

ORDINANCE 09 - 03

**AN ORDINANCE OF THE CITY OF BELLE ISLE,  
FLORIDA, AMENDING CHAPTER 30, SECTION  
30-1 OF THE BELLE ISLE CODE OF  
ORDINANCES DEFINING ABANDONED,  
JUNKED, AND WRECKED VEHICLES;  
PROVIDING FOR SEVERABILITY; AND  
PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED** by the City Council of the City of Belle Isle, Florida, as follows:

**SECTION 1.** Section 30-1 of the Belle Isle Code of Ordinances, definitions for abandoned vehicle, junked vehicle, and wrecked vehicle, are hereby amended as follows:

*Abandoned vehicle* means any vehicle, as defined in this section, which is in a wrecked or ~~derelict~~ junked condition having no value, other than nominal salvage value, if any, which has been left abandoned and unprotected from the elements, and ~~shall include wrecked, inoperative, severely rusted, dismantled, or partially dismantled vehicles or~~ which has been left unattended, without the permission of the property owner, upon whose property such vehicle is located for more than 72 hours unless such vehicle is designated as not abandoned by the enforcement officer. Evidence of an abandoned vehicle may include, but is not limited to, factors such as: vehicle being inoperative as evidence by vegetation underneath as high as the vehicle body or frame, having refuse or debris collected underneath or the vehicle being used solely for storage purposes, or having one or more flat tires for more than 3 days in succession; or incapable of functioning as a motor vehicle in its present state.

*Junked vehicle* means any vehicle, as defined by this section, which is wrecked, dismantled or partially dismantled, in derelict condition, inoperative, ~~abandoned, or discarded,~~ regardless of whether or not the same has lawfully affixed thereto an unexpired license plate or a current motor vehicle safety inspection certificate. Evidence of a junked vehicle may include, but is not limited to factors such as: vehicle being inoperative as evidence by vegetation underneath as high as the vehicle body or frame, having refuse or debris collected underneath or the vehicle being used solely for storage purposes, or having one or more flat tires for more than 3 days in succession; or incapable of functioning as a motor vehicle in its present state.

*Wrecked vehicle* means any vehicle, as defined in this section, which is unrepaired damage over at least 10% of the vehicle body, has missing or broken body parts which are material parts, such as lights, bumpers, fenders, panels, glass; has parts that are attached to the vehicle or covered with tape; has exposed a primer coat or coat of paint other than a final coat; is severely rusted; or which has been smashed, destroyed, disabled, burned, or seriously damaged, or in a state of ruin, such that it is inoperable or incapable of being safely moved under its own power.

**SECTION 2. SEVERABILITY.** If any word, phrase, sentence, clause or other portion of this Ordinance is determined to be invalid, void, or unconstitutional, the remainder of this Ordinance shall remain in effect.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall become effective upon adoption.

FIRST READING: held this 3 day of Feb, 2009.

SECOND READING: held this 3 day of Mar, 2009.

	YES	NO	ABSENT
Thomas G. Petruzzi	<u>✓</u>	<u>          </u>	<u>          </u>
Trudy Prince	<u>✓</u>	<u>          </u>	<u>          </u>
Charles Scott	<u>✓</u>	<u>          </u>	<u>          </u>
Larry Ady	<u>✓</u>	<u>          </u>	<u>          </u>
"Harv" Readey	<u>✓</u>	<u>          </u>	<u>          </u>
Lydia Pisano	<u>✓</u>	<u>          </u>	<u>          </u>
Eric Spaulding	<u>✓</u>	<u>          </u>	<u>          </u>

ATTEST:

Miriam Rodriguez  
MIRIAM RODRIGUEZ, City Clerk

STATE OF FLORIDA  
COUNTY OF ORANGE

William G. Brooks  
William G. Brooks, Mayor  
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I, MIRIAM RODRIGUEZ, CITY CLERK of the City of Belle Isle do hereby certify that the above and foregoing document was duly and legally passed by the Belle Isle City Council, in session assembled on the 3rd day of March, 2009, at which session a quorum of its members were present.

Miriam Rodriguez  
City Clerk