

ORDINANCE NO. 25-337

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA AMENDING CHAPTER 13, SECTION 13-1607, TITLED, COMMERCIAL AND RECREATIONAL VEHICLES, OF THE TOWN OF MIAMI LAKES CODE, PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) Council has provided direction to Town Staff and the Town Attorney to prepare legislation that will amend established definitions regarding what can be considered a commercial vehicle; and

WHEREAS, the instant legislation reforms the definition of commercial vehicles; and

WHEREAS, the Town Council finds that this Ordinance is in the Town’s best interest.

WHEREAS, on October 29th, 2024, the Town Council passed the proposed Ordinance in First Reading; and

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Adoption of Ordinance. The Ordinance included herein and detailed herein is adopted.

Section 3. Providing for Codification. The Town Clerk shall ensure that this Ordinance is codified and incorporated into the Town Code.

Section 4. **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that the Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Effective Date.** That this Ordinance shall be effective immediately upon its adoption on second reading.

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All additions to the code are underlined and deletions are ~~stricken~~. All additions between first and second reading are double underlined, and deletions between first and second reading are ~~double stricken~~.

FIRST READING

The foregoing Ordinance was offered by Vice Mayor Fernandez who moved its adoption on first reading. The motion was seconded by Councilmember Garcia and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Yes
Vice Mayor Tony Fernandez	Yes
Councilmember Luis E. Collazo	Yes
Councilmember Joshua Dieguez	Yes
Councilmember Ray Garcia	Yes
Councilmember Bryan Morera	Absent
Councilmember Marilyn Ruano	Yes

Passed and adopted on first reading this 29th day of October 2024

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SECOND READING

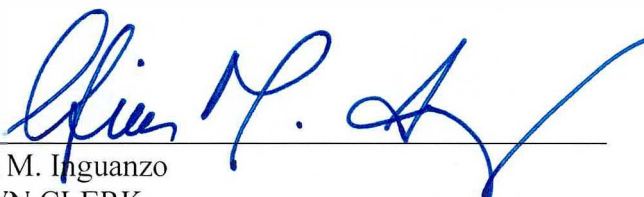
The foregoing ordinance was moved by Vice Mayor Morera who moved its adoption on second reading. The motion was seconded by Councilmember Garcia and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

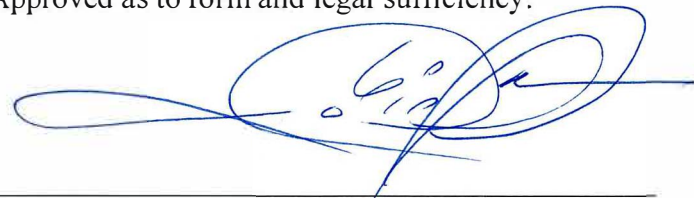
Passed and adopted on second reading this 20th day of May 2025


Joshua Dieguez
MAYOR

Attest:


Gina M. Inganzo
TOWN CLERK

Approved as to form and legal sufficiency:


Lorenzo Cobiella
Gastesi, Lopez, Mestre and Cobiella, PLLC
DEPUTY TOWN ATTORNEY

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Sec. 13-1607. Commercial and recreational vehicles.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Commercial vehicles are hereby defined and categorized as follows for the purpose of this section:

Commercial Vehicle means any vehicle which displays, whether temporarily or permanently, any lettering, logo, or other markings which identify the vehicle as belonging to or used for any commercial purpose; and/or any vehicle on which is visible and is designed to carry cargo, supplies, merchandise, machinery, tools, equipment, racks, or other items of a commercial nature; any vehicle manufactured and commonly used as a work or commercial vehicle, including tow trucks; or any vehicle for hire such as but not limited to buses, jitneys, limousines or taxi cabs.

~~Category 1. A vehicle that is a taxicab, a limousine under 20 feet in length or any passenger vehicle, truck or van with a maximum height of eight feet from the ground marked with a sign, letters, identification numbers or emblem advertising or associating it in any way with a commercial enterprise other than those which identify the vehicle maker or dealer. A sport utility vehicle marked with a sign, letters, identification numbers or emblem advertising or associating it in any way with a commercial enterprise, other than those which identify the vehicle maker or dealer, shall be considered as a Category 1 vehicle. For purposes of this section, a passenger vehicle bearing an emblem or lettering of a government entity shall also be considered as a Category 1 vehicle.~~

~~Category 2. A vehicle eight feet or less in height that displays externally stored or mounted equipment, either in a fixed or temporary manner, including, but not limited to, food vending equipment, ladders, paint cans, lawn care equipment or fixtures and brackets necessary to carry such items. Trailers or utility trailers less than 20 feet in length which are either enclosed or unenclosed shall also be included as Category 2 vehicles.~~

~~Category 3. A vehicle, other than a recreational vehicle as defined in this section, exceeding 20 feet in length or more than eight feet in height from the ground including, but not limited to, tow trucks, dump trucks, construction or earth-moving vehicles or equipment and semi-tractors and trailers.~~

Off-road vehicle means any vehicle that is used off the roads or highways for recreational purposes and that is not registered and licensed for highway use in the State. Off-road vehicles include all-terrain vehicles (ATVs). Golf carts registered with the Town are exempt from parking restrictions.

Recreational vehicle means a vehicle which provides sleeping and other facilities for short periods of time, while traveling or vacationing, designed to be towed behind a motor vehicle, placed on a vehicle or self-propelled, and includes such vehicles as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes or other similar vehicles.

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- (b) In order to maintain the high standards of the Town with respect to residential appearance, commercial trucks or other commercial vehicles, off-road vehicles, campers, recreational vehicles, motor homes, house trailers, boat trailers and trailers of every other description as defined herein, whether operable or inoperable, shall not be permitted to be parked or to be stored at any place on any lot, common area or right-of-way within any residentially zoned area in the Town unless they are stored fully inside a garage with the garage door fully closed, and for commercial vehicles, parked on driveway with vehicle fully covered with a fitted fabric cover that is designed specifically for vehicles and in good condition. ~~In addition, Category 1 vehicles, off road vehicles, campers, recreational vehicles, motor homes, house trailers, boat trailers and trailers of every other description as defined herein, whether operable or inoperable shall not be permitted to be parked within any right-of-way which abuts either a residential district or a Government Facility that contains a park, a public playground, a public library, a fire station, a police station, or any other public use building. In addition, Category 1 vehicles shall not be parked overnight in any right-of-way within the Town Center.~~ These prohibitions shall not apply to temporary parking of trucks and commercial vehicles during the performance of commercial services to nearby residences, businesses or public facilities and to the loading and unloading, for no more than 24 hours, of recreational vehicles.
- (c) ~~Category 2 and 3 vehicles shall not be permitted to be parked within any right-of-way located outside of industrial districts. This prohibition of parking shall not apply to temporary parking of any category of commercial vehicle during the performance of commereial services to nearby facilities of any designation.~~
- (d) All commercial vehicles may only be parked in any legal parking space within private property located in office, commercial or industrial districts, including those properties used as residential properties that are located within office, commercial or industrial districts.
- (e) Marked and unmarked law enforcement and local government "take home" passenger vehicles may be permitted to be parked in driveways or legal parking spaces.
- (f) Violations of these provisions are punishable as follows:
- a. Any violation of this section is punishable by a civil fine of \$500.00.
 - b. Whoever opposes, obstructs or resists an enforcement officer in the discharge of duties as provided in this section, upon conviction, shall be guilty of a misdemeanor of the second degree and shall be subject to punishment as provided by law.

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