

# MEMORANDUM

Agenda Item No. 7(D)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

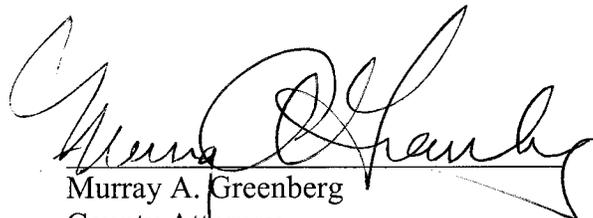
(Second Reading 11-01-05)  
**DATE:** September 8, 2005

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Ordinance pertaining to  
zoning; pertaining to display  
of vehicles for sale

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The accompanying ordinance was prepared and placed on the agenda at the request of Senator Javier D. Souto.

  
Murray A. Greenberg  
County Attorney

MAG/bw

# Memorandum



**Date:** November 1, 2005

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

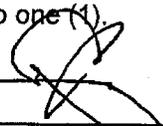
A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

**Subject:** Ordinance pertaining to zoning; amending Section 33-19.1 of the Code of Miami-Dade County, Florida pertaining to display of vehicles for sale

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This ordinance pertaining to zoning amends Section 33-19.1 of the Code of Miami-Dade County does not have a fiscal impact to Miami-Dade County.

The revisions to the ordinance establish criteria for the display of vehicles for sale, expand the definition of vehicles to include boats, and limit the number of "for sale" signs which can be posted on the vehicle to one (1).

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Assistant County Manager

fiscal08105



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 1, 2005

**FROM:**   
Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 7(D)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 7(D)

Veto \_\_\_\_\_

11-01-05

Override \_\_\_\_\_

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

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-19.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO DISPLAY OF VEHICLES FOR SALE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Section 33-19.1 of the Code of Miami-Dade County is hereby amended as follows:<sup>1</sup>

**Sec. 33-19.1. Display of vehicles for sale.**

- (a) No vehicle >> or boat << shall be displayed for sale in a residential district unless affixed to the vehicle is a valid state license plate issued for the vehicle, except that a vehicle affixed with a lost tag may be displayed for a period not to exceed ten (10) days. A vehicle with a lost tag shall have the vehicle registration affixed to the rear window so as to be easily readable by law enforcement and code enforcement officials. >> As used in this section, the term "vehicle" shall include an automobile, motorcycle, truck, or recreational vehicle, a utility trailer, or a trailer for transporting off-highway vehicles or boats. <<
- (b) In residential districts no more than one (1) vehicle may be displayed for sale at any one (1) time on any one (1) premise and no more than two (2) vehicles may be displayed for sale at any one (1) premise for any one (1) calendar year, and the display shall only be permitted at the current address of the registered owner >> of the vehicle offered for sale on the subject premises <<.
- >>(c) No more than one sign shall be placed on the vehicle offered for sale. Such sign shall not exceed 8 inches by 12 inches. <<

~~[(e)]~~ >>(d) << All violations of this section shall be punishable by a fine of one hundred dollars (\$100.00) for the first vehicle on a first offense and five hundred dollars (\$500.00) per vehicle for each additional vehicle and

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<sup>1</sup> Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

any repeat violation of this section. The County 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. Any vehicle in violation of this section shall be towed if not removed immediately by the owner. (Vehicle owners will be responsible for all fines, towing fees, storage fees, and any administrative and enforcement fees that result from the enforcement of this section.)

**Section 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 3.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

**Section 4.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

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Prepared by:

JM

John McInnis

Sponsored by Senator Javier D. Souto