

1  
2  
3 **ORDINANCE NO. 2018-09**

4 AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF  
5 NORTH PALM BEACH, FLORIDA, AMENDING ARTICLE III, "STOPPING,  
6 STANDING AND PARKING," OF CHAPTER 18, "MOTOR VEHICLES AND  
7 TRAFFIC," OF THE VILLAGE CODE OF ORDINANCES BY AMENDING  
8 SECTION 18-34.1, "VEHICLE, TRAILER OR BOAT PARKING PROHIBITED  
9 UPON PAVED OR UNPAVED AREA OF THE ROAD RIGHT-OF-WAY OF  
10 SPECIFIC ROADWAYS," TO PROHIBIT VEHICULAR PARKING ON  
11 DESIGNATED ROADWAYS IN THE VICINITY OF LAKESIDE PARK  
12 WITHIN THE YACHT CLUB ADDITION TO THE VILLAGE OF NORTH  
13 PALM BEACH; PROVIDING FOR CODIFICATION; PROVIDING FOR  
14 SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR  
15 AN EFFECTIVE DATE.

16 WHEREAS, Lakeside Park is located wholly within an established residential platted subdivision  
17 known as the Yacht Club Addition to the Village of North Palm Beach ("Yacht Club Addition"); and  
18

19 WHEREAS, due to its location on the Intracoastal Waterway, Lakeside Park attracts large  
20 crowds on weekends and holidays and the number of vehicles far exceeds the limited on-site  
21 parking area; and  
22

23 WHEREAS, to reach Lakeside Park, those vehicles must traverse the local residential roadways  
24 within the Yacht Club Addition; and  
25

26 WHEREAS, the roadways within the Yacht Club Addition are owned and maintained by the  
27 Village and were dedicated to serve the residents of the subdivision and were neither intended to  
28 act as collector roads nor anticipated to provide parking for those accessing Lakeside Park; and  
29

30 WHEREAS, the relatively large number of persons accessing Lakeside Park on weekends and  
31 holidays results in the use of these purely residential roadways for non-residential parking,  
32 thereby impeding access to the subdivision both by residents who reside within the subdivision  
33 and emergency vehicles responding to calls within the Yacht Club Addition; and  
34

35 WHEREAS, Section 166.021(4), Florida Statutes, grants municipalities the authority to exercise  
36 their home rule powers for municipal governmental, corporate or proprietary purposes not  
37 expressly prohibited by the constitution, general or special law; and  
38

39 WHEREAS, Section 316.008(1)(a), Florida Statutes, expressly grants municipalities the right to  
40 regulate or prohibit stopping, standing or parking on the streets and highways under their  
41 jurisdiction; and  
42

43 WHEREAS, the Village Council determines that prohibiting daytime weekend and holiday parking  
44 on the local residential roadways within the vicinity of Lakeside Park within the Yacht Club  
45 Addition promotes the health, safety and welfare of the residents of the Village of North Palm Beach.

1 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE  
2 OF NORTH PALM BEACH, FLORIDA as follows:

3  
4 Section 1. The foregoing recitals are ratified as true and correct and are incorporated herein.

5  
6 Section 2. The Village Council hereby amends Article III, "Stopping Standing and Parking,"  
7 of Chapter 18, "Motor Vehicles and Traffic," of the Village Code of Ordinances by amending  
8 Section 18-34.1 to read as follows:  
9

10 **Sec. 18-34.1. Vehicle, trailer or boat parking prohibited upon paved or**  
11 **unpaved area of the road right-of-way of specific roadways.**

12  
13 (a) The parking of any vehicle, trailer or boat is hereby prohibited  
14 upon the paved or unpaved area of the road right-of-way of those portions of the  
15 following described roadways located within the corporate limits of the Village of  
16 North Palm Beach, Florida:  
17

18 State Road A-1-A;

19 Prosperity Farms Road;

20 U.S. Highway # 1 (SR #5);

21 Northlake Boulevard;

22 800 Block of Lighthouse Drive;

23 North side of Lighthouse Drive between Lighthouse Bridge and one  
24 hundred (100) feet east of the east right-of-way line of Lagoon Drive;

25 North Anchorage Drive from Eastwind Drive to U.S. #1 (SR #5);

26 South Anchorage Drive and Eastwind Drive adjacent to the North Palm Beach  
27 Elementary School property only during the period starting one (1) hour  
28 prior to and ending one (1) hour after published school hours inclusive;

29 Southerly most four hundred (400) feet of the westerly road right-of-way  
30 of Castlewood Drive adjacent to the First Church of Christ Scientist.

31  
32 (b) From sunrise to sunset on weekends and legal holidays, the  
33 parking of any vehicle is hereby prohibited upon the paved or unpaved area of the  
34 road right-of-way of the following described roadways (or portions thereof)  
35 located within the corporate limits of the Village of North Palm Beach, Florida:  
36

37 Lakeside Drive from the southerly right-of-way line of Anchorage Drive  
38 North south to Atlantic Road;

39 Atlantic Road;

40 Lakeside Court;

41 Lakeside Circle;  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

1 Lighthouse Drive from U.S. Highway One to Lakeside Drive;

2  
3 Buoy Road;

4  
5 Cruiser Road South;

6  
7 Cruiser Road North;

8  
9 Dory Road South; and

10  
11 Dory Road North;

12  
13 Notwithstanding the foregoing, residents may continue to park boats and boat trailers  
14 and recreational vehicles and trailers in the swales of these roadways on a temporary  
15 basis to the extent authorized by sections 18-35 and 18-35.1 of this article.

16  
17 Section 3. The provisions of this Ordinance shall become and be made a part of the Code of  
18 the Village of North Palm Beach, Florida.

19  
20 Section 4. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for  
21 any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void,  
22 such holding shall not affect the remainder of this Ordinance.

23  
24 Section 5. All ordinances or parts of ordinances and resolutions or parts of resolutions in  
25 conflict herewith are hereby repealed to the extent of such conflict.

26  
27 Section 6. This Ordinance shall take effect immediately upon adoption.

28  
29 PLACED ON FIRST READING THIS 8<sup>TH</sup> DAY OF NOVEMBER, 2018.

30  
31 PLACED ON SECOND, FINAL READING AND PASSED THIS \_\_\_\_ DAY OF  
32 \_\_\_\_\_, 2018.

33  
34  
35  
36 (Village Seal)

\_\_\_\_\_  
MAYOR

37  
38  
39 ATTEST:

40  
41 \_\_\_\_\_  
42 VILLAGE CLERK

43  
44 APPROVED AS TO FORM AND  
45 LEGAL SUFFICIENCY:

46  
47 \_\_\_\_\_  
48 VILLAGE ATTORNEY