

(2644)

AN ORDINANCE AMENDING ORDINANCE NO. 264

AN ORDINANCE MAKING IT UNLAWFUL TO PARK, STORE OR LEAVE ANY VEHICLE IN AN ABANDONED, WRECKED, JUNKED OR DISCARDED CONDITION ON PUBLIC RIGHTS-OF-WAY OR OTHER PUBLIC OR PRIVATE PROPERTY WITHIN CERTAIN AREAS OF THE CITY OF SPRINGFIELD IN BAY COUNTY, FLORIDA: AND PROVIDING A PENALTY TO BE IMPOSED FOR ANY VIOLATION OF THIS ORDINANCE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SPRINGFIELD, IN BAY COUNTY, FLORIDA:

SECTION 1. Definitions. The following words and phrases, when used in this ordinance, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(a) Person. "Person" shall mean any person, firm, partnership, association, corporation, company, sole proprietorship, business, or organization of any kind.

(b) Vehicle. "Vehicle" shall mean a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, and wagon.

(c) Street or highway. "Street" or "highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(d) Property. "Property" shall mean any real property within the city which is not a street or highway.

(e) Abandoned, wrecked, junked or discarded vehicles. "Abandoned, wrecked, junked or discarded

vehicles" shall mean any of the following:

(1) Any vehicle which has been partially dismantled and does not have a current license plate as required by the laws of the State of Florida.

(2) Any vehicle which is nonoperative and does not have a current license plate as required by the laws of the State of Florida.

(3) Any vehicle which is partially dismantled, is inoperative, and is not registered in the name of the person purporting to be the owner.

(i) Partially dismantled shall mean that the vehicle has, at a minimum, one door panel removed, or trunk lid removed, or hood removed, or two tires removed, or all windows removed, or engine block removed, or transmission removed.

(ii) Nonoperative shall mean, at a minimum, that the car cannot be driven under its own power with the exception of a vehicle that is not operative due to an empty gas tank.

SECTION 2. It shall be unlawful to park, store or leave any vehicle of any kind, in an abandoned, wrecked, junked, or discarded condition, whether attended or not, on public rights-of-way or other public or private property, or for the owner of any such vehicle or private property, or for the owner of any such vehicle or the owner or occupant of any property to allow, permit or suffer the same to be left upon any privately owned property, unless said vehicle is being repaired so as to be lawfully operated in accordance with the state law. However, any vehicle being repaired shall not be allowed to remain on said property for a period greater than ten (10) days.

This section shall not apply to businesses being lawfully licensed and operated as garages, repair

shops or storage areas.

SECTION 3. If the Police Chief or his representative finds any vehicle in violation of this ordinance, the Police Chief shall cause written notice of violation to be delivered, by any appropriate means, to the owner, or person in possession of the vehicle and to the owner or occupant of the land upon which the vehicle is located, and if the vehicle in violation is not immediate removed, the Chief shall take appropriate action to enforce this ordinance.

SECTION 4. Any person violating any of the provisions of this article shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in jail not exceeding sixty (60) days or by both such fine and imprisonment in the discretion of the Court. Prosecution of violators under this section shall not preclude the enforcement of this code as otherwise provided herein.

SECTION 5. Vehicles found in violation of this ordinance may be disposed of according to State Statutes.

SECTION 6. Each day that a violation continues shall constitute a distinct and separate offense.

SECTION 7. All ordinances or parts of ordinances in direct conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall take effect as provided by law.

PASSED In regular session of the City Commission, this 4 day of MAY, 1987.


Mayor

Attest:
[Signature]
City Clerk

APPROVED by me this 4

day of MAY 1987.
[Signature]
Mayor