

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, ARTICLE III - GENERAL PROVISIONS, SECTION 3.10 - ABANDONED VEHICLES; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: That the Code of Ordinances of the City of Margate, Florida, Appendix A Zoning, Article III. - General Provisions, Section 3.10 - Abandoned vehicles, shall be amended to read as follows<sup>1</sup>:

Section 3.10. - Abandoned vehicles.

(A) *Abandoned or inoperative vehicles; storage of vehicles; unlawful.* It is hereby declared unlawful and a nuisance to the general public to leave any abandoned or inoperative vehicle, as defined in Section 2.2 or 40.16 of the Zoning Code of the City of Margate, ~~or vehicle without valid registration, if one is required by law,~~ or any parts thereof, in the public streets, alleys, or rights-of-way or upon any private property. It is hereby prohibited for any owner or person in control of any vehicle or part thereof to leave same abandoned or inoperative upon the public streets, alleys, or rights-of-way or upon any other public or private property within the City of Margate, or for the owner or person in control of any such vehicle or the owner, occupant, tenant, lessee, person in control, or person in possession of any property to permit or suffer the same to be stored on any privately owned property, unless said vehicle is stored inside a completely enclosed structure or a designated storage area. Any such designated storage area shall be in a B-3, TOC-C, or M-1 district, and

<sup>1</sup>CODING: Words in ~~struck through~~ text are deletions from existing text, words in underscored text are additions to existing text, and shaded text are changes between First and Second Readings.

1  
2  
3  
4 enclosed by a seven-foot concrete block wall stuccoed on  
5 any side visible from areas outside of the property where  
6 it is situated. No storage area or wall surrounding same  
7 shall be located in a required setback area.  
8

9 (1) The above prohibition shall not apply to motor vehicles  
10 which are offered for sale in a lot or space specifically  
11 designated and zoned for the sale of new or used vehicles  
12 where adequate space has been provided for same and a Local  
13 Business Tax Receipt has been issued by the City of  
14 Margate.

15 (2) The above prohibition shall not apply to motor vehicles  
16 which are parked on private property zoned for vehicle  
17 repair while said vehicles are temporarily and actively  
18 being repaired by a business or concern which has been  
19 issued a Local Business Tax Receipt by the City of Margate.

20  
21 **[Note to Municode: The remainder of this section**  
22 **shall remain as codified.]**  
23

24 SECTION 4: All ordinances or parts of ordinances  
25 in conflict herewith are and the same is hereby repealed to  
26 the extent of such conflict.  
27

28 SECTION 5: If any section, sentence, clause, or  
29 phrase of this ordinance is held to be invalid or  
30 unconstitutional by a court of competent jurisdiction, then  
31 said holding shall in no way affect the validity of the  
32 remaining portions of this ordinance.  
33

34 SECTION 6: It is the intention of the City  
35 Commission that the provisions of this ordinance shall become  
36 and be made a part of the City of Margate Code, and that the  
37 sections of this ordinance may be renumbered or relettered and  
38 the word "ordinance" may be changed to "section", "article" or  
39 such other appropriate word or phrase in order to accomplish  
40 such intentions.  
41

42 SECTION 7: This ordinance shall become effective  
43 immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS 22<sup>ND</sup> day of JANUARY, 2019.

PASSED ON SECOND READING THIS 29<sup>TH</sup> day of JANUARY, 2019.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR TOMMY RUZZANO

RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

Caggiano	<u>NO</u>
Simone	<u>YES</u>
Arserio	<u>YES</u>
Schwartz	<u>ABSENT</u>
Ruzzano	<u>YES</u>

Caggiano	<u>                    </u>
Simone	<u>                    </u>
Arserio	<u>                    </u>
Schwartz	<u>                    </u>
Ruzzano	<u>                    </u>