

ARTICLE II. - PARKING

Footnotes:

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Cross reference— *Parking in right-of-way so as to obstruct maintenance, § 18-3.***State Law reference**— *General authority to regulate parking, F.S. §§ 125.01(1)(m), 316.007, 316.008(1)(a); parking generally, F.S. § 316.194 et seq.*

DIVISION 1. - GENERALLY

Sec. 22-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle means any device propelled by human power, or any moped propelled by a pedal-activated helper motor with a manufacturer's certified maximum rating of one and one-half (1½) brake horsepower, upon which any person may ride, having two (2) tandem wheels, either of which is twenty (20) inches or more in diameter, and including any device generally recognized as a bicycle though equipped with two (2) front and/or two (2) rear wheels.

Crosswalks means:

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway.
- (2) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Dual rear wheel vehicles means motor trucks, trailers, semitrailers, tractor trailer combinations and all other vehicles operating over the public streets in the county and used as a means of transporting persons or property and propelled by power other than muscular power which have more than or are designed to have more than four (4) weight-bearing wheels, but not including, dual rear wheel pickup trucks with a one (1) ton or less load capacity.

Emergency utility vehicles means any vehicle owned by a public or private utility service which is used in the event of emergencies.

Fire lanes means that area designated as a "No Parking Zone" by the fire marshal or property owner to allow for use by fire department and other emergency vehicles.

Intersection means:

- (1) That area embraced within the prolongation or connection of the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
- (2) Where a highway includes two (2) roadways thirty (30) feet or more apart; then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

Law enforcement officer means any officer authorized to enforce parking regulations, including the county sheriff, any of his deputies, any authorized individual who is certified as a parking enforcement specialist and any officers of the state which are authorized to enforce parking regulations.

Median means that portion of a divided roadway which separates the opposing directions of vehicular traffic.

Motor vehicle means any vehicle which is self-propelled, but not including any bicycle or moped.

Official traffic-control device means all signs, signals, markings and devices, not inconsistent with this article, placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic or parking of motor vehicles.

Official traffic-control signal means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Owner means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of

possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this article.

Park or parking means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Recreational vehicle means vehicular-type units primarily designed as temporary living quarters for recreational, camping or travel use which either have their own motor power or are mounted on or drawn by another vehicle, including travel trailers, camping trailers, truck campers and motor homes.

Right-of-way shall encompass right-of-way easements and right-of-way dedications and shall mean all of that land designated for use by the public, for vehicular or pedestrian travel, and shall include but not be limited to, streets, roadways, medians, bridges, sidewalks, bike paths, road side drainage areas, ditches, curbs and gutters.

Roadway means that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway," as used herein, refers to any such roadway separately, but not to all such roadways collectively.

Safety zone means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or so marked by signs or authorized pavement markings as to be plainly visible at all times while set apart as a safety zone.

Sidewalk means that portion of a street between the curblines, or the lateral line of a roadway and the adjacent property lines, intended for use by pedestrians.

Stand or standing means when prohibited, any halting, otherwise than momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the direction of a law enforcement officer or traffic-control sign or signal.

Street or highway means the entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for the purpose of vehicular traffic.

Vehicle means any device in, upon or by which any person or property is or may be transported or drawn upon a highway, except any device designated or be propelled solely by human power or used exclusively upon stationary rails or tracks.

(Ord. No. 87-21, § 2; Ord. No. 02-08, § 1, 4-8-02)

State Law reference— Similar provisions, F.S. § 316.003.

Sec. 22-27. - Purpose; applicability.

This article is enacted to protect the public health, safety and welfare of the citizens of the county, and promote the orderly and convenient parking of vehicles. This article shall apply only in the unincorporated areas of the county, and as it applies to streets and highways, those streets and highways located in unincorporated Osceola County, except state roads.

(Ord. No. 87-21, § 1)

Sec. 22-28. - Issuance of parking violation notices.

- (a) A law enforcement officer who discovers a vehicle parking in violation of this article may issue a parking violation notice to the driver of the vehicle, or may attach the notice in a conspicuous place on the vehicle. The violation notice shall be in a form as prescribed by the county sheriff and approved by the board of county commissioners.
- (b) Every day for which a violation continues shall be a separate violation for which a parking ticket may be issued.

(Ord. No. 87-21, § 11)

Sec. 22-29. - Liability for payment of parking violation notices.

The owner of a vehicle is responsible and liable for payment of any parking violation notice, unless the owner can furnish evidence that the vehicle was, at the time of the parking violation, under the care, custody or control of another person. In such instances, the owner of the vehicle is required to furnish to the appropriate law enforcement authorities with the name and address of the person or company who leased, rented, or otherwise had the care, custody or control of the vehicle, within ten (10) days after notification of the parking violation. The owner of the vehicle is not responsible for a parking violation if the vehicle was, at the time, stolen or in the care,

custody or control of some person who did not have the permission of the owner to use the vehicle. The operator of a vehicle which is in his care, custody or control without the permission of the owner shall be responsible for any parking violation notice which occurs while the vehicle is in his care, custody or control.

(Ord. No. 87-21, § 12; Ord. No. 02-08, § 3, 4-8-02)

State Law reference— Liability for payment of parking ticket, F.S. § 316.1967.

Sec. 22-30. - Penalties and procedures.

- (a) Any person issued a county parking violation notice by a law enforcement officer shall be deemed to be charged with a noncriminal violation and shall comply with the discretion on the notice.
- (b) The board of county commissioners shall adopt, and may from time to time amend by resolution, a schedule of civil penalties for parking violations for which payment may be made as provided on the parking violation notice.
- (c) Any person receiving a parking violation notice pursuant to this section shall respond to the violation notice by either of the following procedures within thirty (30) days after the date of issuance of the citation:
 - (1) Payment of the penalty indicated on the violation notice may be remitted to the county clerk of courts pursuant to the directions on such violation notice;
or,
 - (2) A hearing may be requested by the person receiving such violation notice for the purpose of presenting evidence before a county judge or magistrate concerning a parking violation. Any person requesting a hearing and who does not appear shall be subject to contempt proceedings or to such other penalties as the court may in its discretion impose to require compliance with this article.
- (d) An election to request a hearing constitutes a waiver of the right to pay the civil penalty indicated on the parking violation notice and a county judge or magistrate, after such hearing, upon making a determination that a parking violation has been committed, may impose a fine not to exceed five hundred dollars (\$500.00), plus court costs, not to exceed five hundred dollars (\$500.00) for each parking violation.
- (e)

If the clerk of courts receives a completed parking violation notice submitted by a law enforcement office pursuant to this article and, if there has been no response to the violation notice within the thirty (30) day period set forth above, or if there are outstanding at least two (2) other unpaid violations for which the person ticketed is responsible the clerk of courts shall cause the issuance of a summons. In such event, the clerk shall have the person to whom the violation notice was issued served with a summons requiring attendance at a hearing at a time and place specified in such notice of summons or payment of the civil penalty prior to said hearing. The amount of the civil penalty imposed for violation of this article shall be increased by an additional ten dollars (\$10.00) upon the issuance of a summons by the clerk of the county court to a person charged with a parking violation.

- (f) The court or magistrate, after hearing the parking violation notice, shall make a determination as to whether or not a parking violation has been committed and may impose a civil penalty not to exceed one hundred dollars (\$100.00), plus court costs not to exceed five hundred dollars (\$500.00). Any person upon whom service is obtained pursuant to this article who does not appear at the hearing as directed shall be subject to contempt proceedings or to such other penalties as the court may, in its discretion, impose to require compliance with the court's directive.
- (g) Pursuant to F.S. § 316.1967(6), the clerk of courts shall supply the tax collector, and if applicable license tag agents, monthly, with an alphabetized list of persons who have three (3) or more outstanding parking violations to whom no license plate or revalidation sticker shall be issued until such person's name no longer appears on said list or until he/she presents a receipt from the clerk showing that such parking fines have been paid. The tax collector and clerk shall each be entitled to receive monthly, as costs for implementing and administering this subsection, ten (10) percent of the civil penalties and fines recovered from such persons. This section shall be automatically modified upon amendment of F.S. § 316.1967(6), so as to keep it in conformity therewith.
- (h) The board of county commissioners does hereby adopt the following schedule of civil penalties for violations of this article relating to parking in the county:

<i>Violation</i>	<i>Amount of Civil Penalty</i>
No parking	\$ 10.00
No parking anytime	10.00
No parking, stopping, standing	10.00
No parking, here to corner	10.00
No parking, between signs	10.00
No parking, this side	10.00
Obstructing traffic	10.00
Handicapped persons only	50.00
On sidewalk	10.00
On crosswalk	10.00
Double parked	10.00
Blocking driveway	10.00
Blocking fire hydrant	10.00
Parking within thirty (30) feet of traffic-control device	10.00
No parking, official vehicles only	10.00
Parking for assigned personnel only	10.00
No parking, law enforcement vehicles only; tow away zone	10.00
Left wheels to curb (two-way street only)	10.00
Emergency vehicles only; tow away zone	10.00
Handicapped loading	20.00
Wheelchair ramp	50.00
Parking wrong way on one-way street	10.00
Parking within fifty (50) feet of nearest rail at railroad crossing	10.00
Parking over designated line	20.00
Parking in fire lane	20.00
Dual rear wheel vehicle	20.00

(Ord. No. 87-21, § 13; Res. of 12-14-87, § 1; Ord. No. 01-06, § 1, 2-5-01; Ord. No. 02-08, § 4, 4-8-02; Ord. No. 03-05, § 2, 2-17-03)

Sec. 22-31. - Disposition of fines for parking violations.

Except as otherwise provided by law and/or section 22-30(g) above, all monies received by the clerk of courts for violations of this article shall be paid to the county and used for any lawful purpose.

(Ord. No. 87-21, § 14)

State Law reference— Penalty for parking violations, F.S. §§ 316.1967, 125.69.

Sec. 22-32. - Authority to adopt rules and regulations.

The board of county commissioners may from time to time adopt and prescribe such rules and regulations as it deems necessary to implement and enforce this article.

(Ord. No. 87-21, § 15)

Sec. 22-33. - Authority to install traffic-control devices.

The county administrator shall place and maintain traffic-control devices on public streets and highways when and as required to make effective the provisions of this article or regulations adopted pursuant to this article any may recommend to the board of county commissioners the placement of such additional traffic-control devices as may be necessary to regulate traffic or parking or to guide or warn the public.

(Ord. No. 87-21, § 3)

Sec. 22-34. - Recommendations to prohibit or limit parking and to determine manner of parking.

- (a) The county administrator and/or the sheriff may make recommendations to the board of county commissioners regarding whether or not parking should be allowed upon one (1) or both sides of any street and regarding the type, style and manner of parking.
- (b) The county administrator and/or the sheriff may make recommendations to the board of county commissioners regarding the parking time or parking limitations upon any street and may recommend schedules naming such limitations.
- (c) The county administrator and/or the sheriff may make recommendations to the board of county commissioners regarding the prohibition or regulation of the stopping, standing or parking of vehicles in any places, areas, streets, alleys or parts thereof where the stopping, standing or parking of vehicles would create a hazardous condition or would cause unnecessary delay in traffic.

(Ord. No. 87-21, § 4)

Sec. 22-35. - Recommendations subject to review and adoption by the board of county commissioners.

Any recommendation made by the county administrator and/or the sheriff pursuant to this article may be reviewed, adopted, modified or rejected by the board of county commissioners. The county administrator shall erect, place and maintain signs, devices and markings giving notice where parking is regulated or prohibited by action of the board of county commissioners.

(Ord. No. 87-21, § 5)

Sec. 22-36. - Stopping, standing or parking generally.

- (a) No person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the street or highway when it is practicable to stop, park or so leave the vehicle off such part of the street or highway; but in every event an unobstructed width of the street or highway opposite a standing vehicle shall be left to the free passage of other vehicles, and a clear view of the stopped vehicle shall be available from a distance of two hundred (200) feet in each direction upon the street or highway.
- (b) This section shall not apply to the driver or owner of any vehicle which is disabled while on the paved or main-traveled portion of a street or highway in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position, or to passenger-carrying buses temporarily parked while loading or discharging passengers, where street or highway conditions render such parking off the paved portion of the street or highway hazardous or impractical.

(Ord. No. 87-21, § 6)

State Law reference— Similar provisions, F.S. § 316.194.

Sec. 22-37. - Removing and impounding of illegally parked vehicles.

- (a) Whenever any law enforcement officer finds a vehicle standing upon a street or highway in violation of section 22-36, the officer is authorized to move the vehicle, or require the driver or other persons in charge of the vehicle to move the same, to a position off the paved or main-traveled part of the street or highway. Law enforcement officers are also hereby authorized to provide for the removal of any such vehicle when unattended utilizing any approved wrecker service, to be stored in a place of impoundment when the vehicle is found upon a bridge or causeway

or on any public street or highway in violation of any provisions of this article and where such vehicle is so situated to cause an obstruction to traffic or an otherwise dangerous condition.

- (b) Whenever a law enforcement officer removes or causes to be removed a vehicle as authorized by this article and the officer knows or is able to ascertain the name and address of the owner of the vehicle, the law enforcement agency shall immediately give or cause to be given notice in writing to such of the fact of such removal, the reason therefor, and the place to which such vehicle is stored in a public or private storage facility. Such notice shall be transmitted to the owner as indicated on the vehicle registration information at the address indicated thereon.
- (c) The cost of towing or removing a vehicle impounded under this article and the cost of storing same shall be chargeable against the owner of the vehicle. The owner of the vehicle shall pay these charges before the vehicle will be released. The vehicle may be stored in a private or public place. If the vehicle is stored in a private place, the amount charged for storage shall be the amount customarily charged for storage by the private facility. If the vehicle is stored on county property, the charges for storage shall be set by the board of county commissioners. The charges to the owner for towing shall be the amount usually and customarily charged by the wrecker services. Disputes between the vehicle's owner and the private facility concerning rates, charges and conditions of storage shall be strictly between those parties and shall not involve the county or the law enforcement agency.

(Ord. No. 87-21, § 7)

Sec. 22-38. - Manner of parking.

- (a) Unless otherwise provided herein, every vehicle stopped or parked upon a roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve (12) inches of the right-hand curb or edge of the roadway.
- (b) Every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve (12) inches of the curb or edge of the roadway.
- (c) Upon a street marked or designated for angle parking, a vehicle shall be parked at the angle to the curb indicated by such markings or designations.

(Ord. No. 87-21, § 8)

State Law reference— Similar provisions, F.S. § 316.195.

Sec. 22-39. - Prohibited in specified places.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a law enforcement officer or official traffic-control devices, no person shall:

- (1) Stop, stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - b. On a sidewalk or bike path.
 - c. Within an intersection.
 - d. On a crosswalk.
 - e. Between a safety zone and the adjacent curb or within thirty (30) feet of points of a safety zone, unless the county or department of transportation, where applicable, indicates a different length by signs or markings.
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - g. Upon any bridge or other elevated structure upon a street or highway.
 - h. On any railroad track.
 - i. At any place where official signs prohibit stopping, standing or parking during specified times.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. In front of a public or private driveway.
 - b. Within fifteen (15) feet of a crosswalk.
 - c. Within twenty (20) feet of a crosswalk at an intersection.
 - d. Within thirty (30) feet upon the approach to any flashing signal located at the side of a roadway.
 - e.

Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when sign is posted).

- f. At any place where official signs or traffic-control devices prohibit standing.
 - g. In a fire lane.
 - h. Within fifteen (15) feet of a fire hydrant.
- (3) Park or store a motor vehicle with dual rear wheels in any area of unincorporated Osceola County on streets, and rights-of-way, except temporarily while actually engaged in loading or unloading persons or property. This prohibition shall not apply to the parking of emergency vehicles, utility vehicles and/or other government vehicles.
- (4) Park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers:
- a. Within fifty (50) feet of the nearest rail of a railroad crossing unless the department of transportation establishes a different distance.
 - b. At any place where official signs or traffic-control devices prohibit parking.
 - c. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.
- (5) Park in violation of county ordinance #93-21 (BVL Parking Ordinance) and as it may be amended from time to time or in violation of county ordinance #00-13 (Indian Wells Parking Ordinance) and as it may be amended from time to time,
- (6) Park and offer for sale, hire or lease, any vehicle, or other form of motor or human propelled transportation, in the county right-of-way, a publicly owned vacant lot or a privately owned vacant lot, roadway, median, any public property owned by the county, unless parked in an authorized parking area and the operator of same is engaged in performing a specific activity and has not left the vehicle or other form of transportation merely for the purpose of advertising same for sale, hire or lease.
- (7)

Park in violation of county ordinance #99-20, and as it may be amended from time to time or in violation of county ordinance #99-48, and as it may be amended from time to time.

(Ord. No. 87-21, § 9; Ord. No. 02-08, § 2, 4-8-02; Ord. No. 02-16, § 1, 5-20-02; Ord. No. 03-05, § 1, 2-17-03)

State Law reference— Similar provisions, F.S. § 316.1945.

Sec. 22-40. - Handicapped parking.

- (a) *Parking spaces provided by governmental agencies for certain disabled persons.* It is unlawful for any person to stop, stand or park a vehicle in any parking space designated with an internationally accepted wheelchair symbol or the caption "Parking for Disabled Permit Only" or both such symbol or caption, unless such vehicle displays a parking permit issued pursuant to F.S. § 320.0848, and such vehicle is transporting a person eligible for the parking permit. Whenever a law enforcement officer finds a vehicle in violation of this section that officer may:
- (1) Have the vehicle in violation removed to any lawful parking space or facility or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the handicapped parking space. Whenever any vehicle is removed by a law enforcement officer to a storage lot, garage or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle; and/or
 - (2) Charge the operator or other person in charge of the vehicle in violation with a violation of this article. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading such person. No penalty shall be imposed upon the person for such momentary parking.
- (b) *Parking spaces provided by nongovernmental entities for certain disabled persons.* Any person who parks a vehicle in any parking space designated with the internationally accepted wheelchair symbol or the caption "Parking by Disabled Permit Only" or both such symbol and caption is guilty of violation of this article unless such vehicle displays a parking permit issued pursuant to F.S. § 320.0848, and such vehicle is transporting a person eligible for such parking permit.

However, any person chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking. Any law enforcement officer may enforce the provisions of this section.

(Ord. No. 87-21, § 10)

State Law reference— Similar provisions, F.S. §§ 316.1955, 316.1956.

Secs. 22-41—22-50. - Reserved.

DIVISION 2. - PARKING OF VEHICLES ON PRIVATE PROPERTY

Footnotes:

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Editor's note— Ord. No. 12-10, §§ 1—9, adopted March 19, 2012, did not specifically amend the Code; therefore these provisions have been included as Art. II, Div. 2, at the editor's discretion.

Sec. 22-50.1. - Purpose and intent.

The purpose and intent of this division is to adopt provisions regulating the parking of vehicles on private property located within the Indian Ridge subdivision, Units 1—5, inclusive, in order to ameliorate nuisance conditions caused by improperly parked vehicles.

(Ord. No. 12-10, § 1, 3-19-12)

Sec. 22-50.2. - Definitions of terms.

The following definitions of terms shall apply for the purpose of this division:

Back yard means the back yard as defined by Zoning and Code regulations applicable to the particular private property.

Dual rear wheel vehicle means motor trucks, trailers, semi-trailers, tractor trailer combinations, and all other vehicles used, intended for use, or designed for use as a means of transporting persons or property and propelled by power other than muscular power which have more than or are designed to have more than four (4) weight-bearing wheels, but not including dual rear wheel pickup trucks with a one (1) ton or less load capacity.

Front yard means the front yard as defined by Zoning and Code regulations applicable to the particular private property.

Parked means the standing of a vehicle, whether occupied or not otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or embarking or disembarking passengers.

Person means any individual, firm, sole proprietorship, partnership, corporation, or unincorporated association.

Right-of-way means land in which the county owns or has an easement devoted to, planned, proposed, or required for use as, or in conjunction with, a public road.

Side yard means the side yard as defined by Zoning and Code regulations applicable to the particular private property.

Substantially shielded from public view means that the vehicle may not be parked in front of the fence and it must be parked behind opaque fencing or other lawfully permitted visual barrier unless on the authorized and approved paved parking area.

Vehicle means every device capable of traveling or being moved upon a public highway or public waterway and in, upon, or by which any person or property may be transported or drawn upon a public highway or public waterway, including, but not limited to cars, trucks, motorcycles, and other similar devices.

(Ord. No. 12-10, § 2, 3-19-12)

Sec. 22-50.3. - Dual rear wheel vehicle parking; exemptions.

- (a) Within the Indian Ridge Subdivision (units 1—5, inclusive), no person shall park or suffer, cause, or permit the parking of a dual rear wheel vehicle unless such vehicle is parked within the confines of a garage or other structure (as may be permitted by applicable codes, ordinances, and regulations) in such a fashion as to be fully shielded from public view, except temporarily while actually engaged in loading or unloading passengers or property.
- (b) Notwithstanding the parking restrictions of this section, "recreational vehicle-type units" as defined by F.S. § 320.01 which are dual rear wheel vehicles having been parked upon a residential lot accessory to a residential dwelling on September 23,

2010, may continue to be parked on that lot, notwithstanding the "fully shielded from public view" requirement, as a nonconforming use provided that upon the owner's transfer of title and removal from the lot the restrictions of this section become fully applicable to the lot. Units qualifying as nonconforming uses pursuant hereto must be parked within rear yards or behind the fence along side yards (no part may be in the front yard) and must be substantially shielded from public view by opaque fencing or other lawfully permitted visual barrier.

(c) Notwithstanding the parking restrictions of this section, dual rear wheel vehicles which fall within the purview of the following types of vehicles may be allowed as a conditional use pursuant to the standards and procedures of the Osceola County Zoning Regulations and/or Land Development Regulations:

- (1) Authorized emergency vehicles as defined by F.S. § 316.003(1) when parked on a lot accommodating the dwelling unit within which the vehicle operator resides on a 24-hour call to duty basis.
- (2) Tow trucks meeting the standards of Chapter 15B-9, Florida Administrative Code, which are owned or maintained by a wrecker operator approved by the Division of Florida Highway Patrol for inclusion on the wrecker rotation list for the wrecker rotation zone(s) serving Osceola County pursuant to F.S. § 321.051 and Chapter 15B-9, Florida Administrative Code, when parked on a lot accommodating the dwelling unit within which its operator resides on a 24-hour call basis for towing services to the public.

(Ord. No. 12-10, § 3, 3-19-12)

Sec. 22-50.4. - Parking all vehicles; where prohibited.

The parking of any vehicle shall be prohibited in the following areas:

- (1) In front of the dwelling or in the front yard unless on the authorized and approved paved parking area.
- (2) In any unpaved areas, unless allowed pursuant to section 22-50.3 of this division.
- (3) On any vacant lot.
- (4) Within the Osceola County right-of-way.
- (5) Along the side yard in front of the approved fence, unless on the authorized

and approved paved parking area.

(Ord. No. 12-10, § 4, 3-19-12)

Sec. 22-50.5. - Parking all vehicles; where permitted.

The parking of any vehicle shall be permitted in the following areas:

- (1) Upon the authorized and approved, paved parking area.
- (2) Within any enclosed accessory structure.
- (3) As allowed for by section 22-50.3 of this division.
- (4) On-street right-of-way parking is allowed, provided a permit is obtained by the HOA, pursuant to the HOA guidelines, and said permit is properly displayed in the windshield of the parked vehicle. Permits are limited to an eight (8) vehicle, maximum, per residential unit.
- (5) The HOA guidelines for on-street right-of-way parking permits are attached hereto and incorporated herein by reference as Exhibit "A".

(Ord. No. 12-10, § 5, 3-19-12)

Sec. 22-50.6. - Paving, driveway restrictions.

- (a) Residential driveways shall not exceed twenty-four (24) feet in width unless approved by conditional use.
- (b) Residential driveway construction or widening shall be authorized by the issuance of a driveway permit by Osceola County.

(Ord. No. 12-10, § 6, 3-19-12)

Sec. 22-50.7. - Responsibility.

The owner, tenant, occupant, lessee or person otherwise in charge, control and/or possession of the private property upon which a violation of this division occurs, and the owner of vehicle parked in violation of this division shall be jointly and individually responsible for not complying with this division.

(Ord. No. 12-10, § 7, 3-19-12)

Sec. 22-50.8. - Enforcement.

The code enforcement board shall have jurisdiction to hear and decide violations of this article. Any person who violates any of the provisions of this article, shall upon code enforcement action, be punished as provided in Osceola County Code Chapter 7 and its amendments. The jurisdiction of the code enforcement board shall not be exclusive. Any alleged violation of any of the provisions of this article may pursue by appropriate remedy, whether by injunctive, declaratory, or other civil or criminal sanction, in court, at the option of the county. The provisions of this division may be additionally enforced as a noncriminal infraction by the sheriff; deputy sheriff, and any other authorized law enforcement officer.

(Ord. No. 12-10, § 8, 3-19-12)

Sec. 22-50.9. - Supplemental enforcement; civil penalty.

This division may be enforced pursuant to the supplemental procedures contained in Chapter Z of the Osceola County Code of Ordinances. The civil penalty for violation of this division shall be one hundred dollars (\$100.00) per violation.

(Ord. No. 12-10, § 9, 3-19-12)

Editor's note— Exhibit A, as referenced in Div. 2, is not set out herein but can be found on file with the county.