

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2023-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 34 – “NUISANCES,” SECTION 34-105 “ABANDONED OR JUNK MOTOR VEHICLES ON PUBLIC OR PRIVATE PROPERTY PROHIBITED; EXCEPTIONS,” TO PROHIBIT THE PARKING, STORING, OR LEAVING OF VEHICLES UNDER CAR COVERS ON CITY SWALE AREAS; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Coral Gables wishes to minimize traffic hazards and public nuisances within the City and to ensure the safety of its residents and visitors; and

**WHEREAS**, the City Code of the City of Coral Gables regulates where vehicles may be parked and how they may be stored, specifically regulating the number of vehicles that shall be allowed on private property under form-fitting car covers with clips or drawstrings; and

**WHEREAS**, the City Code does not currently contemplate the use of form-fitting car covers within the City’s rights-of-way such as the swale areas; and

**WHEREAS**, the City Commission finds that the use of form-fitting car covers in the City rights-of-way poses multiple issues for the City, including but not limited to: detracting from the overall appearance of the City, making the identification of a vehicle’s license plate, its make and model, and its condition more difficult for Code Enforcement and Police, and car covers can collect water and debris, which can create a breeding ground for mosquitoes and other pest; and

**WHEREAS**, the City Commission finds that this Ordinance serves a public purpose by preventing neighborhood blight and the deterioration of neighborhood character and is necessary for the preservation of the quality of life and the public health, safety, and welfare of City residents and visitors.

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** That Chapter 34 "Nuisance," Article IV. "Lost, stolen, junked, and abandoned property," Division 2 "Vehicles," Section 34-105 "Abandoned or junk motor vehicles on public or private property prohibited; exceptions" of the Code of the City of Coral Gables, Florida is amended as follows<sup>1</sup>:

## CHAPTER 34

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### ARTICLE IV. - LOST, STOLEN, JUNKED, AND ABANDONED PROPERTY

#### DIVISION 2. VEHICLES

#### **Sec. 34-105. - Abandoned or junk motor vehicles on public or private property prohibited; exceptions.**

(a) It shall be unlawful for any person to park, store, or leave any motor or other vehicle maintained on cement blocks, with flat tires, partially dismantled, not properly registered or insured, or in a wrecked, junked, dilapidated or abandoned condition on public or private property in the city:

(1) Unless it is in connection with a purpose or business enterprise lawfully situated and licensed.

(2) Or if the vehicle is kept on private property, the vehicle shall be kept under a form-fitting car cover with clips or drawstrings that does not retain water.

(3) A maximum of two vehicles shall be allowed under car covers on or within the property lines on any private property within the city and must be parked on an approved parking surface as provided in the city zoning code.

(b) It shall be unlawful for any person to park, store, or leave any motor or other vehicle under a car cover in the swale area.

(1) A ten (10) day grace period shall be granted for any permitted construction, tree pruning, or similar work on the abutting residential property which prevents the use of the approved parking surfaces on the property.

(2) This section does not apply to vehicles parked wholly within the improved surfaces of a driveway approach if the car cover is form fitting and does not retain water.

(c) Violations of this section are punishable as provided in section 1-7.

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<sup>1</sup> Deletions indicated in ~~strike through~~ and additions indicated in underline.

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**SECTION 3.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 6.** If the Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

**SECTION 7.** This ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2023.

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

CRISTINA M. SUÁREZ  
CITY ATTORNEY