

MEMORANDUM

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Agenda Item No. 3(C)

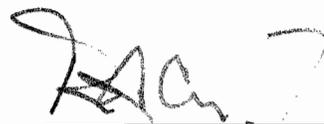
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: May 13, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance pertaining to
Zoning; creating section
33-124.2 of the Code of
Miami-Dade County
pertaining to automobile and
truck parking in residential
areas

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



R. A. Cuevas, Jr.
County Attorney

RAC/jls

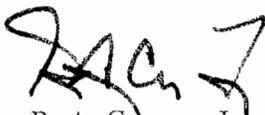


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: April 22, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 4(H)

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
Veto _____
Override _____

Agenda Item No. 4(H)
4-22-08

ORDINANCE NO. _____

ORDINANCE PERTAINING TO ZONING;
CREATING SECTION 33-124.2 OF THE CODE OF
MIAMI-DADE COUNTY, FLORIDA PERTAINING
TO AUTOMOBILE AND TRUCK PARKING IN
CERTAIN RESIDENTIAL AREAS; AMENDING
SECTION 8CC-10 PERTAINING TO CIVIL
PENALTIES; 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 33-124.2 of the Code of Miami-Dade County is hereby created
as follows:

**Sec. 33-124.2. Parking of private passenger vehicles in certain residential
areas.**

Privately owned non-commercial automobiles and trucks shall be prohibited from parking in the open in the rear or interior side yard areas of RU-1 (Single Family), RU-2 (Duplex) and EU (Estate) zoned lots, parcels or tracts, except as otherwise provided in community urban centers, or as otherwise provided by urban design standards. Parking of privately owned non-commercial automobiles and trucks in an enclosed garage shall be permitted.

All such automobiles and trucks parked on residential lots, parcel or tracts shall be parked in the front or side street areas, shall be maintained in good working order, and shall have a current license plate. The leaking of automotive fluids, other than water, onto permeable surfaces shall be prohibited. Violators of this provision shall be subject to the fines imposed pursuant to Chapter 8CC-10 of this code. Furthermore, privately owned non-commercial automobiles and trucks which are leaking fluids onto permeable surfaces are subject to being towed, at the expense of the vehicle owner.

Section 2. Section 8CC-10 of the Code of Miami-Dade County is hereby amended as follows:¹

Sec. 8CC-10. Schedule of civil penalties.
The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

* * *

| <i>Code Section</i> | <i>Description of Violation</i> | <i>Civil Penalty</i> |
|-------------------------|--|-----------------------|
| <u>>>33-124.2</u> | <u>Unlawfully parking in rear or interior side yard area of RU-1, RU-2 and EU lots</u> | <u>200.00</u> |
| <u>33-124.2</u> | <u>Leaking of automotive fluids onto permeable surfaces in RU-1, RU-2 and EU zones</u> | <u>500.00<<</u> |

* * *

Section 3. 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 4. 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.

¹ 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.

Section 5. 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:



JAC

Prepared by:



JM

John McInnis

Sponsored by Sen. Javier D. Souto

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