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**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 62 TITLED "TRAFFIC AND VEHICLES" IN ITS ENTIRETY, AND AMENDING AND RENUMBERING IT AS CHAPTER 22 TITLED "TRAFFIC AND VEHICLES," AS CONTAINED HEREIN, TO SIMPLIFY THE CODE, REMOVE UNECESSARY AND OBSOLETE PROVISIONS, ESTABLISH PARKING REGULATIONS, PROVIDE PROCEDURES FOR THE REMOVAL OF ABANDONED VEHICLES, AND ESTABLISH RULES AND REGULATIONS FOR GOLF CART OPERATION IN WELLINGTON; PROVIDING A REPEALER CLAUSE; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Wellington Council, as the governing body, pursuant to the authority vested in it by Chapter 166, Florida Statutes, and Article VIII, Section 2 of the Florida Constitution, is authorized and empowered to adopt legislation to govern the affairs of its citizens; and

**WHEREAS**, Wellington adopted its first Code of Ordinances in 1997, shortly after incorporation, and since that time has adopted revisions as necessary to protect the health, safety, and welfare of its citizens; and

**WHEREAS**, Wellington believes that it is in the best interest of the community to make additional modifications to the Code of Ordinances to remove outdated and unnecessary provisions and to simplify the provisions set forth therein.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,  
FLORIDA, THAT:**

**SECTION 1:** Chapter 62 of Wellington’s Code of Ordinances is hereby repealed in its entirety, and is amended and renumbered as Chapter 22, titled “Traffic and Vehicles,” and is hereby adopted as specifically provided in Exhibit A attached to this Ordinance.

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** Should any section, paragraph, sentence, clause, or phrase of this Ordinance conflict with any section, paragraph, clause, or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision, then in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 4:** Should any section, paragraph, sentence, clause, or phrase of this

Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

**SECTION 5:** This Ordinance shall become effective immediately upon adoption of the Wellington Council following second reading.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022 upon first reading.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ on second and final reading.

**WELLINGTON**

**FOR**

**AGAINST**

BY: \_\_\_\_\_

Anne Gerwig, Mayor

\_\_\_\_\_

Michael Drahos, Vice Mayor

\_\_\_\_\_

John McGovern, Councilman

\_\_\_\_\_

Michael Napoleone, Councilman

\_\_\_\_\_

Tanya Siskind, Councilwoman

**ATTEST:**

BY: \_\_\_\_\_

Chevelle D. Addie Village Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

BY: \_\_\_\_\_

Laurie S. Cohen, Village Attorney

## EXHIBIT A

### **Chapter 62 TRAFFIC AND VEHICLES<sup>4</sup>**

#### **ARTICLE I. GENERAL**

##### **Sec. 62-1. Territorial application.**

This chapter applies throughout the jurisdictional limits of the Village of Wellington.  
(Ord. No. 2002-18, § 2, 6-24-03)

##### **Sec. 62-2. Florida Uniform Traffic Control Law adopted.**

The Florida Uniform Traffic Control Law, chapter 316, Florida Statutes, is hereby adopted as part of the Code. Violations of the Florida Uniform Traffic Control Law are therefore violations of this Code. Where any conflict may exist between this Code and the Florida Uniform Traffic Control Law, the Florida Uniform Traffic Control Law will prevail.  
(Ord. No. 2002-18, § 2, 6-24-03)

##### **Sec. 62-3. Definitions.**

The definitions in section 316.0003, Florida Statutes, apply to this chapter. In addition, the following definitions apply:

*Bus stop* means a fixed area in the roadway parallel and adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.

*Clerk of the court* means the clerk of the court in and for Palm Beach County.

*Commercial vehicle* means a vehicle which is not used solely for personal nonbusiness activities. The following factors will be considered when determining commercial status: (1) Outside lettering designating a business of any kind, (2) use of vehicle, (3) size of vehicle. The following types of vehicles shall be considered commercial for the purposes of this section, but shall not be the only types of vehicles considered as

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<sup>4</sup>Editor's note(s)—Ord. No. 2002-18, §§ 1, 2, adopted June 24, 2003, repealed the former Ch. 62, § 62-1, and enacted a new Ch. 62 as set out herein. The former Ch. 62 pertained to similar subject matter and derived from Ord. No. 96-08, § 1, adopted May 14, 1996. Section 2 designated substantive provisions as §§ 62-1—62-5, 62-8, 62-10—62-17. For purposes of classification and to facilitate indexing and reference the editor has redesignated §§ 62-1—62-5, 62-8, 62-10—62-17 as §§ 62-4—62-8, 62-11, 62-13—62-20.

Cross reference(s)—Any ordinances prescribing through streets, parking and traffic regulations, speed limits, one-way traffic, limitations on load of vehicles or loading zones saved from repeal, § 1-8(8); skateboards, rollerblades and roller skates in Little Blue Park, § 38-161 et seq.; streets, sidewalks and other public places, ch. 54.

State law reference(s)—Florida Uniform Traffic Control Law, F.S. ch. 316; powers of local authorities, F.S. § 316.008; penalties, F.S. § 316.655.

~~commercial: truck cab; semitrailer; taxi; tow truck; stepvan; construction vehicle; bus; trailer or utility trailer; a vehicle outfitted for commercial purposes or a vehicle with three or more axles.~~

~~Curb loading zone means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.~~

~~Double parking or double standing or double stopping means the parking, standing, or stopping of a vehicle upon the roadway side of another vehicle parking, standing, or stopping, but not legally within or adjacent to an open parking space.~~

~~Enforcement officer means the sheriff, sheriff's deputy, his agents or employees, a police officer, the code enforcement officer and assistants, or any other person designated by law, charter, ordinance, or resolution to enforce the provisions of this article of the Village Code.~~

~~Freight curb loading zone means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.~~

~~Inoperative motor vehicle means a motor-driven vehicle that cannot move under its own power due to defective or missing parts.~~

~~Motor vehicle means every self-propelled device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, including, but not limited to, an automobile, a truck, a van, a motorcycle, a motor-driven cycle, a scooter, or a moped.~~

~~Parts means all component parts of a vehicle that are in a state of disassembly, or are assembled with other vehicle component parts, but which, in their state of assembly, do not constitute a complete vehicle.~~

~~Passenger curb loading zone means any area adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.~~

~~Private property means all privately-owned property that is not classified within the definition of public property.~~

~~Public property means any public right-of-way, any property owned by the United States or any of its federal, state, county, or municipal governments, and all streets, highways, terraces, courts, lanes, boulevards, etc., within the village, whether or not they are public highways.~~

~~Recreational vehicle means any vehicle designed as a temporary living quarters for recreational, camping or travel use, which is self-powered or is mounted on or drawn by another vehicle.~~

~~Right-of-way means land in which the state, the department of transportation, a county, or a municipality owns the fee or has an easement devoted to or required for the use as a public road.~~

~~Road, street, alley, highway, or public easement means the entire width between the boundary lines of every public right-of-way, including, but not limited to, canal banks and canal easements.~~

~~Skateboard means a single platform mounted on wheels, mechanism, or other device with which to steer or to control the movement or direction of the platform.~~

~~Sport vehicle includes but is not limited to: dune buggy, racing vehicle, all-terrain vehicle or other type of off-road vehicle designed primarily for off-road use.~~

~~Taxi or taxicab: a licensed public motor vehicle for hire designated and constructed to seat not more than seven persons and operating as a common carrier on call or demand.~~

~~Taxi or taxicab stand means a fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers.~~

~~Village clerk means the village clerk in and for the Village of Wellington, Florida.~~

~~Village road means any road owned or maintained by the village.~~

~~(Ord. No. 2002-18, § 2, 6-24-03; Ord. No. 2003-18, § 3, 9-9-03)~~

#### **~~Sec. 62-4. Copy of vehicle registration in owner's name prima facie evidence hat vehicle was unlawfully parked by owner.~~**

~~In enforcement of parking violations as prohibited by the Code or state statute prohibiting parking violations within the village, evidence that a vehicle bearing a certain license tag was found unlawfully parked and that the records of the department of motor vehicles of the state show that the license tag was issued and the vehicle registered in the name of the owner, shall be prima facie evidence that the vehicle which was unlawfully parked was so parked by the owner.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

#### **~~Sec. 62-5. Authority to install traffic control devices and signals.~~**

~~The village engineer is authorized to install, remove, or modify traffic control devices and signals to regulate vehicular, bicycle, and pedestrian traffic on the streets and public ways in the village which are determined to be necessary or desirable for safe traffic control.~~

~~All installations of traffic control devices and signals by the village, pursuant to the authority of this chapter, shall comply with the manual and specifications of the state department of transportation.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

#### **~~Sec. 62-6. Authorization of no parking restrictions.~~**

~~The village engineer is authorized and directed to erect signs giving notice of the no parking restrictions at those places within the village limits as in his/her opinion are necessary or advisable to inform the public of this prohibition.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-7. Regulation and control of motor vehicles on certain private property.~~**

~~The village shall have the power to regulate and control the parking and operation of all motor vehicles on private property and to impose and enforce adequate penalties for violation of such regulations.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-8. Enforcement.~~**

~~Enforcement of this chapter may be by village enforcement officers.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-9. Parking of vehicles and boats in residential districts.~~**

~~(a) *Applicability.* Unless otherwise stated, these regulations shall apply as specified herein to all property in residential zoning districts or residential land use categories within the urban service area of the village excepting those properties located in the Type B (rural) residential land use category.~~

~~(b) *Motor vehicles.*~~

~~(1) It shall be prohibited to park a motor vehicle in any portion of a yard or landscaped area clearly visible from the street or adjoining properties except the paved driveway or ARB-approved alternative surface, or as otherwise provided herein.~~

~~(2) In all residential land use categories inside the urban service area, including Type B (rural), it shall be prohibited to park or store on any lot or in any right-of-way a vehicle which is inoperative, unregistered or has no current license tag displayed; except that one vehicle which is unregistered or does not display a current license tag may be kept on site provided the vehicle is completely screened from view from adjacent roads and lots.~~

~~(3) It shall be prohibited to perform mechanical or other repair work out of doors on a motor vehicle. This prohibition does not extend to minor maintenance such as oil and tire changes or emergency repairs lasting no more than eight hours on a vehicle owned by a resident of the property where the repairs are made.~~

~~(4) It shall be prohibited to display a vehicle for sale on any lot or right-of-way, except that one non-commercial vehicle may be parked in a residential driveway with one "for sale" sign placed inside one of the vehicle's windows, provided that such vehicle would otherwise be permitted by this article.~~

~~(c) *Commercial vehicles.*~~

~~(1) *General prohibition:*~~

~~i. *On street:* No person shall park, store, or keep any commercial vehicle on any public street, thoroughfare, or any right-of-way.~~

- ~~ii. Off street: No owner or resident of property in any residential district shall park, cause to be parked, or allow to be parked on such property a commercial vehicle as follows:~~
  - ~~a. For more than one hour between 6:00 a.m. and 8:00 p.m. Monday through Saturday, such period commencing at the time of first stopping or parking;~~
  - ~~b. For any period of time between 8:00 p.m. and 6:00 a.m. Monday through Saturday;~~
  - ~~c. For any period of time on Sunday.~~

~~(2) Exceptions:~~

- ~~i. Commercial vehicle. One commercial vehicle per dwelling unit may be parked on a residential lot, providing all of the following conditions are met: The vehicle is operative, registered and displays a current license tag and provided no portion of the vehicle is visible from adjoining properties or the street. One vehicle which is deemed a commercial vehicle due to the display of outside lettering only may be parked provided the lettering is completely covered.~~
- ~~ii. Construction vehicles. The general prohibition set out above shall not apply to the temporary parking of construction vehicles on private property where construction is underway, for which a current and valid building permit has been issued by the building official, and the building permit is displayed on the premises.~~
- ~~iii. Delivery and service vehicles. The general prohibition set out above does not apply to routine deliveries by tradesmen or the use of trucks in making service calls, provided that such time in excess of one hour is actually in the course of business deliveries or servicing and the vehicle does not impede the orderly flow of traffic.~~
- ~~iv. Emergency repairs. The general prohibition set out above shall not apply to a situation where a motor vehicle becomes disabled and, as a result of such emergency, is required to be parked for more than one hour. Any motor vehicle shall be removed within 24 hours, regardless of the nature of the emergency.~~
- ~~v. Farm vehicles on properties located in the equestrian preservation area shall be allowed to have outside lettering stating only the farm name and the city and state where the farm is located.~~

~~(d) Recreational vehicles, boats and trailers.~~

~~{(1) General prohibition:}~~

- ~~i. On street: No person shall park, store, or keep any recreational vehicle, sports vehicle, boat, or trailer on any public street or other thoroughfare or any right-of-way.~~

- ~~ii. Off street. No owner or resident of property in any residential district shall park, cause to be parked, or allow to be parked on such property a recreational vehicle, sports vehicle, boat, or trailer for a period exceeding one hour in any 24-hour period; each such period commencing at the time of first stopping or parking.~~

~~(2) Exceptions:~~

- ~~i. Emergency repairs. The general prohibition set out above shall not apply to a situation where a motor vehicle becomes disabled and, as a result of such emergency, is required to be parked for more than one hour. Any motor vehicle shall be removed within 24 hours, regardless of the nature of the emergency.~~
- ~~ii. Outdoor storage. One of the following items (1) through (8) may be parked outdoors on a residential lot: (1) a boat; (2) a boat trailer, with or without a boat mounted on it; (3) a jet ski or other type of personal watercraft; (4) a jet ski or personal watercraft trailer, with up to two crafts mounted on it; (5) a recreational vehicle; (6) a sports vehicle; (7) a sports vehicle trailer, with or without a vehicle mounted on it; or (8) a horse trailer. Outdoor storage of such vehicle is permitted pursuant to this section only if all of the following conditions are met:~~
  - ~~1. The boat, trailer, sports vehicle, recreational vehicle, or horse trailer is both owned and used by a resident of the property.~~
  - ~~2. The boat or recreational vehicle is parked either on the swale and/or paved parking area only for the purpose of loading, unloading, or servicing that vehicle for a maximum period of four hours in any one day and for a maximum of eight hours in any one-week period. Any boat or recreational vehicle remaining on the premises for more than two evenings between the hours of 8:00 p.m. and 6:00 a.m. in any twenty-day period shall be considered a violation of the prohibited parking section of this Code.~~
  - ~~3. Any boat, boat trailer, sports vehicle, sports vehicle trailer, recreational vehicle, or horse trailer located in the side or rear lot is not clearly visible from the street or abutting properties and is screened by a masonry wall, ornamental fence, or landscaping at least six feet in height.~~
  - ~~4. The recreational vehicle is not being used for living, sleeping, or housekeeping purposes.~~
  - ~~5. The boat, trailer, recreational vehicle, or horse trailer is operative, is currently registered and displays a current license tag as may be required under state or federal law.~~
  - ~~6. Parking of horse trailers in the equestrian preservation areas shall be governed by the provisions of ULDC Section 6.10.1.6.~~
- ~~iii. Special exceptions. The village may grant a special exception for any one vehicle which does not meet the requirements of this subsection upon~~



~~demonstration that the property owner, family member, or tenant has a physical disability requiring a vehicle that cannot meet this subsection.~~

~~(Ord. No. 2003-18, § 4, 9-9-03)~~

**~~Sec. 62-10. Reserved.~~**

**~~Sec. 62-11. Stopping, standing, or parking prohibited in specified places.~~**

~~(a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of an enforcement officer or traffic control device, in any of the following places:~~

~~(1) On a sidewalk;~~

~~(2) On a horse trail;~~

~~(3) On a bicycle path;~~

~~(4) In front of a public or private driveway, or in a place that obstructs in any way a public or private driveway;~~

~~(5) Within an intersection;~~

~~(6) Within 15 feet of a fire hydrant;~~

~~(7) On a crosswalk;~~

~~(8) On a horse crossing area;~~

~~(9) Within 20 feet of a crosswalk at an intersection;~~

~~(10) Within 100 feet of any flashing beacon, stop sign, or any traffic-control signal located at the side of a roadway;~~

~~(11) Between a safety zone and the adjacent curb, or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the village engineer indicates a different length by signs or markings;~~

~~(12) Within 50 feet of a bridge;~~

~~(13) Within 20 feet of the driveway entrance to any fire station and on the side of a roadway opposite the entrance of any fire station within 75 feet of said entrance.;~~

~~(14) Alongside or opposite any street or highway excavation or obstruction when such stopping, standing, or parking would obstruct traffic;~~

~~(15) On the roadway side of any vehicle stopped or parked at the edge of a street;~~

~~(16) Upon any street or roadway;~~

~~(17) Upon any bridge or other elevated structure upon a street;~~

~~(18) At any place where official signs prohibit stopping, standing, or parking.~~

~~(b) No person shall move a vehicle not owned by or in charge of such person into any such prohibited area or away from a curb such a distance as is unlawful.~~

- ~~(c) Where streets are not completely paved or where no curbs are provided, no vehicle shall be parked on the paved or commonly traveled portion of the roadway.~~
- ~~(d) No person shall stop, stand, or park a vehicle for any purpose in a curb loading zone, except for the expeditious loading or unloading of materials, and in no event for a period of more than 30 minutes, unless otherwise posted.~~
- ~~(e) The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers, when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter, or about to enter, such zone.~~
- ~~(f) No person shall park a vehicle at any time on any of the following parts of streets, sidewalks, or sidewalk area where signs are erected giving notice thereof:
  - ~~(1) In front of a theater entrance;~~
  - ~~(2) In front of an entrance or exit to a hotel or motel;~~
  - ~~(3) In front of any school building for a distance of 100 feet either side of the entrance;~~
  - ~~(4) In front of the entrance to any building where, in the opinion of the village engineer, parking should be prohibited for public safety; and~~
  - ~~(5) In a fire lane.~~~~
- ~~(g) No person shall at any time park or allow to be parked a vehicle on a public or private swale or easement adjacent to a paved or unpaved road or street. This provision shall not apply during a garage sale, "open house", or other special or social event in areas where temporary parking is permitted by the host or neighbors.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-12. Reserved.~~**

**~~Sec. 62-13. Motor vehicles for sale; exception.~~**

- ~~(a) It is prohibited for any person in any zoning district in the village to park or display any motor vehicle in any public right-of-way or on any private property which is being held out and marked as being for sale.~~
- ~~(b) Exempted from the prohibition in this section are the following:
  - ~~(1) Duly authorized and properly licensed commercial establishments that engage in the sale or lease of motor vehicles.~~
  - ~~(2) Residents of private residential premises seeking to sell only one motor vehicle at any particular time, which motor vehicle is owned by a member of that household, which motor vehicle has a payload capacity of one ton or less, and which motor vehicle is parked and displayed upon a paved portion of the residential premises.~~~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-14. Parking prohibited for certain purposes.~~**

~~No person shall park a vehicle within any right-of-way for the principal purpose of:~~

~~(1) Displaying such vehicle for sale.~~

~~(2) Displaying advertising.~~

~~(3) Selling merchandise from such vehicle, except in a duly established marketplace or when so authorized or licensed under the ordinances of this village.~~

~~(4) Storage, or as junkage, or dead storage for more than 24 hours.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-15. Hitchhiking or solicitation from roadway prohibited.~~**

~~No person shall stand in or in proximity to a roadway for the purpose of soliciting a ride from, or selling merchandise to, the driver of or a passenger in any vehicle.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-16. Parking time limited on certain streets.~~**

~~When signs are erected giving notice of the limitation of time for parking, no person shall stop, park, or stand a vehicle for longer than the time specified by such signs.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-17. Taxicabs and buses to use stands and stops.~~**

~~The operator of a bus or taxicab shall not stop, stand, or park upon any street at any place other than at a bus stop or taxicab stand, respectively, except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-18. Unauthorized use of taxicab stands and bus stops.~~**

~~No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when such stop or stand has been officially designated and marked, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in the expeditious loading or unloading of passengers, when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-19. Deposit, storage prohibited on public or private property.~~**

~~No person shall deposit, store or keep, or permit to be deposited, stored, or kept in the open upon public or private property an abandoned vehicle.~~

- ~~(1) It shall be unlawful to park, operate, use, or maintain on any publicly-owned property or any undeveloped property within the village any motorized vehicle other than on roadways improved for vehicular traffic or in areas designated for parking. "Publicly-owned property" shall mean any real property owned or leased by the village, the county, or any other governmental authority, excluding rights-of-way. "Undeveloped property" shall mean any real property, public or private, within the village that has not been previously disturbed or improved upon by uses, structures, or landscaping.~~
- ~~(2) This section shall not apply to vehicles performing maintenance, construction, patrol activities, or other related activities. This section shall not apply to any farming operation within the village.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

#### **~~Sec. 62-20. Operation of off-road vehicles restricted.~~**

~~All unregistered off-road, all-terrain vehicles and motorcycles equipped with dirt tires and loud mufflers (generically known as "dirt bikes" or "all-terrain vehicles") shall be prohibited from operation in the village unless:~~

- ~~(1) The property owner where such operation is being conducted has agreed in writing to such operation, and the operator in question has such written permission in his possession during such operation; and~~
- ~~(2) Said operator is not a nuisance to adjacent property owners; and if the sound emitted from the operation of such off-road vehicle is detrimental to life or health, or is a disturbance of the public peace and welfare, the sound shall be considered as excessive, unnecessary, or offensive noise, as provided in chapter 36 of this Code and the operation of such vehicles shall be prohibited. For the purposes of this section, the term "off-road, all-terrain vehicles" shall mean and include vehicles commonly known as dune buggies, ATVs, amphibious vehicles, and the like, and the term "motorcycles" shall include such motorcycle vehicles as defined in chapter 316, Florida Statutes.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

#### **~~Sec. 62-21. Safety helmet required for riding horses and other equine animals.~~**

- ~~(a) It is the intent of the village by enacting the section to promote safety, regulate traffic, and regulate lawful activities within defined public areas.~~
- ~~(b) After October 1, 2008 an equine animal rider who is under 16 years of age must wear a helmet that meets the American Society of Testing and Materials (ASTM) standards which is properly fitted and fastened securely upon the rider's head by a strap, when riding in a public area. This requirement applies regardless of whether a rider is controlling the equine animal. As used within this "subsection, the term "equine animal" means a horse, pony, mule, or donkey. The term "public area" as used within this subsection means:~~
  - ~~(1) All areas within the village where the village enjoys original jurisdiction to regulate traffic pursuant to the State Uniform Control Laws;~~

- ~~(2) All public parks or premises, public school sites, public equestrian trails, public recreational trails, or publicly owned or controlled property.~~
  - ~~(c) After October 1, 2008, no parent of any person under the age of 16 years and no guardian of any ward under the age of 16 years may authorize or knowingly permit any such minor person or ward to violate any of the provisions of this section.~~
  - ~~(d) After October 1, 2008, no person may knowingly rent or lease any equine animal to be ridden by a person who is under the age of 16 years unless the prospective rider possesses a helmet meeting the requirements of subsection (b) above or the lessor provides a helmet meeting such requirements for the prospective rider to wear.~~
  - ~~(e) Any person who violates this section may be issued a citation by a law enforcement officer for a fine of \$25.00.~~
  - ~~(f) This section does not apply to a person riding an equine when such rider is:~~
    - ~~(1) Practicing for or competing or performing in shows or events, including, but not limited to, rodeos and parades, where helmets are not historically a part of the show or event;~~
    - ~~(2) Riding on privately owned land even if the land is occasionally separated by a public road or right-of-way that must be crossed; or~~
    - ~~(3) Engaged in any agricultural practice or pursuit~~
- ~~(Ord. No. 2008-13, § 1, 6-24-08)~~

#### **~~Sec. 62-22. Exceptions to prohibited parking.~~**

~~*Neighborhood parking plans.* In communities with private roads, homeowners associations may apply to the village council for implementation of a neighborhood parking plan that provides for parking exceptions to section 62-11. In order for a neighborhood parking plan to become effective and allow the exceptions, it shall comply with each of the following requirements:~~

- ~~(1) The village council adopts the plan by resolution following its review and approval by the village engineer, director of planning and zoning and the director of public works;~~
- ~~(2) The community requesting a neighborhood parking plan has restricted or gated access that limits use of roads to residents or guests and other invited individuals;~~
- ~~(3) The homeowners' association or property owners' association of the community has requested a neighborhood parking plan be enacted;~~
- ~~(4) The homeowners' association or property owners' association of the community shall provide proof of a vote of affirmation by the majority of residents within the community or shall provide written documentation from the attorney for the homeowners' association or property owners' association that such an action is legal and in accordance with community by-laws, charter and/or official documents of record.~~

- ~~(5) The homeowners' association or property owners' association of the community assumes responsibility for enforcement of neighborhood parking plan.~~
  - ~~(6) The homeowners' association or property owners' association of the community is responsible for all application fees.~~
  - ~~(7) The proposed neighborhood parking plan is prepared by the village in conjunction with the affected homeowners association or property owners' association of the affected community.~~
  - ~~(8) Public safety shall be the paramount concern when reviewing proposed neighborhood parking plans; and~~
  - ~~(9) Neighborhood parking plans may not be more restrictive than the parking regulations found in the Code of Ordinances or land development regulations.~~
- ~~{Ord. No. 2008-11, § 1, 7-8-08}~~

Editor's note(s)—Ord. No. 2008-11, § 1, adopted July 8, 2008 amended by the enactment of § 62-21. For purposes of classification and to facilitate indexing and reference the editor has redesignated § 62-21 as § 62-22.

**~~Sec. 62-23—62-25. Reserved.~~**

## **~~ARTICLE II. PARKING FOR DISABLED PERSONS~~**

**~~Sec. 62-26. Unlawful parking in space designated for use by disabled persons; responsibilities of owner, etc., to comply with code specifications.~~**

- ~~(a) It is unlawful for any person to stop, stand, or park a vehicle within any marked parking space specially designated for use by disabled persons provided in accordance with state law or village municipal ordinance, unless such vehicle displays a parking permit or license plate issued pursuant to the applicable provisions of Florida Statutes, and such vehicle is transporting the person to whom the permit or plate is issued. Whenever a law enforcement officer or a parking enforcement specialist finds a vehicle stopped, standing, or parked in violation of this subsection, that officer or specialist shall:~~
  - ~~(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 parking space. Whenever any vehicle is removed by a law enforcement officer or parking enforcement specialist to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle;~~
  - ~~(2) Charge the operator or other person in charge of the vehicle in violation with a violation of this section, punishable with a minimum mandatory fine of \$250.00; or both.~~
- ~~(b) Any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit or special license plate, 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.~~

~~(c) The mandatory minimum penalty of \$250.00 may be waived upon payment of \$5.00 when a disabled person produces proof or a satisfactory explanation that he or she was the driver of the vehicle (or was being transported in such vehicle) cited and that he or she had a valid disability parking permit or plate, when the citation was issued. All persons wishing to request a waiver of the penalty shall make such requests in person at the Village of Wellington's Department of Community Services within ten calendar days of receiving the parking ticket. The following are required in order to process an appeal for fine reduction:~~

~~(1) Copy of valid handicapped placard.~~

~~(2) Copy of the parking placard registration and matching personal identification.~~

~~(3) The issued parking ticket.~~

~~(4) Required fee.~~

~~A "Handicap Parking Penalty Waiver Affidavit" shall be completed and signed by the officer or parking specialist after it has been established that the appeal has complied with the requirements of this section and costs received.~~

~~(d) Marking, signage requirements; conformity to code specifications by owner, etc., required: The markings, paint color, signage, and space design requirements for disabled parking shall meet the requirements of state law.~~

~~(Ord. No. 2002-18, § 2, 6-24-03; Ord. No. 2005-01, § 1, 3-17-05)~~

### **~~ARTICLE III. ABANDONED VEHICLES~~**

#### **~~Sec. 62-27. Authority to impound vehicles.~~**

~~Any enforcement officer is hereby authorized to remove a vehicle from a street to the nearest garage or other place of safety, or a garage designated or maintained by the sheriff's department or by the village under the circumstances hereinafter enumerated:~~

~~(1) When any vehicle is left unattended upon any street where such vehicle constitutes an obstruction to traffic.~~

~~(2) When a vehicle upon a street constitutes an obstruction to traffic or the person or persons in charge of the vehicle are by physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.~~

~~(3) When a vehicle is found being operated on the streets and is not in proper condition.~~

~~(4) When any vehicle is left unattended upon a street continuously for more than 48 hours and may be presumed to be abandoned.~~

~~(5) When the driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street.~~



~~(6) When removal is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-28. Abandoned vehicle; supplemental procedure for removal and destruction.~~**

~~(a) The rights, powers, and procedures set forth in this section shall be supplemental to and cumulative to the rights, powers, and procedures set forth elsewhere in this article and Code.~~

~~(b) Whenever the enforcement officer ascertains that an abandoned vehicle is present on public property or on private property contrary to section 62-27 of this Code, he may cause a notice to be placed upon such abandoned vehicle in substantially the following form:~~

~~NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED VEHICLE. THIS VEHICLE, TO WIT:~~

~~(Setting forth brief description)~~

~~LOCATED AT~~

~~(Setting forth a brief description)~~

~~IS:~~

~~UNLAWFULLY UPON PROPERTY AT~~

~~(Setting forth brief description of location)~~

~~MUST BE REMOVED WITHIN FIVE (5) DAYS FROM THE DATE OF THIS NOTICE; OTHERWISE IT SHALL BE PRESUMED TO BE AN ABANDONED VEHICLE AND WILL BE REMOVED.~~

~~You are notified that you may show cause why the above vehicle should not be removed as an abandoned vehicle by written request for a pretaking hearing to be held before the Village Manager of the Village of Wellington, or his designee, at 14000 Greenbriar Boulevard, Wellington, Florida 33414. You must make such a request for a pretaking hearing by delivering a written request for a hearing to the Clerk of the Code Enforcement Board of the Village of Wellington within five (5) days of the posting of this notice, or by 5:00 p.m. on \_\_\_\_\_ day. Failure to attend this hearing or failure to remove this vehicle as so ordered by the village manager or his designee within forty-eight (48) hours of said hearing will result in removal by the Village of Wellington.~~

~~DATED this \_\_\_\_\_ (setting forth the date of posting of notice).~~

~~Signed (setting forth name, title, address, and telephone number of enforcement officer).~~

~~Such notice shall be not less than eight inches by ten inches and shall be sufficiently weatherproof to withstand normal exposure to the elements.~~



- ~~(c) The enforcement officer shall also make a reasonable effort to ascertain the name and address of the owner of the abandoned vehicle, and if such address is reasonably available to the enforcement officer, he or she shall mail a copy of such notice to the owner on or before the date of posting.~~
- ~~(d) If the abandoned vehicle is located on private property, the enforcement officer shall mail a copy of the notice to the owner of the real property upon which the abandoned vehicle is located, as shown by the real estate tax rolls of Palm Beach County, on or before the date of posting such notice.~~
- ~~(e) If at the end of five days after the posting of such notice, or 48 hours after the pretaking hearing, whichever occurs later, the owner or any person interested in the abandoned vehicle described in such notice has not removed the abandoned vehicle from public or private property, or shown reasonable cause for failure to do so, then the enforcement officer may cause the abandoned vehicle to be removed and either stored, destroyed, used by the village for its own use, traded to another unit of local government or state agency, donated to a charitable organization, or sold. The salvage value, if any, of such abandoned vehicle that is destroyed shall be retained by the village to be applied against the cost of removal and destruction thereof, unless the costs of removal and destruction are paid by the owner as provided in subsection (f), in which case the salvage value may be deposited in the village's general funds.~~
- ~~(f) The owner of any abandoned vehicle, who, after notice as provided in this section, does not remove the vehicle within the specified period shall be liable to the village for all costs of removal and destruction of such vehicle, less any salvage value received by the village. Upon such removal and destruction, the village shall notify the owner of the amount owed and of the penalty provision of this subsection. Any person who neglects or refuses to pay such amount shall be subject to a fine of \$250.00.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

#### **Sec. 62-29. Repossession by owner; procedure.**

~~If the enforcement officer determines that the abandoned vehicle has sufficient value to justify its storage, the owner of the vehicle so removed may regain possession thereof from the village by making application therefore within two months after its receipt by the village, upon paying to the village all costs of removal, which shall be repaid to the person who paid or incurred such charges, plus storage charges of said vehicle while in possession of the village, plus all fines imposed upon the owner for violation of this chapter. If the enforcement officer determines that the abandoned vehicle should be destroyed, used by the village for its own use, traded to another unit of local government or state agency, donated to a charitable organization, or sold, the owner will be notified by certified mail, and the vehicle may be destroyed or traded 30 days thereafter.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Sec. 62-30. Sale of unclaimed vehicles.~~**

~~If no claim for a stored vehicle is made within two months after receipt thereof, the village may sell said vehicle for the best price obtainable as junk or otherwise, and the proceeds thereof shall be available to pay the reasonable charges of delivering the same to the village if a claim therefore be made by the person who paid said charges, the expense of keeping and disposing of said vehicle, and any balance shall be paid into the general fund.~~

~~(Ord. No. 2002-18, § 2, 6-24-03)~~

**~~Secs. 62-31—62-36. Reserved.~~**

**~~ARTICLE IV. PENALTIES~~**

**~~Sec. 62-37. Penalties.~~**

- ~~(a) The village adopts the provision of F.S. § 318.18 as amended, related to the noncriminal disposition of offenses other than those specifically set forth below.~~
- ~~(b) The following civil penalties shall be imposed for violations of referenced sections of this chapter:~~

<del>Violation</del>	<del>Civil Penalty</del>
<del>i) Violations of Article I, except section 62-9</del>	<del>\$35.00 for each violation</del>
<del>ii) Violations of Article II</del>	<del>\$250.00 for each violation</del>
<del>iii) Violations of Article I, section 62-9</del>	<del>\$35.00 for each violation or such penalties as may be imposed by order of the special magistrate pursuant to the provisions of section 2-199 Code of Ordinances</del>

- ~~(c) Any person owing moneys for parking tickets issued within the village shall remit payment for same at the place designated on the ticket within 30 days of the date of issuance of such ticket.~~

~~(Ord. No. 2002-18, § 2, 6-24-03; Ord. No. 2003-18, § 5, 9-9-03; Ord. No. 2007-03, § 1, 2-13-07; Ord. No. 2020-09, § 1, 6-23-20)~~

**~~Sec. 62-38. Late fee.~~**

~~For a parking violation citation issued by a Wellington Code Compliance Officer, a late fee of \$12.00 is established and must be paid in connection with the payment of any parking violation fine paid more than 30 days after the date of issuance of the citation, excluding the date of issuance.~~

~~(Ord. No. 2002-18, § 2, 6-24-03; Ord. No. 2020-09, § 2, 6-23-20)~~

**~~Sec. 62-39. Administrative appeal.~~**

- ~~(a) Request for administrative hearing:~~

- ~~(1) Any person wishing to contest a parking violation citation issued by a Wellington Code Compliance Officer may appeal and contest such citation by making a written request for an administrative hearing to the village clerk within 30 days of the date the citation was issued. Failure to contest such violation by way of the above procedure shall constitute an admission by the violator that the infraction was committed and will operate as a waiver of the right to a hearing on the issue.~~
- ~~(2) Upon receipt of the request for an administrative hearing for a parking citation issued by a Wellington Code Compliance Officer, the village clerk shall notify the clerk of the court. The alleged violator and the village shall be given notice of the date and time of the hearing before the traffic hearing officer.~~
- ~~(3) Any person wishing to contest a parking violation issued by Palm Beach County Sheriff's Office and processed by the Palm Beach County Clerk of Court shall contact the county clerk within 30 days of the date the citation was issued. Failure to contest such violation by way of the above procedure shall constitute an admission by the violator that the infraction was committed and will operate as a waiver of the right to a hearing on the issue.~~
- ~~(b) The hearing shall be conducted in accordance with F.S. § 318.14 and the Florida Rules of Traffic Court, as amended from time to time. The Florida Rules of Traffic Court are available at: [floridabar.org/rules/ctproc/](http://floridabar.org/rules/ctproc/).~~
- ~~(Ord. No. 2002-18, § 2, 6-24-03; Ord. No. 2020-09, § 3, 6-23-20)~~

#### **~~Sec. 62-40. Supplying parking violation information to the state.~~**

~~The Village of Wellington shall supply the Florida Department of Safety and Motor Vehicles, or any successor department performing substantially the same duties, a list of persons who have three or more outstanding parking violations, or one or more outstanding parking violation(s) of F.S. § 316.1955, F.S. § 316.1957 or any village ordinances which regulate parking in spaces for person with disabilities. The information may be supplied to the Florida Department of Highway Safety and Motor Vehicles in any communication format approved by it or state statute.~~

~~(Ord. No. 2005-01, § 2, 3-17-05)~~

### **~~ARTICLE V. GOLF CART OPERATION ON DESIGNATED VILLAGE ROADS AND DESIGNATED MULTI-MODAL PATHWAYS<sup>2</sup>~~**

#### **~~Sec. 62-41. Legislative intent.~~**

~~The purpose of this article is to authorize and regulate the operation of golf carts upon designated village roads and designated multi-modal pathways in a manner that is consistent with state and federal law and that promotes the general health, safety, and~~

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<sup>2</sup>Editor's note(s)—Prior to reenactment by Ord. No. 2021-10, Ord. No. 2010-20, § 1, adopted Aug. 31, 2010, repealed Art. V, §§ 62-41—62-56, which pertained to Dangerous Intersection Safety Act and derived from Ord. No. 2009-02, § 2, adopted Jan. 27, 2009.

welfare of the community. This article does not regulate the operation of low-speed vehicles within the village.

(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)

## **~~Sec. 62-42. Definitions.~~**

In addition to the definitions in section 62-3, the following definitions apply to this article:

~~*Authorized golf cart crossing* means a crosswalk at a signalized intersection, a stop-controlled intersection, a mid-block crossing, or a side street crossing that is marked by the village with signs/pavement markings indicating that it is an authorized golf cart crossing. Crossings will be evaluated for approval of use by golf carts by the village engineer and must conform to the standards of FDOT Traffic Engineering Manual, Latest Edition.~~

~~*Designated multi-modal pathway* means a sidewalk or portion of a sidewalk that is within the jurisdictional boundaries of the village and approved for use by pedestrians, bicycles, and golf carts. A designated multi-modal pathway meets all of the following criteria: 1) it is a minimum of eight feet wide; 2) it is paved; 3) it is located adjacent to one of the collector roads listed on Table A of this article; and 4) it is marked by the village with signs/pavement markings indicating that it is a designated multi-modal pathway. In cases where a road listed on Table A has a sidewalk on either side of the road and only one side meets the requirements of this section, golf carts are permitted only on the side that is marked by the village with signs/pavement markings indicating that it is a designated multi-modal pathway.~~

~~*Designated village road* means a village road or portion of a village road upon which golf carts are allowed to operate consistent with this article. A designated village road meets all of the following criteria: 1) it has a posted speed limit of 25 miles per hour or less; 2) it is listed on Table B of this article; and 3) it is marked with signs/pavement markings indicating that it is a designated village road.~~

~~*Golf cart* means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes.~~

~~*Low-speed vehicle* means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. § 571.500 and F.S. § 316.2122.~~

~~*Nighttime safety equipment* means headlights, brake lights, turn signals, and a windshield.~~

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

~~*Village road* means a road or street within the jurisdictional boundaries of the village that is open to travel by the public and is not maintained by a private entity.~~

(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)

Editor's note(s)—Tables A and B, referenced above, are set out at the end of this article.

**Sec. 62-43. Golf cart operation and equipment.**

- ~~(a) *Designated village roads and authorized golf cart crossings.* The operation of a golf cart is permitted only on designated village roads or at authorized golf cart crossings. The operation of a golf cart on a village road is otherwise prohibited.~~
- ~~(b) *Designated multi-modal pathways.* The operation of a golf cart is permitted only on designated multi-modal pathways. The operation of a golf cart on a sidewalk is otherwise prohibited.~~
- ~~(c) *Age.* A golf cart may be operated on a designated village road by a person who is at least 14 years old pursuant to F.S. § 316.212. A golf cart may only be operated on a designated multi-modal pathway by a person with a valid driver license or learner's driver license.~~
- ~~(d) *Hours of operation.* A golf cart may only be operated on a designated village road or a designated multi-modal pathway during the hours between sunrise and sunset, unless the golf cart is equipped with nighttime safety equipment.~~
- ~~(e) *Equipment.* A golf cart operating on a designated village road or a designated multi-modal pathway must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear. Additionally, a golf cart operating on a designated multi-modal pathway must be equipped with a horn or other warning device required by F.S. § 316.271. A golf cart operating on a designated village road or a designated multi-modal pathway between the hours of sunset and sunrise must also have nighttime safety equipment.~~
- ~~(f) *Speed.* The operation of a golf cart upon a designated village road is restricted to the posted speed limit. The operation of a golf cart upon a designated multi-modal pathway is restricted to a maximum speed of 15 miles per hour.~~
- ~~(g) *Yield.* Any person operating a golf cart upon a designated multi-modal pathway must yield the right-of-way, slowing down, stopping, or pulling off the pathway if need be, to pedestrians, bicyclists, and horses at all times. Golf carts must yield to other traffic at all intersections and driveways.~~
- ~~(h) *Traffic regulations.* A golf cart operating upon a designated village road or upon a designated multi-modal pathway must operate along the right side/shoulder of the road or multi-modal pathway in either direction. The golf cart operator must abide by all other applicable state, county, and village traffic regulations.~~
- ~~(i) *Occupancy.* The number of occupants of a golf cart must not exceed the number of seats in the golf cart, as specified by the manufacturer, except that a child under the age of seven years may ride on the lap of an adult passenger who is not operating the golf cart. A child may not ride on the lap of the person operating the golf cart. Each occupant of the golf cart must remain seated at all times while the golf cart is in motion.~~

(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)

**~~Sec. 62-44. Gated communities and private property.~~**

~~The provisions of this article do not apply to the operation of golf carts within gated communities or on private or semi-private property, including retail parking lots and private roads, within the village. The operation of golf carts within these areas is governed by the applicable association or property owner.~~

~~(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)~~

**~~Sec. 62-45. Village golf cart use.~~**

~~This village may operate golf carts upon any village road or sidewalk in accordance with the provisions of section 62-43, as applicable, and of F.S. § 316.2126, as amended from time to time.~~

~~(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)~~

**~~Sec. 62-46. Enforcement; penalties.~~**

~~(a) Violations of this article may be enforced by the Palm Beach County Sherriff's Office in accordance with the provisions of F.S. ch. 162, part II, as amended from time to time. A violation of this article is a civil infraction punishable by civil penalty in the amounts set forth below:~~

<del>First Violation</del>	<del>Warning</del>
<del>Second Violation</del>	<del>\$50.00</del>
<del>Third Violation (and every violation thereafter)</del>	<del>\$100.00</del>

~~With the exception of the penalties set forth above, a citation issued pursuant to this section shall comply with the requirements of Chapter 2, Article IV, Division 2 of this Code and may be contested in the county court as set forth therein.~~

~~(b) The enforcement provisions of this section are supplemental in nature and are not intended to prohibit the village from seeking any other remedy available at law or in equity.~~

~~(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)~~

**~~Sec. 62-47. Licensed use and revocation.~~**

~~The operation of a golf cart on designated village roads and designated multi-modal pathways pursuant to this article shall be deemed to be a licensed use of those roads and pathways. The license granted pursuant to this article shall not limit or otherwise preclude the village council from amending this article, revoking or repealing this article, or contracting or expanding the designated village roads or designated multi-modal pathways on which golf carts may be operated pursuant to this article.~~

~~(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)~~

**Table A. Multi-modal pathways adjacent to collector roads.**

Table A. Multi-Modal Pathways Adjacent to Collector Roads	
1.	120th Ave. South
2.	Aero Club Drive
3.	Bent Creek Road
4.	Big Blue Trace
5.	Binks Forest Drive
6.	Birkdale Drive
7.	Flying Cow Ranch Road
8.	Forest Hill Blvd. (north of Wellington Trace)
9.	Greenbriar Blvd.
10.	Greenvview Shores Blvd.
11.	Lake Worth Road
12.	Lyons Road
13.	Ousley Farms Road
14.	Paddock Drive
15.	South Shore Blvd.
16.	Stribling Way
17.	Wellington Trace

(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)

**Table B. Streets within residential neighborhoods.**

Table B. Streets within Residential Neighborhoods		
120th Ave S	Areaca Dr	Block Island Rd
125th Ave S	Aster Ave	Bluebell Ct
128th Ter S	Autumn Ave	Blueberry Dr
130th Ave S	Azure Ave	Boeing Ct
140th Ave S	Azure Ct	Bolton Ct
160th Trl S	Baltrusol Pl	Bottlebrush Ct
40th St S	Barberry Ct	Boundary Tree Ln
50th St S	Barberry Dr	Brae Burn Pl
52nd Pl S	Barefoot Lake Dr	Brampton Cv
55th St S	Barnstaple Cir	Branding Iron Ct
57th Pl S	Barnstormer Ct	Brier Patch Ct
60th St S	Barrington Woods Dr	Brier Patch Trl
Acme Rd	Basswood Pl	Brightstone St
Adonider Ln	Bedford Mews Dr	Brightwood Way
Alder Ln	Bellanca Ln	Britten Ln
Aldsworth Ct	Belmont Tree	Brixham St
Amaryllis Ct	Belmore Ct	Broadleaf Ct



Amesbury Cir	Belmore Ter	Buckland Ct
Amesbury Ct	Bent Creek Rd	Buckland Ct E
Angelica Ct	Big Cone Ct	Buckland St
Anhinga Dr	Birkdale Dr	Callington Dr
Appaloosa Trl	Black Willow Ln	Canter Way
Arcadia Dr	Blackberry Dr	Caraway Ct
Carlton St	Elgin Ct	Guilford Way
Carnation Ct	Emmelman Rd	Halter Rd
Carriage Ln	Enstrom Rd	Hawker Ln
Cedar Bluff Pl	Equestrian Way	Haworth St
Cessna Way	Essex Dr	Hawthorne Pl
Chancellor Dr	Etna Dr	Haymarket Ct
Chandelle Pl	Exeter Ln	Heartwood Pl
Chappard Ct	Exotica Ln	Hempstead St
Chapparel Way	Fairdale Way	Hickory Trl
Chatsworth Village Dr	Fairfield Ct	Hiller St
Chelmsford St	Fairlane Farms Rd	Hollyhock Rd
Cherry Ln	Fallview Way	Horseshoe Tree
Cindy Circle Ln	Farmington Ave	Hull Ct
Cindy Dr	Farmington Cir	Huntington Dr
Citrus Pl	Farmington Ct	Huntley Way
Clydesdale Ave	Farrier Pl	Hyacinth Ct
Gold Springs Ct	Fawnwood Pl	Hyacinth Pl
Columbine Ave	Firethorn Dr	Indian Mound Rd
Gorallita Ct	Firewood Ct	Indigo Ave
Coralwood Ct	Flora Ln	Inverness Cir
Cornflower Ct	Folkestone Cir	Ishnala Cir
Cosmos Ct	Folkestone Ct	Ishnala Ct
Country Wood Ct	Forester Ct	Isles View Dr
Cranberry Ct	Foresteria Ave	Ivy Dr
Crassula Ct	Fortune Cir	Jackpine St
Crimson Ln	Fortune Way	Jamboree Ct
Crocus Ct	Galloway Trl	Jonquil Ct
Cromer Ct	Garwood Ct	Jonquil Pl
Crowberry Ct	Geranium Pl	Juniper Pl
Daffodil Dr	Gingerwood Ln	Ken Adams Way
De Havilland Ct	Gloucester Ct	King Ter
Deerwood Ct	Gold Piece Trl	Kinglet Ter
Dollarspot Ct	Goldenrod Rd	Kingsbury Ct
Donlin Dr	Goodwood Ter	Kingsbury Dr
Dorchester Pl	Gracida St	Kingsbury Ter
Doubletree Cir	Grantham Ct	Kingsway Rd
Doubletree Trl	Grantham Dr	Knotty Wood Ln



<del>Dovedale Ct</del>	<del>Gray Mare Way</del>	<del>La Mirada Cir</del>
<del>Dracena Dr</del>	<del>Greenbriar Cir</del>	<del>Lacewood Ln</del>
<del>Draft Horse Ln</del>	<del>Greenleaf Ln</del>	<del>Lantern Tree Ln</del>
<del>Dunster Ct</del>	<del>Greentree Dr</del>	<del>Larch Way</del>
<del>E Rambling Dr</del>	<del>Greentree Trl</del>	<del>Larkspur Ln</del>
<del>Earhart Pl</del>	<del>Grumman Ct</del>	<del>Laurel Trl</del>
<del>Easthampton Cir</del>	<del>Guava Ct</del>	<del>Laurel Valley Cir</del>
<del>Edgefield Rd</del>	<del>Guildford St</del>	<del>Lavender Ln</del>
<del>Elder Ct</del>	<del>Guilford Cir</del>	<del>Leeds Ct</del>
<del>Lemongrass Ln</del>	<del>Peconic Ct</del>	<del>Santa Clara Trl</del>
<del>Lewes St</del>	<del>Peel Ct</del>	<del>Sawgrass Ct</del>
<del>Lilac Pl</del>	<del>Pelham Rd</del>	<del>Scarborough Ter</del>
<del>Lily Ct</del>	<del>Penhale Ct</del>	<del>Schweizer Ct</del>
<del>Lindbergh Ln</del>	<del>Peppertree Ct</del>	<del>Sea Lavender Ter</del>
<del>Lindsey Ct</del>	<del>Periwinkle Pl</del>	<del>Seaford Dr</del>
<del>Little Ranches Trl</del>	<del>Petrel Rd</del>	<del>Shawmut Ct</del>
<del>Lockheed Ter</del>	<del>Pine Valley Dr</del>	<del>Sheffield Ct</del>
<del>Longlea Ter</del>	<del>Pineacre Ct</del>	<del>Sheffield St</del>
<del>Lotus Ln</del>	<del>Pineacre Ln</del>	<del>Sheffield Woods Dr</del>
<del>Lynton Cir</del>	<del>Pinetta Cir</del>	<del>Shower Tree Way</del>
<del>Marble Canyon Dr</del>	<del>Pintail Dr</del>	<del>Silverbell Ln</del>
<del>Margate Pl</del>	<del>Pinto Cir</del>	<del>Skipton Ave</del>
<del>Marigold Dr</del>	<del>Piper Way</del>	<del>Snapdragon Dr</del>
<del>Mayview Way</del>	<del>Pipit Ct</del>	<del>Snowberry Dr</del>
<del>Meadow Ave</del>	<del>Portland Ave</del>	<del>Softwood Ct</del>
<del>Meadow Wood Dr</del>	<del>Portland Ct</del>	<del>South Shore Blvd</del>
<del>Merion Ct</del>	<del>Primrose Ln</del>	<del>Southport Ct</del>
<del>Midpines Ter</del>	<del>Quercus Ct</del>	<del>Spanish Oak Way</del>
<del>Milford Ct</del>	<del>Quercus Ln</del>	<del>Springhill Ct</del>
<del>Montauk Dr</del>	<del>Raintree Ln</del>	<del>Springwood Pl</del>
<del>Moonflower Cir</del>	<del>Rambling Drive Cir</del>	<del>Spur Close</del>
<del>Morgan Close</del>	<del>Ranchwood Ct</del>	<del>Squire Dr</del>
<del>Morning Glory Dr</del>	<del>Randi Dr</del>	<del>St Davids Ct</del>
<del>Mulberry Pl</del>	<del>Reading Ter</del>	<del>St Davids Way</del>
<del>Mystic Ct</del>	<del>Red Pine Trl</del>	<del>Staghorn Ct</del>
<del>Mystic Way</del>	<del>Redondo Way</del>	<del>Staghorn St</del>
<del>Newhaven Ave</del>	<del>Riverside Cir</del>	<del>Staimford Cir</del>
<del>Newton Pl</del>	<del>Roan Ct</del>	<del>Staimford Ct</del>
<del>Niantic Ter</del>	<del>Rolling Meadows Cir</del>	<del>Staimford Dr</del>
<del>Northampton Ter</del>	<del>Rolling Rock Pl</del>	<del>Stapleton Way</del>
<del>Northumberland Cir</del>	<del>Rose Ct</del>	<del>Stirrup Ln</del>
<del>Northumberland Ct</del>	<del>Rosewood Ln</del>	<del>Stone Pine Way</del>
<del>Norwick St</del>	<del>Rowayton Cir</del>	<del>Stratford St</del>

<del>Oatland Ct</del>	<del>Royal Fern Dr</del>	<del>Suellen Cir</del>
<del>Old Country Rd N</del>	<del>Rudder Cv</del>	<del>Sugar Pine Trl</del>
<del>Old Country Rd S</del>	<del>Rye Ter</del>	<del>Sulky Way</del>
<del>Old Cypress Trl</del>	<del>S Crown Way</del>	<del>Summerwood Cir</del>
<del>Oleaster Ave</del>	<del>S Rambling Dr</del>	<del>Sunflower Ct</del>
<del>Oneida Ter</del>	<del>Sachem Head Ter</del>	<del>Sunward St</del>
<del>Orchid Ct</del>	<del>Sage Ave</del>	<del>Sycamore Ln</del>
<del>Ousley Farms Rd</del>	<del>Sailboat Cir</del>	<del>Take Off Pl</del>
<del>Pacer Cir</del>	<del>Samoset Ct</del>	<del>Tamarack Way</del>
<del>Paddock Dr</del>	<del>Sanderling Dr</del>	<del>Tanbark Trl</del>
<del>Palm Beach Point Blvd</del>	<del>Sandy Pine Ct</del>	<del>Teakwood Ct</del>
<del>Pampas Way</del>	<del>Sannenwood Ln</del>	<del>Tecoma Dr</del>
<del>Tern Ct</del>	<del>Wareham Ct</del>	<del>Windsock Way</del>
<del>The 12th Fairway</del>	<del>Warm Springs Ter</del>	<del>Windtree Way</del>
<del>Timber Pine Trl</del>	<del>Weatherly Rd</del>	<del>Wisteria St</del>
<del>Torchwood Ct</del>	<del>Werwood Ct</del>	<del>Wither Close</del>
<del>Tornelia Ln</del>	<del>Westbury Close</del>	<del>Wood Dale Ter</del>
<del>Torrington Ave</del>	<del>Westhall Pl</del>	<del>Wood Row Way</del>
<del>Trace Way</del>	<del>Westhampton Cir</del>	<del>Woodmar Ct</del>
<del>Treehaven Ct</del>	<del>Westport Cir</del>	<del>Woods Dr</del>
<del>Trotter Ct</del>	<del>Whimbrel Rd</del>	<del>Wranglewood Dr</del>
<del>Tulip Ln</del>	<del>Whitby St</del>	<del>Wrotham Ter</del>
<del>Tumbleweed Ct</del>	<del>White Pine Dr</del>	<del>Wychmere Ter</del>
<del>Turf Ln</del>	<del>Whitemarsh Dr</del>	<del>Wyndcliff Dr</del>
<del>Turnstone Dr</del>	<del>Whitney Way</del>	<del>Yarmouth Ave</del>
<del>Tylerwood Ct</del>	<del>Widgeon Rd</del>	<del>Yarmouth Ct</del>
<del>Velda Way</del>	<del>Wild Pine Rd</del>	<del>Yarmouth Dr</del>
<del>Veronica Ct</del>	<del>Wiltshire Village Dr</del>	<del>York Ct</del>
<del>Voyageurs Pl</del>	<del>Windflower Ct</del>	
<del>W Rambling Dr</del>	<del>Window Rock Dr</del>	

(Ord. No. 2021-10, § 1, 9-28-21, eff. 3-28-22)

## **Chapter 22 - TRAFFIC AND VEHICLES**

### **ARTICLE I - GENERAL**

#### **Sec. 22-1: Territorial Application**

This chapter applies throughout the jurisdictional limits of Wellington.

## **Sec. 22-2: Florida Uniform Traffic Control Law Adopted**

The Florida Uniform Traffic Control Law, chapter 316, Florida Statutes, is hereby adopted as part of this Code. Violations of the Florida Uniform Traffic Control Law are therefore violations of this Code. Where any conflict exists between this Code and the Florida Uniform Traffic Control Law, the Florida Uniform Traffic Control Law will prevail.

## **Sec. 22-3: Definitions**

The definitions in section 316.0003, Florida Statutes, apply to this chapter. In addition, the following definitions apply:

*Boat:* any vessel or craft designed to travel over water, whether motorized or not.

*Bus Stop:* a fixed area in the roadway parallel and adjacent to the curb to be occupied exclusively by buses for layover in operating schedules or waiting for passengers.

*Clerk of the Court:* the Clerk of the Circuit Court & Comptroller in and for Palm Beach County.

*Commercial Vehicle:* a vehicle that is not used solely for personal nonbusiness activities. The following factors will be considered when determining commercial status: (1) Outside lettering designating a business of any kind, (2) use of vehicle, (3) size of vehicle. The following types of vehicles shall be considered commercial for the purposes of this section, but shall not be the only types of vehicles considered as commercial: truck cab; semitrailer; taxi; tow truck; stepvan; construction vehicle; bus; trailer or utility trailer; a vehicle outfitted for commercial purposes or a vehicle with three or more axles.

*Curb Loading Zone:* a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

*Enforcement Officer:* the sheriff, sheriff's deputy, their agents or employees, a police officer, the code enforcement officers and assistants, or any other person designated by law, charter, ordinance, or resolution to enforce the provisions of this chapter.

*Freight Curb Loading Zone:* a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

*Government Vehicle:* a vehicle designated and authorized for use by a federal, state, county or municipal agency.

*Golf Cart:* a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes.

*Inoperative Vehicle:* a motor vehicle that cannot move under its own power due to defective or missing parts or lack of fuel.

*Motor Vehicle:* every self-propelled device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, including, but not limited to, an automobile, a truck, a van, a motorcycle, a motor-driven cycle, a scooter, a moped, or a golf cart.

*Parts:* all component parts of a vehicle that are in a state of disassembly, or are assembled with other vehicle component parts, but which, in their state of assembly, do not constitute a complete vehicle.

*Private Property:* property that is not classified within the definition of public property.

*Public Property:* any public right-of-way, any property owned by the United States or any federal, state, county, or municipal governments, and all roadways, streets, highways, terraces, courts, lanes, or boulevards within Wellington, whether or not they are public highways.

*Recreational Vehicle:* any vehicle designed as a temporary living quarters for recreational, camping, or travel use that is self-powered or is mounted on or drawn by another vehicle.

*Right-of-Way:* land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies. The term shall mean both a Wellington right-of-way and private right-of-way, but shall not include property conveyed to or owned by Wellington in fee simple.

*Road, Street, Alley, Highway, or Public Easement:* the entire width between the boundary lines of every public right-of-way, including, but not limited to, canal banks and canal easements.

*Skateboard:* a single platform mounted on wheels, mechanism, or other device with which to steer or to control the movement or direction of the platform.

*Sports Vehicle:* includes but is not limited to the following: dune buggy, racing vehicle, all-terrain vehicle, or other type of off-road vehicle designed primarily for off-road use.

*Taxicab:* a licensed public motor vehicle for hire designated and constructed to seat not more than seven persons and operating as a common carrier on call or demand.

*Taxicab Stand:* a fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers.

*Wellington Road:* a road or street within the jurisdictional boundaries of the Village of Wellington that is open to travel by the public and is not maintained by a private entity.

#### **Sec. 22-4: Copy of Vehicle Registration in Owner's Name Prima Facie Evidence that Vehicle was Unlawfully Parked by Owner**

Evidence that a vehicle bearing a certain license tag was found unlawfully parked and that the records of the department of motor vehicles of the state show that the license tag was issued and the vehicle registered in the name of the owner, shall be prima facie evidence that the vehicle which was unlawfully parked was so parked by the owner.

#### **Sec. 22-5: Authority to Install Traffic Control Devices and Signals**

The Wellington Engineer is authorized to install, remove, or modify traffic control devices and signals to regulate vehicular, bicycle, and pedestrian traffic on the streets and public ways in Wellington when determined to be necessary or desirable for safe traffic control. All installations of traffic control devices and signals by Wellington, pursuant to the authority of this chapter, shall comply with the manual and specifications of the state department of transportation.

#### **Sec. 22-6: Authorization of No Parking Restrictions**

The Wellington Engineer is authorized and directed to erect signs giving notice of the no parking restrictions at such places within Wellington as in their opinion are necessary or advisable to inform the public of this prohibition.

#### **Sec. 22-7: Regulation and Control of Motor Vehicles on Certain Private Property**

Wellington shall have the power to regulate and control the parking and operation of all motor vehicles on private property and to impose and enforce adequate penalties for violation of such regulations.

#### **Sec. 22-8: Enforcement**

Enforcement of this article may be by Wellington enforcement officers.

#### **Sec. 22-9: Parking of Vehicles and Boats in Residential Districts**

(a) *Applicability.* Unless otherwise stated, these regulations shall apply as specified herein to all property in residential zoning districts or residential land use categories excepting those properties located within the Equestrian Overlay Zoning District (EOZD) and designated subareas as outlined in Wellington's Land Development Regulations (LDR).

(b) *Motor vehicles.*

(1) It shall be prohibited to park a motor vehicle in any portion of a yard or landscaped area clearly visible from the street or adjoining properties, except

the paved driveway or approved alternative surface, or as otherwise provided herein.

- (2) In all residential land use categories including within the EOZD, it shall be prohibited to park or store on any property or in any right-of-way a vehicle that is inoperative, unregistered, or has no current license tag displayed, including golf carts; except that one vehicle that is unregistered or does not display a current license tag may be kept on site provided the vehicle is completely screened from view from adjacent roads and properties.
- (3) It shall be prohibited to perform mechanical or other repair work outside on a motor vehicle. This prohibition does not extend to minor maintenance such as oil and tire changes or emergency repairs lasting no more than eight hours on a vehicle owned by a resident of the property where the repairs are made.
- (4) One golf cart may be parked as permitted in this Code. Low speed vehicles may be parked as permitted by this Code.

(c) Commercial vehicles.

(1) General prohibition:

- i. On-street: No person shall park, store, or keep any commercial vehicle on any public street, thoroughfare, or any right-of-way.
- ii. Off-street: No owner or resident of property in any residential district shall park, cause to be parked, or allow to be parked on such property a commercial vehicle as follows:
  - a. For more than one hour between 6:00 a.m. and 8:00 p.m., commencing from the time of first stopping or parking;
  - b. For any period of time between 8:00 p.m. and 6:00 a.m.

(2) Exceptions:

- i. Commercial vehicles. One commercial vehicle per dwelling unit may be parked on a residential lot, provided that the vehicle is operative, registered, and displays a current license tag, and no portion of the vehicle is visible from adjoining properties or the street. One vehicle that is deemed a commercial vehicle due to the display of outside lettering may be parked on a residential lot provided the lettering is completely covered.
- ii. Construction vehicles. The general prohibition set out above shall not apply to the temporary off-street parking of construction and commercial vehicles on private property where construction is underway, for which a current and valid building permit has been issued by the Building Official, and the building permit is displayed on the premises.
- iii. Delivery and service vehicles. The general prohibition set out above does not apply to routine deliveries by tradesmen or the use of commercial vehicles in making service calls, provided that such time in excess of one hour is actually in the course of business deliveries or servicing and the commercial vehicle does not impede the orderly flow of traffic.

- iv. Emergency repairs. The general prohibition set out above shall not apply to a situation where a commercial vehicle becomes disabled and, as a result of such emergency, is required to be parked for more than one hour. The commercial vehicle shall be removed within 24 hours, regardless of the nature of the emergency.
- v. Government vehicles. The general prohibition set out above shall not apply to government vehicles if all of the following conditions are met:
  - 1. The government vehicle is designated and authorized by a federal, state, county or municipal agency for use by a member of the household.
  - 2. The government vehicle has a payload capacity of one ton or less.Government vehicles may also be subject to additional restrictions or exemptions as outlined in Chapter 316, F.S.

(d) Recreational vehicles, sports vehicles, boats, and various types of trailers.

(1) General prohibition:

- i. On-street: No person shall park, store, or keep any recreational vehicle, sports vehicle, boat, or trailer on any public street or other thoroughfare or any right-of-way.
- ii. Off-street. No owner or resident of property in any residential district shall park, cause to be parked, or allow to be parked on such property a recreational vehicle, sports vehicle, boat, or trailer for a period exceeding one hour in any 24-hour period; each such period commencing at the time of first stopping or parking.

(2) Exceptions:

- i. Emergency repairs. The general prohibition set out above shall not apply where a recreational vehicle, sports vehicle, boat, or trailer becomes disabled and, as a result of such emergency, is required to be parked for more than one hour. The recreational vehicle, sports vehicle, boat, or trailer shall be removed within 24 hours, regardless of the nature of the emergency.
- ii. Outdoor storage. Two of the following items (1) through (8) in any combination may be parked outdoors on a residential lot at any given time: (1) a boat; (2) a boat trailer, with or without a boat mounted on it; (3) a jet ski or other type of personal watercraft; (4) a jet ski or personal watercraft trailer, with up to two crafts mounted on it; (5) a recreational vehicle; (6) a sports vehicle; (7) a non-enclosed sports vehicle trailer, with or without a vehicle mounted on it; or (8) a horse trailer. Outdoor storage of such vehicle is permitted pursuant to this section only if all of the following conditions are met:
  - 1. The boat, sports vehicle, recreational vehicle, or trailer is both owned and used by a resident of the property.
  - 2. The boat, recreational vehicle, sports vehicle, or trailer is parked either on the swale and/or paved parking area only for the purpose of loading, unloading, or servicing that vehicle for a



maximum period of four hours in any one day and for a maximum of eight hours in any one-week period. Any boat, recreational vehicle, sports vehicle, or trailer remaining on the premises for more than two evenings between the hours of 8:00 p.m. and 6:00 a.m. in any twenty-day period shall be considered a violation of the general prohibition in subsection (d)(1).

3. The boat, sports vehicle, recreational vehicle, or trailer is located in the side or rear lot, is not clearly visible from the street or abutting properties, and is screened by a masonry wall, ornamental fence, or landscaping at the maximum height limit permitted by Wellington regulations.

4. The recreational vehicle is not being used for living, sleeping, or housekeeping purposes. Recreational vehicles located within the EOZD shall be governed by the LDR.

5. The boat, trailer, or recreational vehicle is operative, is currently registered and displays a current license tag as may be required under state or federal law.

Parking of horse trailers in the equestrian preservation areas shall be governed by the provisions of the LDR.

iii. Special exceptions. Wellington may grant a special exception for any one vehicle that does not meet the requirements of this subsection upon demonstration that the property owner, family member, or tenant has a physical disability requiring a vehicle that cannot meet this subsection.

## **Sec. 22-10: Stopping, Standing, or Parking Prohibited in Specified Places**

(a) Applicability. Unless otherwise stated, these regulations shall apply to all property and land use categories within Wellington, including the EOZD.

(b) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of an enforcement officer or traffic control device, in any of the following places:

(1) On a sidewalk;

(2) On a horse trail;

(3) On a bicycle path;

(4) In front of a public or private driveway, or in a place that obstructs in any way a public or private driveway;

(5) Within an intersection;

(6) Within 15 feet of a fire hydrant;

(7) On a crosswalk;

(8) On a horse crossing area;

(9) Within 20 feet of a crosswalk at an intersection;

(10) Within 100 feet of any flashing beacon, stop sign, or any traffic-control signal located at the side of a roadway;



- (11) Between a safety zone and the adjacent curb, or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the Wellington Engineer indicates a different length by signs or markings;
  - (12) Within 50 feet of a bridge;
  - (13) Within 20 feet of the driveway entrance to any fire station and on the side of a roadway opposite the entrance of any fire station within 75 feet of said entrance.;
  - (14) Alongside or opposite any street or highway excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
  - (15) On the roadway side of any vehicle stopped or parked at the edge of a street;
  - (16) Upon any street or roadway, unless clearly marked by striping and/or signage to permit parking;
  - (17) Upon any bridge or other elevated structure upon a street;
  - (18) At any place where official signs prohibit stopping, standing, or parking.
- (b) No person shall move a vehicle not owned by or in charge of such person into any such prohibited area or away from a curb such a distance as is unlawful.
- (c) Where streets are not completely paved or where no curbs are provided, no vehicle shall be parked on the paved or commonly traveled portion of the roadway.
- (d) No person shall stop, stand, or park a vehicle for any purpose in a curb loading zone, except for the expeditious loading or unloading of materials, and in no event for a period of more than 30 minutes, unless otherwise posted.
- (e) The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers, when such stopping does not interfere with any motor vehicle used for the transportation of materials that is waiting to enter, or about to enter, such zone.
- (f) No person shall park a vehicle at any time on any of the following parts of streets, sidewalks, or sidewalk area where signs are erected giving notice thereof:
  - (1) In front of a theater entrance;
  - (2) In front of an entrance or exit to a hotel or motel;
  - (3) In front of any school building for a distance of 100 feet either side of the entrance;
  - (4) In front of the entrance to any building where, in the opinion of the Wellington Engineer, parking should be prohibited for public safety; and
  - (5) In a fire lane.
- (g) No person shall at any time park or allow to be parked a vehicle on a public or private swale or easement adjacent to a paved or unpaved road or street, or across a public or private sidewalk. This provision shall not apply during a garage sale, "open house", or other special or social event in areas where temporary parking is permitted by the host or neighbors.

### **Sec. 22-11: Motor Vehicles for Sale; Exception**

- (a) No person shall park or display any motor vehicle that is being held out and marketed for sale in any public right-of-way or on any private property within Wellington. .
- (b) The following are exempted from the prohibition in this section:
  - (1) Duly authorized and properly licensed commercial establishments that engage in the sale or lease of motor vehicles.
  - (2) Residents of private residential premises seeking to sell only one motor vehicle at any particular time, which motor vehicle is owned by a member of that household, has a payload capacity of one ton or less, and is parked and displayed upon a paved portion of the residential premises.

### **Sec. 22-12: Parking Prohibited for Certain Purposes**

No person shall park a vehicle within any right-of-way for the principal purpose of:

- (1) Displaying such vehicle for sale.
- (2) Displaying advertising.
- (3) Selling merchandise from such vehicle, except in a duly established marketplace or when so authorized by this Code.
- (4) Storage, or as junk or dead storage for more than 24 hours.

### **Sec. 22-13: Hitchhiking or Solicitation from Roadway Prohibited**

No person shall stand in or within proximity to a roadway for the purpose of soliciting a ride from, or selling merchandise to, the driver of or a passenger in any vehicle.

### **Sec. 22-14: Parking Time Limited on Certain Streets**

When signs are erected giving notice of the limitation of time for parking, no person shall stop, park, or stand a vehicle for longer than the time specified by such signs.

### **Sec. 22-15: Taxicabs and Buses to Use Stands and Stops**

The operator of a bus or taxicab shall not stop, stand, or park upon any street at any place other than at a bus stop or taxicab stand, respectively, except that this provision shall not prevent the operator of any such vehicle from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers.

### **Sec. 22-16: Unauthorized Use of Taxicab Stands and Bus Stops**

No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when such stop or stand has been officially designated and marked, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in the expeditious loading or unloading of passengers, when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

#### **Sec. 22-17: Parking and Operation of Vehicles on Public or Private Property**

- (1) It shall be unlawful to park, operate, use, or maintain any motor vehicle on any publicly-owned property or any undeveloped property within Wellington other than on roadways improved for vehicular traffic or in areas designated for parking. "Publicly-owned property" shall mean any real property owned or leased by Wellington, the county, or any other governmental authority. "Undeveloped property" shall have the same definition as provided in Chapter 9 of this Code.
- (2) This section shall not apply to vehicles performing maintenance, construction, enforcement activities, or other related activities. This section shall not apply to any farming operation within Wellington.

#### **Sec. 22-18: Operation of Off-Road Vehicles Restricted**

- (1) For the purposes of this section, the term "off-road, all-terrain vehicles" shall mean and include vehicles commonly known as dune buggies, ATVs, swamp buggies, amphibious vehicles, dirt bikes, and motorcycles.
- (2) All off-road, all-terrain vehicles are prohibited from operating in Wellington unless:
  - (a) The property owner where such vehicles are being operated has agreed in writing to such operation, and the operator in question has such written permission in their possession during such operation; and
  - (b) Said operator is not creating a nuisance to adjacent property owners, creating a disturbance of the public peace and welfare, and the sound emitted from the operation of such vehicle is not detrimental to life or health.

#### **Sec. 22-19: Neighborhood Parking Plans as Exception to Prohibited Parking**

- A. *Neighborhood parking plans.* In communities with private roads, community associations may apply to the Wellington Council for implementation of a neighborhood parking plan that provides for parking exceptions to section 22-10. Public safety shall be the paramount concern when reviewing proposed neighborhood parking plans.
- B. In order for a neighborhood parking plan to become effective and for the exceptions to apply, all of the following conditions must be met:

- (1) The community association, on behalf of its members, must apply for the neighborhood parking plan;
- (2) The community requesting the plan must have restricted or gated access that limits use of roads to residents or guests and other invited individuals;
- (3) The Wellington Council must adopt the plan by resolution following its review and approval by the Village Engineer, the Planning, Zoning and Building Director, and the Director of Public Works;
- (4) The community association shall provide proof of an affirmative vote by the majority of its members approving the plan or in the alternative shall provide written documentation from the attorney for the association that such plan is legal and in accordance with the governing documents of the community association;
- (5) The community association must assume responsibility for enforcement of the plan;
- (6) The community association is responsible for all application fees;
- (7) The proposed plan is prepared by Wellington in conjunction with the affected community association; and

## **ARTICLE II - PARKING FOR DISABLED PERSONS**

### **Sec. 22-20: Unlawful Parking in Space Designated for Use by Disabled Persons; Responsibility of Owner to comply with State Law**

- (a) It is unlawful for any person to stop, stand, or park a vehicle within any marked parking space specially designated for use by disabled persons provided in accordance with state law or Wellington ordinance, unless such vehicle displays a disabled person parking permit or license plate issued pursuant to state law, and such vehicle is transporting the person to whom the permit or plate is issued. Whenever an enforcement officer finds a vehicle stopped, standing, or parked in violation of this section, that officer shall:
  - (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 to immediately remove the vehicle from the parking space. Whenever any vehicle is removed by an enforcement officer to a lawful parking space or facility, the cost of such removal and parking shall be a lien against the vehicle; and
  - (2) Charge the operator or other person in charge of the vehicle with a violation of this section, punishable with a minimum mandatory fine of \$250.00.
- (b) Any person who is chauffeuring a disabled person shall be allowed, without need for a disabled person parking permit or license plate, momentary parking in any such parking space for the purpose of loading or unloading the disabled person. No penalty shall be imposed upon the driver for such momentary parking.
- (c) The mandatory minimum penalty of \$250.00 may be waived upon payment of \$5.00 when a disabled person produces proof or a satisfactory explanation that they were the driver of the vehicle (or were being transported in such vehicle) cited and that

they had a valid disabled person parking permit or license plate, when the citation was issued. All persons wishing to request a waiver of the penalty shall make such requests in person to the Wellington Clerk within 10 calendar days of receiving the parking ticket. All of the following are required in order to process a waiver of the mandatory minimum penalty:

- (1) Copy of disabled person parking permit or license plate;
- (2) Copy of the parking placard registration and matching personal identification;
- (3) The issued parking ticket; and
- (4) Required fee.

A "Disabled Parking Penalty Waiver Affidavit" shall be completed and signed by the Wellington Clerk after it has been established that the party appealing the penalty has complied with the requirements of this section and the costs have been received.

- (d) *Responsibility of Owner to Comply with State Requirements for Disabled Parking:* The markings, paint color, signage, and space design requirements for disabled parking shall meet the requirements of state law.

## **ARTICLE III - ABANDONED VEHICLES**

### **Sec. 22-21: Abandoned Vehicles on Public and Private Property**

A. *Abandoned Vehicles on Public Property; Authority to Impound.* Any enforcement officer is hereby authorized to remove a vehicle from a street to the nearest garage or other place of safety, or a garage designated or maintained by the sheriff's department or by Wellington under the circumstances hereinafter enumerated and subject to the procedures set forth in this article:

- (1) When a vehicle is left unattended upon any street where such vehicle constitutes an obstruction to traffic;
- (2) When a vehicle upon a street constitutes an obstruction to traffic or the person or persons in charge of the vehicle are by physical injury incapacitated to such an extent as to be unable to provide for its custody and removal;
- (3) When a vehicle is found being operated on the streets and is not in proper condition;
- (4) When a vehicle is left unattended upon a street continuously for more than 48 hours and may be presumed to be abandoned;
- (5) When the driver of a vehicle is taken into custody by the police and such vehicle would thereby be left unattended upon a street; or
- (6) When removal of a vehicle is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.

B. *Abandoned Vehicles on Private Property.* An abandoned vehicle on private property constitutes a public nuisance and may be abated in accordance with Chapter 9 of this Code.

## Sec. 22-22: Abandoned Vehicle; Procedure for Removal and Destruction

- (a) The rights, powers, and procedures set forth in this section shall be supplemental to and cumulative to the rights, powers, and procedures set forth elsewhere in this article and Code.
- (b) Whenever an enforcement officer ascertains that an abandoned vehicle is present on public property contrary to section 22-21 of this Code, they shall cause a notice to be placed upon such abandoned vehicle in substantially the following form:

### NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED VEHICLE.

THIS VEHICLE, TO WIT: (Setting forth brief description) LOCATED AT (Setting forth a brief description) IS UNLAWFULLY UPON PROPERTY LOCATED AT (Setting forth brief description of location)  
AND MUST BE REMOVED WITHIN FIVE (5) DAYS FROM THE DATE OF THIS NOTICE; OTHERWISE IT SHALL BE PRESUMED TO BE AN ABANDONED VEHICLE AND WILL BE REMOVED AND DISPOSED OF PURSUANT TO FLORIDA LAW.

You are notified that you may show cause why the above vehicle should not be removed as an abandoned vehicle by written request for a pre-taking hearing to be held before the Village Manager of the Village of Wellington, or his designee, at 12300 Forest Hill Boulevard, Wellington, Florida 33414. You must make such a request for a pre-taking hearing by delivering a written request for a hearing to the Wellington Clerk within five (5) days of the posting of this notice, or by 5:00 p.m. on \_\_\_\_\_. Failure to request a hearing or failure to remove this vehicle if so ordered by the Village Manager or his designee within forty-eight (48) hours of said hearing will result in removal by the Village of Wellington.

DATED this \_\_\_\_\_ (setting forth the date of posting of notice).

Signed (setting forth name, title, address, and telephone number of enforcement officer).

Such notice shall be not less than eight inches by ten inches and shall be sufficiently weatherproof to withstand normal exposure to the elements.

- (c) The enforcement officer shall also make a reasonable effort to ascertain the name and address of the owner of the abandoned vehicle, and if such address is reasonably available to the enforcement officer, they shall mail a copy of such notice to the owner on or before the date of posting.

- (d) If, at the end of five days after the posting of such notice, or 48 hours after the pre-taking hearing, whichever occurs later, the owner or any person interested in the abandoned vehicle described in such notice has not removed the abandoned vehicle from public property, or shown reasonable cause for failure to do so, then the enforcement officer may cause the abandoned vehicle to be removed and either stored, destroyed, used by Wellington for its own purposes, traded to another unit of local government or state agency, donated to a charitable organization, or sold. The salvage value, if any, of such abandoned vehicle that is destroyed shall be retained by Wellington to be applied against the cost of removal and destruction thereof, unless the costs of removal and destruction are paid by the owner as provided in subsection (e), in which case the salvage value may be deposited in Wellington's general funds.
- (e) The owner of any abandoned vehicle, who, after notice as provided in this section, does not remove the vehicle within the specified period shall be liable to Wellington for all costs of removal and destruction of such vehicle, less any salvage value received by Wellington. Upon such removal and destruction, Wellington shall notify the owner of the amount owed and of the penalty provision of this subsection. Any person who neglects or refuses to pay such amount shall be subject to a fine of \$250.00.

#### **Sec. 22-23: Reacquisition by Owner; Procedure**

If the enforcement officer determines that the abandoned vehicle has sufficient value to justify its storage, the owner of the vehicle may regain possession of the stored vehicle by making application therefore within two months after its receipt of notification by Wellington that the vehicle is in storage and paying Wellington all costs of removal, plus storage charges, plus all fines imposed upon the owner for violation of this chapter. If the enforcement officer determines that the abandoned vehicle should be destroyed, used by Wellington for its own purposes, traded to another unit of local government or state agency, donated to a charitable organization, or sold, the owner will be notified by certified mail, and the vehicle may be destroyed, traded, or otherwise disposed of 30 days after expiration of the owner's two month opportunity to reacquire the vehicle. If Wellington sells the vehicle, monies received must be used to pay towing, storage, and any of the costs Wellington incurs related to the vehicle. Any and all surplus monies remaining after payment of expenses shall be paid into the general fund.

#### **ARTICLE IV – PENALTIES; MISCELLANEOUS PROVISIONS**

##### **Sec. 22-24: Penalties**

- (a) Wellington adopts the provision of F.S. § 318.18 as amended, related to the noncriminal disposition of offenses other than those specifically set forth below.
- (b) The following civil penalties shall be imposed for violations of referenced sections of this chapter.



<u>Violation</u>	<u>Civil Penalty</u>
<u>i) Violations of Article I, except section 22-9</u>	<u>\$35.00 for each violation</u>
<u>ii) Violations of Article I, section 22-9</u>	<u>\$35.00 for each violation or such penalties as may be imposed by order of the special magistrate pursuant to the provisions of section 2-39 Code of Ordinances</u>
<u>iii) Violations of Article II</u>	<u>\$250.00 for each violation</u>

(c) Any person owing moneys for parking tickets issued within Wellington shall remit payment for same at the place designated on the ticket within 30 days of the date of issuance of such ticket.

### **Sec. 22-25: Late Fee**

For a parking violation citation issued by a Wellington Code Compliance Officer, a late fee of \$12.00 is established and must be paid in connection with the payment of any parking violation fine paid more than 30 days after the date of issuance of the citation, excluding the date of issuance.

### **Sec. 22-26: Administrative Appeal of Parking Violation Citation**

(a) Request for administrative hearing:

- (1) Any person wishing to contest a parking violation citation issued by a Wellington Code Compliance Officer may appeal and contest such citation by making a written request for an administrative hearing to the Wellington Clerk within 30 days of the date the citation was issued. Failure to contest such violation by way of the above procedure shall constitute an admission by the violator that the infraction was committed and will operate as a waiver of the right to a hearing on the issue.
- (2) Upon receipt of the request for an administrative hearing for a parking citation issued by a Wellington Code Compliance Officer, the Wellington Clerk shall notify the Clerk of the Court. The alleged violator and Wellington shall be given notice of the date and time of the hearing before the traffic hearing officer.
- (3) Any person wishing to contest a parking violation issued by the Palm Beach County Sheriff's Office and processed by the Palm Beach County Clerk of Court shall contact the Clerk of Court within 30 days of the date the citation was issued. Failure to contest such violation by way of the above procedure shall constitute an admission by the violator that the infraction was committed and will operate as a waiver of the right to a hearing on the issue.



- (b) The hearing shall be conducted in accordance with F.S. § 318.14 and the Florida Rules of Traffic Court, as amended from time to time. The Florida Rules of Traffic Court are available at: [floridabar.org/rules/ctproc/](http://floridabar.org/rules/ctproc/).

### **Sec. 22-27. - Supplying Parking Violation Information to the State**

Wellington shall supply the Florida Department of Safety and Motor Vehicles, or any successor department performing substantially the same duties, with a list of persons who have three or more outstanding parking violations, or one or more outstanding parking violation(s) of F.S. § 316.1955, F.S. § 316.1957 or any Wellington ordinances that regulate parking in spaces for persons with disabilities. The information may be supplied to the Florida Department of Highway Safety and Motor Vehicles in any communication format approved by it or by state statute.

### **Sec. 22-28: Safety Helmet Required for Riding Horses and Other Equine Animals**

- (a) It is the intent of Wellington by enacting this section to protect the health, safety and welfare of young equine animal riders in Wellington.
- (b) An equine animal rider who is under 16 years of age must wear a helmet that meets the American Society of Testing and Materials (ASTM) standards, which is properly fitted and fastened securely upon the rider's head by a strap, when riding in a public area. This requirement applies regardless of whether a rider is controlling the equine animal. As used within this section, the term "equine animal" means a horse, pony, mule, or donkey. The term "public area" as used within this section means:
- (1) All areas within Wellington where Wellington enjoys original jurisdiction to regulate traffic pursuant to the State Uniform Traffic Control Laws;
  - (2) All public parks or premises, public school sites, public equestrian trails, public recreational trails, or publicly owned or controlled property.
- (c) No parent or guardian of any person under the age of 16 years may authorize or knowingly permit any such minor person to violate any of the provisions of this section.
- (d) No person may knowingly rent or lease any equine animal to be ridden by a person who is under the age of 16 years unless the prospective rider possesses a helmet meeting the requirements of subsection (b) above or the lessor provides a helmet meeting such requirements for the prospective rider to wear.
- (e) Any person who violates this section may be issued a citation by an enforcement officer for a fine of \$25.00.
- (f) This section does not apply to a person riding an equine animal when such rider is:
- (1) Practicing for or competing or performing in shows or events, including, but not limited to, rodeos and parades, where helmets are not historically a part of the show or event;

- (2) Riding on privately owned land even if the land is occasionally separated by a public road or right-of-way that must be crossed; or
- (3) Engaged in any agricultural practice or pursuit.

## **Article V - GOLF CART OPERATION ON DESIGNATED WELLINGTON ROADS AND DESIGNATED MULTI MODAL PATHWAYS**

### **Sec. 22-29: Legislative Intent**

The purpose of this article is to authorize and regulate the operation of golf carts on property owned by Wellington or dedicated for use by the public in a manner that is consistent with state and federal law and that promotes the general health, safety, and welfare of the community. This article does not regulate the operation of low-speed vehicles within Wellington. Golf cart operation on property that is owned by Wellington or dedicated for use by the public in a manner that is not expressly authorized by this article is prohibited.

### **Sec. 22-30: Definitions**

In addition to the definitions in section 22-3, the following definitions apply to this article:

*Authorized Golf Cart Crossing:* a crosswalk at a signalized intersection, a stop-controlled intersection, a mid-block crossing, or a side street crossing that is marked by Wellington with signs/pavement markings indicating that it is an authorized golf cart crossing. Crossings will be evaluated for approval of use by golf carts by the Wellington Engineer and must conform to the Wellington Engineering Standards Manual, Latest Edition.

*Canal Right-of-Way:* a strip of land adjacent to a canal within the jurisdictional boundaries of Wellington that is dedicated or deeded to the perpetual use of the public.

*Designated Multi Modal Pathway:* (1) a sidewalk or portion of a sidewalk, or (2) a canal right-of-way or portion of a canal right-of-way, that is within the jurisdictional boundaries of Wellington and approved for use by pedestrians, bicycles, and golf carts. A designated multi modal pathway meets all of the following criteria: 1) it is a minimum of eight feet wide; 2) it is paved; 3) it is located adjacent to one of the collector roads listed on Table A.1 or in one of the canal rights-of-way listed on Table A.2 of this article; and 4) it is marked by Wellington with signs/pavement markings indicating that it is a designated multi modal pathway. In cases where a road listed on Table A.1 has a sidewalk on either side of the road and only one side meets the requirements of this section, golf carts are permitted only on the side that is marked by Wellington with signs/pavement markings indicating that it is a designated multi modal pathway.

*Designated Wellington Road:* a Wellington road or portion of a Wellington road upon which golf carts are allowed to operate consistent with this article. A designated Wellington road meets all of the following criteria: 1) it has a posted speed limit of 25 miles per hour or less; 2) it is listed on Table B of this article; and 3) it is marked with signs/pavement markings indicating that it is a designated Wellington road.

*Golf cart:* a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes.

*Low-Speed Vehicle:* any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122, F.S.

*Nighttime Safety Equipment:* headlights, brake lights, turn signals, and a windshield.

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

*Wellington Road:* a road or street within the jurisdictional boundaries of the Village of Wellington that is open to travel by the public and is not maintained by a private entity.

## **Sec. 22-31: Golf Cart Operation and Equipment**

- (a) *Designated Wellington Roads and Authorized Golf Cart Crossings.* The operation of a golf cart is permitted only on designated Wellington roads or at authorized golf cart crossings. The operation of a golf cart on a Wellington road is otherwise prohibited.
- (b) *Designated Multi Modal Pathways.* The operation of a golf cart is permitted only on designated multi modal pathways. The operation of a golf cart on a sidewalk or in a canal right-of-way is otherwise prohibited.
- (c) *Age.* A golf cart may be operated on a designated Wellington road by a person who is at least 14 years old, pursuant to s. 316.212, F.S. A golf cart may only be operated on a designated multi modal pathway by a person with a valid driver license or learner's driver license.
- (d) *Hours of Operation.* A golf cart may only be operated on a designated Wellington road or a designated multi modal pathway during the hours between sunrise and sunset, unless the golf cart is equipped with nighttime safety equipment.
- (e) *Equipment.* A golf cart operating on a designated Wellington road or a designated multi modal pathway must be equipped with efficient brakes, reliable steering

apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear. Additionally, a golf cart operating on a designated multi modal pathway must be equipped with a horn or other warning device required by s. 316.271, F.S. A golf cart operating on a designated Wellington road or a designated multi modal pathway between the hours of sunset and sunrise must also have nighttime safety equipment.

- (f) *Speed.* The operation of a golf cart upon a designated Wellington road is restricted to the posted speed limit. The operation of a golf cart upon a designated multi modal pathway is restricted to a maximum speed of 15 miles per hour.
- (g) *Yield.* Any person operating a golf cart upon a designated multi modal pathway must yield the right-of-way, slowing down, stopping, or pulling off the pathway if need be, to pedestrians, bicyclists, and horses at all times. Golf carts must yield to other traffic at all intersections and driveways.
- (h) *Traffic Regulations.* A golf cart operating upon a designated Wellington road or upon a designated multi modal pathway must operate along the right side/shoulder of the road or multi modal pathway in either direction. The golf cart operator must abide by all other applicable state, county, and Wellington traffic regulations.
- (i) *Occupancy.* The number of occupants of a golf cart must not exceed the number of seats in the golf cart, as specified by the manufacturer, except that a child under the age of seven years may ride on the lap of an adult passenger who is not operating the golf cart. A child may not ride on the lap of the person operating the golf cart. Each occupant of the golf cart must remain seated at all times while the golf cart is in motion.
- (j) *Insurance.* The owner of the golf cart operated pursuant to this article must maintain golf cart liability insurance insuring against bodily injury and damage to property with minimum limits of \$25,000 per person and \$50,000 per accident, plus \$10,000 for property damage. Such insurance must be in full force and effect at all times when the golf cart is operated on designated Wellington roads and designated multi modal pathways.

## **Sec. 22-32: Gated Communities and Private Property**

The provisions of this article do not apply to the operation of golf carts within gated communities or on private or semi-private property, including retail parking lots and private roads, within Wellington. The operation of golf carts within these areas is governed by the applicable association or property owner.

### **Sec. 22-33: Wellington Golf Cart Use**

Wellington may operate golf carts in accordance with the provisions of this article, and of s. 316.2126, F.S., as amended from time to time.

### **Sec. 22-34: Enforcement; Penalties**

- (a) Violations of this article may be enforced by the Palm Beach County Sheriff's Office. A violation of this article is a civil infraction punishable by civil penalty in the amounts set forth below:

<u>First Violation:</u>	<u>Warning</u>
<u>Second Violation:</u>	<u>\$50</u>
<u>Third Violation (and every violation thereafter):</u>	<u>\$100</u>

With the exception of the penalties set forth above, a citation issued pursuant to this section shall comply with the Supplemental Code Compliance Procedures set forth in Chapter 2, Article IV of this Code and may be contested in the county court as set forth therein.

- (b) When applicable, violations of this article may be enforced by the Palm Beach County Sheriff's Office through the issuance of a Uniform Traffic Citation pursuant to Florida law.
- (c) The enforcement provisions of this section are supplemental in nature and are not intended to prohibit the Wellington from seeking any other remedy available at law or in equity.

### **Sec. 22-35: Licensed Use and Revocation**

The operation of a golf cart on designated Wellington roads and designated multi modal pathways pursuant to this article shall be deemed to be a licensed use of those roads and pathways. The license granted pursuant to this article shall not limit or otherwise preclude the Wellington Council from amending this article, revoking or repealing this article, or contracting or expanding the designated Wellington roads or designated multi modal pathways on which golf carts may be operated pursuant to this article.

**Table A.1: Multi Modal Pathways Adjacent to Collector Roads**

<u>Table A.1: Multi Modal Pathways Adjacent to Collector Roads</u>	
1.	<u>120th Ave. South</u>
2.	<u>Aero Club Drive</u>
3.	<u>Bent Creek Road</u>
4.	<u>Big Blue Trace</u>
5.	<u>Binks Forest Drive</u>
6.	<u>Birkdale Drive</u>
7.	<u>Flying Cow Ranch Road</u>
8.	<u>Forest Hill Blvd. (north of Wellington Trace)</u>
9.	<u>Greenbriar Blvd.</u>
10.	<u>Greenview Shores Blvd.</u>
11.	<u>Lake Worth Road</u>
12.	<u>Lyons Road</u>
13.	<u>Ousley Farms Road</u>
14.	<u>Paddock Drive</u>
15.	<u>South Shore Blvd.</u>
16.	<u>Stribling Way</u>
17.	<u>Wellington Trace</u>

**Table A.2: Multi Modal Pathways in Canal Rights-of-Way**

<u>Table A.2: Multi Modal Pathways in Canal Rights-of-Way</u>	
1.	<u>C-23 Canal Right-of-Way</u>

**Table B: Streets within Residential Neighborhoods**

<u>Table B: Streets within Residential Neighborhoods</u>		
<u>120th Ave S</u>	<u>Areaca Dr</u>	<u>Block Island Rd</u>
<u>125th Ave S</u>	<u>Aster Ave</u>	<u>Bluebell Ct</u>
<u>128th Ter S</u>	<u>Autumn Ave</u>	<u>Blueberry Dr</u>
<u>130th Ave S</u>	<u>Azure Ave</u>	<u>Boeing Ct</u>
<u>140th Ave S</u>	<u>Azure Ct</u>	<u>Bolton Ct</u>
<u>160th Trl S</u>	<u>Baltrusol Pl</u>	<u>Bottlebrush Ct</u>
<u>40th St S</u>	<u>Barberry Ct</u>	<u>Boundary Tree Ln</u>
<u>50th St S</u>	<u>Barberry Dr</u>	<u>Brae Burn Pl</u>

<a href="#">52nd Pl S</a>	<a href="#">Barefoot Lake Dr</a>	<a href="#">Brampton Cv</a>
<a href="#">55th St S</a>	<a href="#">Barnstaple Cir</a>	<a href="#">Branding Iron Ct</a>
<a href="#">57th Pl S</a>	<a href="#">Barnstormer Ct</a>	<a href="#">Brier Patch Ct</a>
<a href="#">60th St S</a>	<a href="#">Barrington Woods Dr</a>	<a href="#">Brier Patch Trl</a>
<a href="#">Acme Rd</a>	<a href="#">Basswood Pl</a>	<a href="#">Brightstone St</a>
<a href="#">Adonider Ln</a>	<a href="#">Bedford Mews Dr</a>	<a href="#">Brightwood Way</a>
<a href="#">Alder Ln</a>	<a href="#">Bellanca Ln</a>	<a href="#">Britten Ln</a>
<a href="#">Aldsworth Ct</a>	<a href="#">Belmont Trce</a>	<a href="#">Brixham St</a>
<a href="#">Amaryllis Ct</a>	<a href="#">Belmore Ct</a>	<a href="#">Broadleaf Ct</a>
<a href="#">Amesbury Cir</a>	<a href="#">Belmore Ter</a>	<a href="#">Buckland Ct</a>
<a href="#">Amesbury Ct</a>	<a href="#">Bent Creek Rd</a>	<a href="#">Buckland Ct E</a>
<a href="#">Angelica Ct</a>	<a href="#">Big Cone Ct</a>	<a href="#">Buckland St</a>
<a href="#">Anhinga Dr</a>	<a href="#">Birkdale Dr</a>	<a href="#">Callington Dr</a>
<a href="#">Appaloosa Trl</a>	<a href="#">Black Willow Ln</a>	<a href="#">Canter Way</a>
<a href="#">Arcadia Dr</a>	<a href="#">Blackberry Dr</a>	<a href="#">Caraway Ct</a>
<a href="#">Carlton St</a>	<a href="#">Elgin Ct</a>	<a href="#">Guilford Way</a>
<a href="#">Carnation Ct</a>	<a href="#">Emmelman Rd</a>	<a href="#">Halter Rd</a>
<a href="#">Carriage Ln</a>	<a href="#">Enstrom Rd</a>	<a href="#">Hawker Ln</a>
<a href="#">Cedar Bluff Pl</a>	<a href="#">Equestrian Way</a>	<a href="#">Haworth St</a>
<a href="#">Cessna Way</a>	<a href="#">Essex Dr</a>	<a href="#">Hawthorne Pl</a>
<a href="#">Chancellor Dr</a>	<a href="#">Etna Dr</a>	<a href="#">Haymarket Ct</a>
<a href="#">Chandelle Pl</a>	<a href="#">Exeter Ln</a>	<a href="#">Heartwood Pl</a>
<a href="#">Chappard Ct</a>	<a href="#">Exotica Ln</a>	<a href="#">Hempstead St</a>
<a href="#">Chapparel Way</a>	<a href="#">Fairdale Way</a>	<a href="#">Hickory Trl</a>
<a href="#">Chatsworth Village Dr</a>	<a href="#">Fairfield Ct</a>	<a href="#">Hiller St</a>
<a href="#">Chelmsford St</a>	<a href="#">Fairlane Farms Rd</a>	<a href="#">Hollyhock Rd</a>
<a href="#">Cherry Ln</a>	<a href="#">Fallview Way</a>	<a href="#">Horseshoe Trce</a>
<a href="#">Cindy Circle Ln</a>	<a href="#">Farmington Ave</a>	<a href="#">Hull Ct</a>
<a href="#">Cindy Dr</a>	<a href="#">Farmington Cir</a>	<a href="#">Huntington Dr</a>
<a href="#">Citrus Pl</a>	<a href="#">Farmington Ct</a>	<a href="#">Huntley Way</a>
<a href="#">Clydesdale Ave</a>	<a href="#">Farrier Pl</a>	<a href="#">Hyacinth Ct</a>
<a href="#">Cold Springs Ct</a>	<a href="#">Fawnwood Pl</a>	<a href="#">Hyacinth Pl</a>
<a href="#">Columbine Ave</a>	<a href="#">Firethorn Dr</a>	<a href="#">Indian Mound Rd</a>
<a href="#">Corallita Ct</a>	<a href="#">Firewood Ct</a>	<a href="#">Indigo Ave</a>
<a href="#">Coralwood Ct</a>	<a href="#">Flora Ln</a>	<a href="#">Inverness Cir</a>
<a href="#">Cornflower Ct</a>	<a href="#">Folkestone Cir</a>	<a href="#">Ishnala Cir</a>
<a href="#">Cosmos Ct</a>	<a href="#">Folkestone Ct</a>	<a href="#">Ishnala Ct</a>
<a href="#">Country Wood Ct</a>	<a href="#">Forester Ct</a>	<a href="#">Isles View Dr</a>



<a href="#">Cranberry Ct</a>	<a href="#">Foresteria Ave</a>	<a href="#">Ivy Dr</a>
<a href="#">Crassula Ct</a>	<a href="#">Fortune Cir</a>	<a href="#">Jackpine St</a>
<a href="#">Crimson Ln</a>	<a href="#">Fortune Way</a>	<a href="#">Jamboree Ct</a>
<a href="#">Crocus Ct</a>	<a href="#">Galloway Trl</a>	<a href="#">Jonquil Ct</a>
<a href="#">Cromer Ct</a>	<a href="#">Garwood Ct</a>	<a href="#">Jonquil Pl</a>
<a href="#">Crowberry Ct</a>	<a href="#">Geranium Pl</a>	<a href="#">Juniper Pl</a>
<a href="#">Daffodil Dr</a>	<a href="#">Gingerwood Ln</a>	<a href="#">Ken Adams Way</a>
<a href="#">De Havilland Ct</a>	<a href="#">Gloucester Ct</a>	<a href="#">King Ter</a>
<a href="#">Deerwood Ct</a>	<a href="#">Gold Piece Trl</a>	<a href="#">Kinglet Ter</a>
<a href="#">Dollarspot Ct</a>	<a href="#">Goldenrod Rd</a>	<a href="#">Kingsbury Ct</a>
<a href="#">Donlin Dr</a>	<a href="#">Goodwood Ter</a>	<a href="#">Kingsbury Dr</a>
<a href="#">Dorchester Pl</a>	<a href="#">Gracida St</a>	<a href="#">Kingsbury Ter</a>
<a href="#">Doubletree Cir</a>	<a href="#">Grantham Ct</a>	<a href="#">Kingsway Rd</a>
<a href="#">Doubletree Trl</a>	<a href="#">Grantham Dr</a>	<a href="#">Knotty Wood Ln</a>
<a href="#">Dovedale Ct</a>	<a href="#">Gray Mare Way</a>	<a href="#">La Mirada Cir</a>
<a href="#">Dracena Dr</a>	<a href="#">Greenbriar Cir</a>	<a href="#">Lacewood Ln</a>
<a href="#">Draft Horse Ln</a>	<a href="#">Greenleaf Ln</a>	<a href="#">Lantern Tree Ln</a>
<a href="#">Dunster Ct</a>	<a href="#">Greentree Dr</a>	<a href="#">Larch Way</a>
<a href="#">E Rambling Dr</a>	<a href="#">Greentree Trl</a>	<a href="#">Larkspur Ln</a>
<a href="#">Earhart Pl</a>	<a href="#">Grumman Ct</a>	<a href="#">Laurel Trl</a>
<a href="#">Easthampton Cir</a>	<a href="#">Guava Ct</a>	<a href="#">Laurel Valley Cir</a>
<a href="#">Edgefield Rd</a>	<a href="#">Guildford St</a>	<a href="#">Lavender Ln</a>
<a href="#">Elder Ct</a>	<a href="#">Guilford Cir</a>	<a href="#">Leeds Ct</a>
<a href="#">Lemongrass Ln</a>	<a href="#">Peconic Ct</a>	<a href="#">Santa Clara Trl</a>
<a href="#">Lewes St</a>	<a href="#">Peel Ct</a>	<a href="#">Sawgrass Ct</a>
<a href="#">Lilac Pl</a>	<a href="#">Pelham Rd</a>	<a href="#">Scarborough Ter</a>
<a href="#">Lily Ct</a>	<a href="#">Penhale Ct</a>	<a href="#">Schweizer Ct</a>
<a href="#">Lindbergh Ln</a>	<a href="#">Peppertree Ct</a>	<a href="#">Sea Lavender Ter</a>
<a href="#">Lindsey Ct</a>	<a href="#">Periwinkle Pl</a>	<a href="#">Seaford Dr</a>
<a href="#">Little Ranches Trl</a>	<a href="#">Petrel Rd</a>	<a href="#">Shawmut Ct</a>
<a href="#">Lockheed Ter</a>	<a href="#">Pine Valley Dr</a>	<a href="#">Sheffield Ct</a>
<a href="#">Longlea Ter</a>	<a href="#">Pineacre Ct</a>	<a href="#">Sheffield St</a>
<a href="#">Lotus Ln</a>	<a href="#">Pineacre Ln</a>	<a href="#">Sheffield Woods Dr</a>
<a href="#">Lynton Cir</a>	<a href="#">Pinetta Cir</a>	<a href="#">Shower Tree Way</a>
<a href="#">Marble Canyon Dr</a>	<a href="#">Pintail Dr</a>	<a href="#">Silverbell Ln</a>
<a href="#">Margate Pl</a>	<a href="#">Pinto Cir</a>	<a href="#">Skipton Ave</a>
<a href="#">Marigold Dr</a>	<a href="#">Piper Way</a>	<a href="#">Snapdragon Dr</a>
<a href="#">Mayview Way</a>	<a href="#">Pipit Ct</a>	<a href="#">Snowberry Dr</a>

<a href="#">Meadow Ave</a>	<a href="#">Portland Ave</a>	<a href="#">Softwood Ct</a>
<a href="#">Meadow Wood Dr</a>	<a href="#">Portland Ct</a>	<a href="#">South Shore Blvd</a>
<a href="#">Merion Ct</a>	<a href="#">Primrose Ln</a>	<a href="#">Southport Ct</a>
<a href="#">Midpines Ter</a>	<a href="#">Quercus Ct</a>	<a href="#">Spanish Oak Way</a>
<a href="#">Milford Ct</a>	<a href="#">Quercus Ln</a>	<a href="#">Springhill Ct</a>
<a href="#">Montauk Dr</a>	<a href="#">Raintree Ln</a>	<a href="#">Springwood Pl</a>
<a href="#">Moonflower Cir</a>	<a href="#">Rambling Drive Cir</a>	<a href="#">Spur Close</a>
<a href="#">Morgan Close</a>	<a href="#">Ranchwood Ct</a>	<a href="#">Squire Dr</a>
<a href="#">Morning Glory Dr</a>	<a href="#">Randi Dr</a>	<a href="#">St Davids Ct</a>
<a href="#">Mulberry Pl</a>	<a href="#">Reading Ter</a>	<a href="#">St Davids Way</a>
<a href="#">Mystic Ct</a>	<a href="#">Red Pine Trl</a>	<a href="#">Staghorn Ct</a>
<a href="#">Mystic Way</a>	<a href="#">Redondo Way</a>	<a href="#">Staghorn St</a>
<a href="#">Newhaven Ave</a>	<a href="#">Riverside Cir</a>	<a href="#">Staimford Cir</a>
<a href="#">Newton Pl</a>	<a href="#">Roan Ct</a>	<a href="#">Staimford Ct</a>
<a href="#">Niantic Ter</a>	<a href="#">Rolling Meadows Cir</a>	<a href="#">Staimford Dr</a>
<a href="#">Northampton Ter</a>	<a href="#">Rolling Rock Pl</a>	<a href="#">Stapleton Way</a>
<a href="#">Northumberland Cir</a>	<a href="#">Rose Ct</a>	<a href="#">Stirrup Ln</a>
<a href="#">Northumberland Ct</a>	<a href="#">Rosewood Ln</a>	<a href="#">Stone Pine Way</a>
<a href="#">Norwick St</a>	<a href="#">Rowayton Cir</a>	<a href="#">Stratford St</a>
<a href="#">Oatland Ct</a>	<a href="#">Royal Fern Dr</a>	<a href="#">Suellen Cir</a>
<a href="#">Old Country Rd N</a>	<a href="#">Rudder Cv</a>	<a href="#">Sugar Pine Trl</a>
<a href="#">Old Country Rd S</a>	<a href="#">Rye Ter</a>	<a href="#">Sulky Way</a>
<a href="#">Old Cypress Trl</a>	<a href="#">S Crown Way</a>	<a href="#">Summerwood Cir</a>
<a href="#">Oleaster Ave</a>	<a href="#">S Rambling Dr</a>	<a href="#">Sunflower Ct</a>
<a href="#">Oneida Ter</a>	<a href="#">Sachem Head Ter</a>	<a href="#">Sunward St</a>
<a href="#">Orchid Ct</a>	<a href="#">Sage Ave</a>	<a href="#">Sycamore Ln</a>
<a href="#">Ousley Farms Rd</a>	<a href="#">Sailboat Cir</a>	<a href="#">Take Off Pl</a>
<a href="#">Pacer Cir</a>	<a href="#">Samoset Ct</a>	<a href="#">Tamarack Way</a>
<a href="#">Paddock Dr</a>	<a href="#">Sanderling Dr</a>	<a href="#">Tanbark Trl</a>
<a href="#">Palm Beach Point Blvd</a>	<a href="#">Sandy Pine Ct</a>	<a href="#">Teakwood Ct</a>
<a href="#">Pampas Way</a>	<a href="#">Sannenwood Ln</a>	<a href="#">Tecoma Dr</a>
<a href="#">Tern Ct</a>	<a href="#">Wareham Ct</a>	<a href="#">Windsock Way</a>
<a href="#">The 12th Fairway</a>	<a href="#">Warm Springs Ter</a>	<a href="#">Windtree Way</a>
<a href="#">Timber Pine Trl</a>	<a href="#">Weatherly Rd</a>	<a href="#">Wisteria St</a>
<a href="#">Torchwood Ct</a>	<a href="#">Werwood Ct</a>	<a href="#">Wither Close</a>
<a href="#">Tornelia Ln</a>	<a href="#">Westbury Close</a>	<a href="#">Wood Dale Ter</a>
<a href="#">Torrington Ave</a>	<a href="#">Westhall Pl</a>	<a href="#">Wood Row Way</a>
<a href="#">Trace Way</a>	<a href="#">Westhampton Cir</a>	<a href="#">Woodmar Ct</a>

<a href="#"><u>Treehaven Ct</u></a>	<a href="#"><u>Westport Cir</u></a>	<a href="#"><u>Woods Dr</u></a>
<a href="#"><u>Trotter Ct</u></a>	<a href="#"><u>Whimbrel Rd</u></a>	<a href="#"><u>Wranglewood Dr</u></a>
<a href="#"><u>Tulip Ln</u></a>	<a href="#"><u>Whitby St</u></a>	<a href="#"><u>Wrotham Ter</u></a>
<a href="#"><u>Tumbleweed Ct</u></a>	<a href="#"><u>White Pine Dr</u></a>	<a href="#"><u>Wychmere Ter</u></a>
<a href="#"><u>Turf Ln</u></a>	<a href="#"><u>Whitemarsh Dr</u></a>	<a href="#"><u>Wyndcliff Dr</u></a>
<a href="#"><u>Turnstone Dr</u></a>	<a href="#"><u>Whitney Way</u></a>	<a href="#"><u>Yarmouth Ave</u></a>
<a href="#"><u>Tylerwood Ct</u></a>	<a href="#"><u>Widgeon Rd</u></a>	<a href="#"><u>Yarmouth Ct</u></a>
<a href="#"><u>Velda Way</u></a>	<a href="#"><u>Wild Pine Rd</u></a>	<a href="#"><u>Yarmouth Dr</u></a>
<a href="#"><u>Veronica Ct</u></a>	<a href="#"><u>Wiltshire Village Dr</u></a>	<a href="#"><u>York Ct</u></a>
<a href="#"><u>Voyageurs Pl</u></a>	<a href="#"><u>Windflower Ct</u></a>	
<a href="#"><u>W Rambling Dr</u></a>	<a href="#"><u>Window Rock Dr</u></a>	