



**MONROE COUNTY, FLORIDA  
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS  
ORDINANCE NO. 041 -2013**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY AMENDING SECTIONS 17-2 and 17-6 PARKING AND STORAGE OF VEHICLES AND WATERCRAFT ON PRIVATE PROPERTY AND PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the Monroe County Code to protect the public health and safety of the citizens and visitors to Monroe County; and

**WHEREAS**, it is necessary to maintain the public rights of way free of obstructions so as not to impede the flow of vehicular, bicycle or pedestrian traffic; and

**WHEREAS**, aesthetics are an important factor in ensuring the economic vitality of an area and that the separation of the commercial zones from residential neighborhoods not only affects the health and hazards of the community, it impacts the welfare of the community and the value of property within its borders; and

**WHEREAS**, prohibiting campers or other vehicles designed or adaptable for human habitation from being stored or parked upon public or private property unless confined in a garage is reasonable and necessary to protect the public health, safety and welfare of Monroe County citizens; and

**WHEREAS**, it is the desire of the community to preserve the residential atmosphere of the residential areas of the County; and

**WHEREAS**, protecting the residential neighborhoods against the lingering presence of commercial- vehicles is necessary to maintain the purpose of residential land use districts for residential uses.

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

**SECTION 1.** Section 17-2 of the Monroe County Code is hereby amended to read as follows:

Sec. 17-2. - Inoperative vehicles and watercraft.

(a) Within all land use districts except Industrial (I) districts, all vehicles that are inoperative shall be prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.

(b) Within all land use districts except Industrial (I) districts, all vehicles that are unlicensed for a period of ten days shall be prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.

(c) Within all land use districts except Industrial (I) districts, all watercraft that are wrecked, inoperative, partially dismantled and/or decayed and/or abandoned or stored on a boat trailer that is not ready for highway use for a period of 30 days, shall be prohibited on any waterway, shore, private or public property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in a completely enclosed building.

**SECTION 2.** Section 17-6 of the Monroe County Code is hereby amended to read as follows:

Sec. 17-6. - Parking and storage of vehicles and watercraft within any residential land use district.

(a) Prohibited: Within any residential district, the parking and/or storage of vehicles and watercraft shall be prohibited as follows. For the purposes of this section, a residential district shall be any zoning district in which residential use is allowed.

TYPE OF VEHICLE*	PROHIBITED
Class 1- Class 2A (Light Duty Trucks 0 to 8,500 lbs.)	Parking and storage prohibited in right-of-way within road bed
Class 1- Class 2A (Light Duty Trucks 0 to 8,500 lbs.)	Storage prohibited in right-of-way outside of road bed
Class 2B - Class 4 (Light Duty and Medium Duty Trucks 8,501 to 16,000 lbs.)	Parking and storage prohibited in right-of-way within road bed
Class 2B - Class 4 (Light Duty and Medium Duty Trucks 8,501 to 16,000 lbs.)	Storage prohibited in right-of-way outside of road bed
Class 2B - Class 4 (Light Duty and Medium Duty Trucks 8,501 to 16,000 lbs.) With cabinet box, platform, rack, or other equipment for purposes of carrying goods other than personal effects of passengers)	Prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.
Class 5 (Medium Duty Trucks 16,001 to 19,500 lbs.)	Parking and storage prohibited in right-of-way within and outside road bed
Class 5 (Medium Duty Trucks 16,001 to 19,500 lbs.)	Storage prohibited in right-of-way outside of road bed
Class 5 (Medium Duty Trucks 16,001 to 19,500 lbs.)	Prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.
Class 6 (Medium Duty Trucks 19,501 to 26,000 lbs.)	Parking and storage prohibited in right-of-way within and outside road bed
Class 6 (Medium Duty Trucks 19,501 to 26,000 lbs.)	Storage prohibited in right-of-way outside of road bed
Class 6 (Medium Duty Trucks 19,501 to 26,000 lbs.)	Prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained

	in an enclosed area/garage.
Class 7 or 8 (Heavy Duty Trucks 26,001 lbs. and up)	Parking and storage prohibited on right-of-way within and outside road bed
Class 7 or 8 (Heavy Duty Trucks 26,001 lbs. and up)	Parking and storage prohibited on private property within all land use districts except (I) Industrial.
Tractor trailer	Parking and storage prohibited on right-of-way within and outside road bed
Tractor trailer	Parking and storage prohibited on private property within all land use districts except (I) Industrial.
Trailer	Parking and storage prohibited in right-of-way within road bed
Trailer	Storage prohibited in right-of-way outside of road bed
Buses/Limos (greater than 10 persons for transport) as defined in F.S. 320.01 (4)	Parking and storage prohibited on right-of-way within and outside road bed
Buses/Limos (greater than 10 persons for transport) as defined in F.S. 320.01 (4)	Parking and storage prohibited on private property within all land use districts except (I) Industrial.
For Hire Vehicle (less than 10 persons for transport)	Parking and storage prohibited on right-of-way within and outside road bed
Recreation Vehicles, Campers, Cargo Vans as defined in F.S. 320.01	Parking and storage prohibited in right-of-way within road bed
Recreation Vehicles, Campers, Cargo Vans as defined in F.S. 320.01	Storage prohibited in right-of-way outside of road bed
Recreation Vehicles, Campers, Cargo Vans as defined in F.S. 320.01	Only one recreational vehicle-type unit as defined in F.S. 320.01 shall be permitted on any one residential or mobile home lot. HABITATION PROHIBITED.
Watercraft that are wrecked, inoperative, partially dismantled and/or decayed and/or abandoned or stored on a boat trailer that is not ready for highway use for a period of 30 days,	Parking and storage prohibited on right-of-way within and outside road bed
Watercraft that are wrecked, inoperative, partially dismantled and/or decayed and/or abandoned or stored on a boat trailer that is not ready for highway use for a period of 30 days,	Prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.
Inoperative Vehicles	Parking and storage prohibited on right-of-way within and outside road bed
Inoperative Vehicles	Prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.
Vehicles unlicensed for a period of ten (10) days	Parking and storage prohibited on right-of-way within and outside road bed
Vehicles unlicensed for a period of ten (10) days	Prohibited on private property unless screened completely from view from street or any other residential structure, must meet setbacks of land use district where located or contained in an enclosed area/garage.
All other watercraft and vehicles	Parking and storage prohibited in right-of-way within road bed
All other watercraft and vehicles	Storage prohibited in right-of-way outside of road bed
*Note – Definitions from F.S. and United States Department of Transportation Federal Highway Administration (FHWA)	

(b) Permissible (or "allowed"): All permissible parking and storage on private property in any district shall still comply with the following conditions, this chapter, and part II of this Code and shall be subject to code compliance.

(1) All vehicles parked in accordance with this chapter shall be parked taking into account the setback requirements as is set forth in part II of this Code.

(2) All vehicles parked or stored as per the provisions of this chapter shall not be used as a place of habitation.

(3) All vehicles as referred to in this section may only be parked on the same lot or contiguous lot with and after the principal structure is erected.

(4) Only one recreation vehicle-type unit as defined in F.S. § 320.01, shall be permitted on any one residential or mobile home lot for storage purposes as provided in this section.

(5) All equipment, including construction, landscaping or land clearing equipment and vehicles may only be parked or stored on the same lot for which it is actively being used to conduct the scope of work related to a valid active permit or contract for services.

(6) All vehicles and equipment, including those identified with a business logo, services offered or business identifiers shall be stored or parked taking into account the requirements set forth in the land use district in which they are being parked or stored.

### **Section 3. Severability.**

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

### **Section 4. Conflicting Provisions.**

In the case of direct conflict between any provision of this ordinance and a portion or provision of any appropriate federal, state, or county law, rule code or regulation, the more restrictive shall apply.

### **Section 5. Filing.**

This Ordinance shall be filed with the Department of State and shall be effective as provided in Chapter 125.66(2) Florida Statutes.

### **Section 6. Inclusion in the Monroe County Code.**

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition to amendment thereto, and shall be appropriately renumbered to conform to the uniform marking system of the Code.

### **Section 7. Effective Date.**

This ordinance shall become effective as provided by law and stated above. This ordinance applies to any permit, and or other development approval application submitted after the effective date.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 17th day of September, 2013.

Mayor George Neugent

Not present

Mayor *Pro Tem* Heather Carruthers

Yes

Commissioner Danny Kolhage

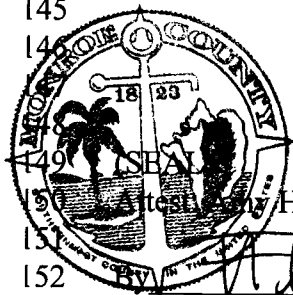
Yes

Commissioner Sylvia J. Murphy

Yes

Commissioner David Rice

Yes



Heavilin, Clerk

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By

*George L. Neugent*

Mayor George Neugent

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:

*STEVEN T. WILLIAMS*

STEVEN T. WILLIAMS  
ASSISTANT COUNTY ATTORNEY

Date

*8/30/13*

FILED FOR RECORD  
2013 OCT 24 AM 10:35  
CLERK OF CIR. CT.  
MONROE COUNTY, FL.