

## **ORDINANCE 2020-01**

**AN ORDINANCE OF THE TOWN OF HILLCREST HEIGHTS, POLK COUNTY, FLORIDA, REGULATING OFF-STREET PARKING OF VEHICLES WITHIN THE TOWN OF HILLCREST HEIGHTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Town Commission of the Town of Hillcrest Heights has determined it to be in the public interest to revise the Off-Street Parking regulations set forth in Article 5, Chapter 3, §§ 1.01, 1.02, 1.03, and 1.04, of the Land Development Regulations of the Town of Hillcrest Heights, Florida; and

WHEREAS, the Town Commission has the authority to enact regulations governing Off-Street Parking requirements within the corporate limits of the Town of Hillcrest Heights; and

WHEREAS, the Town Commission has the authority to rescind and replace previously enacted Ordinances and has determined that the existing provisions of Article 5, Chapter 3, §§ 1.01, 1.02, 1.03, and 1.04 should be rescinded and replaced; and

WHEREAS, the Town Commission has the authority to enact Ordinances to be added to and incorporated in the Town's Code of Ordinances.

NOW THEREFORE, BE It Ordained by the Town Commission of the Town of Hillcrest Heights as follows:

1. The provisions of Article 5, Chapter 3, §§ 1.01, 1.02, 1.03, and 1.04, of the Land Development Regulations of the Town of Hillcrest Heights, Florida, are hereby rescinded and are replaced with the following sections of Article 5, Chapter 3:
  - 1.01. All vehicles parked in the front of a house shall be parked on a hard surface driveway or other areas that have been approved and permitted by the Town Commission.
  - 1.02. All hard surface driveways and approved parking areas shall be paved with concrete, asphalt, pavers or other suitable paving material that have been approved and permitted by the Town Commission.
  - 1.03. Recreational vehicles, campers, boats, or trailers shall not be parked in front of a house (in the yard, on the driveway, or in the road) except for a period not to exceed 24 hours for the purpose of loading, unloading and cleaning of the vehicle.
  - 1.04. Recreational vehicles, campers, boats and trailers may be parked in a side or backyard or under a permitted carport.

- 1.05. Campers or recreational vehicles parked in Hillcrest Heights may not be lived in or occupied for a period to exceed seven days.
- 1.06. Unlicensed, wrecked, dismantled, derelict, inoperable vehicles or vessels may not be parked or stored on any property in the Town of Hillcrest Heights except in garages or carports.
- 1.07. Under certain exceptions variances to the parking regulations may be granted by the Town Commission.
- 1.08 Definitions:
  - a. For the purpose of this ordinance the front of the house or the front yard is defined as the side or in the case of corner lots, sides facing a street.
  - b. For the purpose of this ordinance the side yard is defined as the portion of the property behind the front line of the house extending to the back line of the house.
  - c. For the purpose of this ordinance the backyard is defined as the portion of the yard that is behind the rear line of the house.
2. Severability. The provisions of this Ordinance are severable, and if any of its provisions shall be held unconstitutional or unenforceable by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.
3. Conflicts with other Ordinances. In the event that a portion or portions of any Ordinance conflict with this Ordinance, the provisions of this Ordinance shall prevail.
4. Effective Date. This Ordinance shall take effect immediately upon passage after second reading and public hearing.

INTRODUCED AND PASSED on First Reading this 8<sup>th</sup> day of June, 2020.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the Town of Hillcrest Heights, Florida, this 13<sup>th</sup> day of July, 2020.