager or his/her duly authorized representative. Any waiver granted by the city manager under this section must be in writing and shall contain all conditions upon which such permit shall be effective. The city manager or his/her duly authorized representatives may grant the waiver as applied for under the following conditions:

- (1) The city manager or his/her designee may prescribe any reasonable conditions or requirements they deem necessary to minimize adverse effects upon the community or the surrounding neighborhood, including but not limited to the use of mufflers, screens or other sound attenuating devices.
- (2) Waivers from maximum allowable noise level limits may only be granted for noises created within an industrial or commercial zone by operations which were in existence on January 31, 2000.

- (3) Waivers may be issued for no longer than 180 days, renewable by further application to the city manager.

Any party feeling aggrieved by the denial of its application for waiver under this section by the city manager may appeal such denial to the city commission, such appeal to be filed within 30 days from the date of denial.

SECTION 20. Section 11-118 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-118. - Emanating from boats or barges on water areas adjoining residential zones.

- (a) No water craft shall be operated or be permitted to be operated on water areas adjoining residential zones which produces noise that exceeds 55 dBA, measured at the nearest adjacent residential property line, during the hours of 9:00 p.m. to 7:00 a.m., daily, except as provided in subsection (b) of this section.

In the case of construction barges or dredges, a permit from the city manager must be obtained in order to operate during the hours of 9:00 p.m. to 7:00 a.m. This permit will only be granted when the barge or dredge operator has satisfied the city manager that he/she has done all that is reasonably possible to minimize the noise impact on the adjacent residential community.

SECTION 21. Section 11-119 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-119. - Within outdoor public recreation areas and parks.

It shall be unlawful to operate or permit to be operated any device within an outdoor public recreation area or park that produces a noise exceeding 72 dBA during the hours between 7:00 a.m. to 9:00 p.m., or 55 dBA during the hours between 9:00 p.m. to 7:00 a.m., daily, measured at the nearest adjacent residentially zoned property line, except for planned community events, including but not limited to concerts, speeches, sporting events, fireworks displays, etc. When a planned community event will create noise in excess of the limits specified in this section, a permit must be obtained prior to the event.

SECTION 22. Section 11-121 of the City of Largo Code of Ordinances is hereby amended to read as follows:

Sec. 11-121. - Penalty for violation of article.

Violations of this article are punishable as provided in chapter 9.

SECTION 23. All ordinances or parts thereof inconsistent herewith are hereby repealed and superseded.

SECTION 24. This ordinance shall be codified and made part of the City of Largo Code of Ordinances, and all existing section numbers in Chapters 11, together with any cross references thereto, may be revised to accomplish such codification.

SECTION 25. It is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 26. This ordinance shall become effective immediately upon its final passage and adoption.

APPROVED ON FIRST READING _____

PASSED AND ADOPTED ON

SECOND AND FINAL READING _____

CITY OF LARGO, FLORIDA

Louis (Woody) L. Brown, Mayor

REVIEWED AND APPROVED:

ATTEST:

Alan S. Zimmet, City Attorney

Diane Bruner, City Clerk