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## Sec. 25-10. Parking of commercial vehicles, RVs and boats.

- (a) *Parking in residential districts.* Except as hereinafter provided, no owner or person having the use of a commercial vehicle, recreational vehicle, boat or any type of trailer, as these terms are defined in section 21-8, shall park, store or keep the vehicle or boat or any type of trailer for any period of time in the public street, public right-of-way or privately owned property in residentially zoned districts. This section shall not apply to the following:
- (1) Vehicles, boats or any type of trailers that are enclosed or screened from public view in one of the following ways. This subsection is not a waiver of setback requirements or any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection.
    - a. Vehicles, boats or any type of trailers parked entirely in a covered garage whose door(s) is closed except for actual, active and uninterrupted moving, loading or unloading;
    - b. Vehicles, boats or any type of trailers parked entirely in a carport, attached to the home, which is screened on all sides by permanent dense vegetation or other permanent material, and covered by a roof, and that such screening shall screen from view from any right-of-way abutting the property;
    - c. Commercial vehicles or any types of trailers which do not exceed ten (10) feet in total height, and which are parked within an area behind a privacy fence with a height of six (6) feet. No portion of a vehicle or trailer parked or stored pursuant to this subsection shall exceed ten (10) feet in height, nor shall it have any signage or lettering visible, or be visible from the public right-of-way.
    - d. RVs, boats or boats mounted on trailers owned by the property owner and registered to the property which do not exceed twelve (12) feet in height, and which are parked within an area behind a privacy fence with a height of six (6) feet. No portion of a vehicle or boat parked or stored pursuant to this subsection shall exceed twelve (12) feet in total height and must be maintained in good, clean condition such that there is no fading, tearing or holes in upholstery/fabric and no accumulated dirt, mold or debris.
    - e. All vehicles or boats parked or stored pursuant to this Subsection (1) that exceed the six (6) feet privacy fence must be annually registered with the right to inspect by the city's Code Enforcement Department. Upon registering the vehicle or boat the property owner or occupant must allow the City the right to enter the property to inspect and verify the height and valid state registration of the vehicle or boat. The initial registration fee shall be fifty dollars (\$50.00) payable to the City. The annual registration is not transferable to another vehicle or boat.
      1. All vehicles or boats parked or stored pursuant to this subsection and that exceed the six feet privacy fence must be annually registered with the City's Police Department. Upon registering the vehicle or boat the property owner or occupant must allow the Police Department entry to the property to inspect and verify the height and valid state registration of the vehicle or boat. The initial registration fee, and subsequent annual renewal fees, are to be recommended by the chief of police reflecting the actual costs for the Police Department inspection and verification, and then approved by the City Manager. The annual registration is not transferable to another vehicle or boat.
  - (2) Vehicles made necessary for individual use by persons with actual physical impairments or disabilities;
  - (3) Any boat or RV shall be permitted to remain in the front of the property owner's residence for up to 36 hours for the limited purposes of actual, active and uninterrupted loading or unloading, repairs, deliveries or maintenance.

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- (4) Any prohibited vehicle or trailer parked in a prohibited area for purposes of actual, active and uninterrupted loading or unloading, repairs, deliveries or maintenance between the hours of 6:00 a.m. and 7:00 p.m.
  - (5) Any rowboat, canoe or sailboat not to exceed 14 feet in length, kept by the owner at the rear or interior side yard of the owner's residence or in the waterway adjacent thereto;
  - (6) A vehicle performing or used in the performance of a local city, county or state function;
  - (7) Commercial vehicles whereby signage is the only cause for classifying the vehicle as a commercial vehicle and where the signage is completely covered with a magnetic cover and provided that the magnetic cover is the same color as the commercial vehicle and the vehicle maintains the standard designed contour of the vehicle;
  - (8) Owners and/or occupants of residences are permitted to park or store their boat or recreational vehicle in front of a residence for a period of not more than 24 hours within any seven day period. This subsection is not a waiver of any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection;

Except as provided herein, the use of a tarpaulin (tarp) or other similar covers shall not satisfy the requirements of this section for a recreational vehicle, boat or trailer. A commercial vehicle or private passenger vehicle may use a form-fitting vehicle cover so long as the current automobile license tag may be visible from the right-of-way by means of clear material or an opening or otherwise make view of the tag available and that such cover is designed to conform to the standard designed contour of the vehicle. Under all circumstances covers shall be constructed of sound material and shall be maintained in good, clean condition, such that there is no fading, tearing, or holes in the cover that are not part of its intended design and no accumulated dirt, mold, debris or other material on the cover. Vinyl or canvas tarpaulin or other covers not designed for use to cover a vehicle shall be prohibited.

All properties located within the municipal boundaries of the City of Cooper City shall be brought into compliance with the provisions of Cooper City Ordinance No. 05-05-03 no later than November 23, 2005.

- (9) Any properties who enjoy the protections of the special residential lifestyle overlay district as set forth in section 23-76 of this Code;
  - (10) In all residential zoning districts, only one boat or one recreational vehicle is permitted per dwelling unit.
- (b) *Parking in commercial districts.* Except as hereinafter provided, no owner, or person having the use of a commercial vehicle, recreational vehicle, boat or trailer shall park, store or keep the vehicle or trailer for any period of time within the property lines of any district other than a residentially zoned district. This subsection shall not apply to the following:
- (1) Vehicles, boats or trailers which have an active commercial or business purpose for which the owner or person having the use of said vehicles, boats or trailers holds a current and valid occupational license for a business location within the commercially-zoned district; provided, however, that such vehicle, boat or trailer shall be parked, stored or kept in the rear of the commercial facility or structure. This subsection is not a waiver of setback requirements or any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection.
  - (2) Vehicles, boats or trailers which have an active commercial or business purpose for which the owner or person having the use of said vehicles, boats or trailers holds a current and valid occupational license for a church, synagogue, private or parochial school, nursery school, or child care center, or non-profit club; provided that the use occupies a free-standing building located on a separate parcel of land that is not connected to or has no access to adjacent commercial uses. Such separate parcel of land may be under the same ownership as adjacent commercial uses. This subsection is not a waiver of setback

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requirements or any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection.

(c) *Special variance.* Any person owning or using a commercial vehicle may apply for a variance from the strict and literal terms of the foregoing provisions and the City Commission may grant such a variance from the terms, conditions and provisions of this section as will not be contrary to the public interest when, owing to special circumstances, literal enforcement of the applicable provisions hereof would inflict an unnecessary hardship to the ownership of such commercial vehicles, provided, further, that the following conditions are met:

- (1) Applicant has submitted a petition for variance on such forms required by the City;
- (2) The Planning and Zoning Board has returned a written recommendation with respect to such variance request and has transmitted the same to the City Commission;
- (3) The applicant has filed with the City a sworn affidavit executed by both the user of the vehicle and the owner of the applicable commercial enterprise containing the following information or statements:
  - a. Description of vehicle, including serial number or vehicle registry number;
  - b. Name of business in which such vehicle is used (address and telephone number);
  - c. Nature of the business;
  - d. Employee of the business (name, address and telephone number) using the vehicle necessitating the variance request; and
  - e. A statement that the subject vehicle is used on a 24 hour basis in connection with the nature of the named business in order to facilitate responses to emergency situations involving threat to life and/ or property and that without the named employee having immediate access to the subject vehicle, the emergency to which such vehicle is intended to respond would be increased, and that the use of the vehicle by the named employee is not merely for the employee's convenience.
- (4) Notice of a public hearing has been given by the City in accordance with the procedures of section 23-153, variance.
- (5) No variance granted pursuant to the terms hereof shall be granted for a period longer than one year from the effective date of the variance.

(d) *Prohibition on junked or abandoned vehicles.*

- (1) All commercial vehicles, recreational vehicles, boats or trailers herein permitted shall be parked or stored with all wheels and tires mounted and inflated, and shall be maintained in a movable condition.
- (2) Such vehicles and boats and trailers shall not be supported to any degree by concrete blocks, jacks or any other means of support, except a truck or camper unit which has its own jacks, and which is a structure designed to be mounted upon and carried by another vehicle.
- (3) The following shall be stored within a completely enclosed building:
  - a. Any wrecked, junked, dismantled or partially dismantled vehicles, boats or trailers, including vehicles missing major parts, including, but not limited to, bodies, engines, transmissions, and rear ends; or
  - b. Vehicles, boats or trailers with bodies, engines, transmissions, rear ends or other major components that are wrecked, ruined or damaged to an extent that would render the vehicle, boat or trailer inoperative.

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- (4) All vehicles and boats parked or stored, pursuant to this section, on private property must be owned or controlled by an owner or occupant of the property or temporarily parked at the express or implied invitation of an owner or occupant of the property for a legitimate purpose.
  - (e) *Ticketing procedure.* Vehicles, boats or trailers parked in violation of this division shall be ticketed by the Police Department, such ticket to be affixed to the windshield of the offending vehicle or affixed at some other prominent place.
  - (f) *Fine.*
    - (1) If a citation issued for a violation of this section shall be paid prior to the issuance of a notice to appear or municipal information, the fine shall be \$50.00. After the issuance of notice to appear or municipal information the penalties provided in section 1-8 of this Code shall be applicable.
    - (2) After any person has paid or been convicted of two violations of this section, all additional violations of this section for which a fine is paid or owing within a calendar year shall be punishable by a fine of 200 and \$250.00 regardless of when paid.

(Ord. No. 99-10-3, § 2, 10-26-99; Ord. No. 05-05-03, § 1, 5-24-05; Ord. No. 21-14 , § 3, 5-25-21)