

CITY OF SPRINGFIELD, FLORIDA

ORDINANCE No.: 437

AN ORDINANCE REGULATING THE LICENSING OF MOTOR VEHICLE REPAIR SHOPS, THE STORING OR KEEPING OF MOTOR VEHICLES, MOTOR VEHICLE PARTS AND ACCESSORIES, INCLUDING WATER CRAFT, ON THE PROPERTIES OF VEHICLE REPAIR SHOPS, WRECKER OR TOW SERVICES AND REPOSSESSION SERVICES.

WHEREAS, the City Commissioners of the City of Springfield, Florida, after due consideration and deliberation, has determined the need for an ordinance regulating the keeping and storing of vehicles at motor vehicle repairs shops.

WHEREAS, The City Commission of the City of Springfield reserves the right to make modifications to this ordinance, as determined to be in the best interest of the City;

WHEREAS, The City Commission finds that it is in the interests of health, safety and welfare of both visitors and the residents of the City of Springfield to enact such regulations;

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

SECTION 1. DEFINITIONS - As used in this ordinance:

The City of Springfield adopts the requirements set forth by the State of Florida in FSS 559, Part IX, Motor Vehicle Repair including definitions set forth therein for the following terms:

Customer, Department, Employee, Final Estimate, Motor Vehicles, Motor Vehicle Repair Shop, Place of Business, Motor Vehicle Repair.

SECTION 2. Limitations on the keeping or storage of motor vehicles on the premises of motor vehicle repair shops:

1. The City of Springfield hereby requires that all motor vehicle repair shops operating inside the City provide all customers with an estimate of repairs as defined in FSS 590, Part IX, and further requires that a copy of such estimate of repairs be maintained in the records of the repair shop on all customer vehicles kept on the repair shops premises for as long as such vehicle is in their custody for repairs.

2. The repair shop shall not have a vehicle on or about the premises of the shop unless an active estimate of repairs, signed by the customer, is on file.

3. The repair shop shall not keep or store any motor vehicle or motor driven vehicle on the premises, including water craft with or without a motor or engine power source unless an active estimate of repairs, signed by the customer, is on file.

4. There shall be no outside storage of vehicle parts or accessories. Parts and accessories to be used for the repair of customer vehicles shall be kept inside. Inside storage shall mean inside a conventionally constructed building. Portable storage buildings shall not be allowable for the purpose of storing parts and accessories unless such building's interior is in excess of 120 square feet, is permitted, and meets all construction standards as required by the Bay County Building Inspector, including setbacks.

5. The City of Springfield recognizes that repair shops specializing only in water craft frequently set aside an area for storage of water craft temporarily or full time in which customers pay storage fees. Such a storage area shall be a separate compound on or off the premises, if the zoning permits such storage, and shall require a separate occupational license. There shall be no partially dismantled, unlicensed, unregistered, non-operational vehicles permitted in such storage areas.

6. There shall be no outside commercial storage facilities allowed in the City for the storage of street or off-road driven motor vehicles. As per ordinance 279 of the City of Springfield, junk yards are not permitted.

7. In the case of commercial wrecker or towing services and vehicle repossession services, such services shall have their temporary storage facilities fenced with a privacy fence which shall be no less than six feet (6') in height and shall encompass the entire storage facility. The fence shall be continuously maintained in a fashion so as to prevent deterioration in its appearance or the integrity of its construction. Existing vehicle wrecker, tow or repossession services shall have six (6) months in which to comply with the requirements of this section.

8. In no case shall any vehicle be stored on the property of an motor vehicle repair business, wrecker, tow or repossession service for longer than ninety (90) days.

SECTION 3. REMEDIES:

1. Any motor vehicle repair shop or water craft repair shop found to be in violation of this ordinance shall be subject to a fine of one hundred dollars (\$100.00) per vehicle, per violation. Allotted time for correction of such violation shall be at the reasonable discretion of the Code Enforcement Officer or other designated City agent based upon guidelines of FSS 162 but in no case more than thirty (30) days.

2. All existing motor vehicle repair businesses in the City shall comply with this ordinance within thirty (30) days of its effective date.

SECTION 4. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective upon passage.


PASSED AND ADOPTED by the City Commission, in Regular Session, in Springfield, Bay County, Florida, on this the 4th of October, 2004.

CITY OF SPRINGFIELD



Robert E. Walker, Mayor

ATTEST:


Jimmie Anderson, Acting City Clerk

First Reading: September 7, 2004
Second Reading: October 4, 2004
Date Published: September 17, 2004