

RESOLUTION NO. 2012-309

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA, EXTENDING THE MORATORIUM IMPOSED IN RESOLUTION NO. 2012-306, DETERMINING THE POTENTIAL NEED FOR CHANGES IN THE CITY'S ORDINANCES AND DIRECTING STAFF TO ACTIVELY PURSUE PROPOSED CHANGES; IMPOSING THE TEMPORARY MORATORIUM IMPOSED IN RESOLUTION NO. 2012-306 FOR AN ADDITIONAL 90 DAYS FROM JULY 30, 2012, ON THE ERECTION, PLACING OR ESTABLISHMENT OF MOBILE HOMES WITHIN THE CITY OF PARKER; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND RECITING AN EFFECTIVE DATE.

WHEREAS, on May 1, 2012, the City Council of the City of Parker, Florida ("City"), enacted Resolution No. 2012-306 imposing a ninety day moratorium on the consideration for the erection, placement or establishment of any mobile home on any parcel of land within the City;

WHEREAS, as a part of Resolution No. 2012-306, the City Council made certain findings and determination concerning the quality, condition, age and placement of mobile homes within the City;

WHEREAS, the City Council previously determined that land use controls and restrictions on property within the City, affect social, economic and aesthetic aspects of the community, thereby impacting property values, health, safety and welfare of the citizens of the City;

WHEREAS, the City Council previously determined that the regulations contained in the City Code of Ordinances and the City's Land Development Regulations pertaining to the quality, condition,

age and placement of mobile homes within the City may be unclear and need to be revised;

WHEREAS, the City Council previously determined that there is confusion among residents and property owners within the City as to the quality, condition, age and placement of mobile homes on property located within the City;

WHEREAS, based upon the foregoing, the City enacted Resolution No. 2012-306 and decided to temporarily suspend the permitting process for the erection, placement or establishment of mobile homes within the City, pending the adoption of an ordinance or resolution that can set out more specific criteria pertaining to mobile homes for a period of ninety (90) days;

WHEREAS, the City Council instructed staff to actively pursue the development of amendments to its codes, ordinances or regulations relating to regulating the erection, placement or establishment of mobile homes within the City that may be necessary to address, promote and protect property values within the City and the public health, safety and welfare of the citizens of the City;

WHEREAS, the moratorium imposed by Resolution No. 2012-306 is set to expire on July 30, 2012;

WHEREAS, City staff is still in the process of pursuing the directive of the City Council and of developing amendments to its code, ordinances or regulations relating to the erection, placement or establishment of mobile homes within the City;

WHEREAS, the City Council requires additional time to study the alternatives available to the City before adopting one or more of the amendments to the City codes, ordinances or regulations; and

WHEREAS, the City Council also wants to alert the public about the potential changes that may affect mobile homes while the City reviews policies so that there should be no reliance on existing code, ordinances and regulations that may change in the near future.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA AS FOLLOWS:

Section 1. The moratorium imposed by Resolution 2012-306 shall be extended for an additional ninety (90) day period. The moratorium extension period shall commence on July 30, 2012, and shall continue until October 28, 2012, or until the adoption of an ordinance amending current codes, plans and/or regulations, whichever occurs first. During the period of the moratorium, no application for a permit shall be considered by the City for the erection, placement or establishment of any mobile home on any parcel of land within the City.

Section 2. This moratorium shall not apply to the parking of mobile homes for purposes of sale on the premises of a dealer properly licensed for such purpose.

Section 3. The Bay County building inspector and/or other appropriate governmental agency is hereby directed not to issue

building permits for the erection, placement or establishment of any mobile home in the City, except as provided herein, for the extent of the moratorium.

Section 4. If any person or entity shall be aggrieved by this Resolution, the aggrieved party may appeal to the City Council which shall explain the status of the ordinances under consideration and consider the specific situation of such person or entity and determine whether it is likely that the final regulations adopted by the City will prohibit the activity requested. If not, such person or entity shall be permitted to proceed with the understanding that they are nonetheless proceeding at their own risk, that the City has not taken final action, and that the final regulations may indeed proscribe the activity requested.

Section 5. All other resolutions or parts of resolutions of the City in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 6. If any section, paragraph, sentence, or clause hereof or any provision of this Resolution is declared to be invalid or unconstitutional, the remaining provisions of this Resolution shall be unaffected thereby and shall remain in full force and effect.

Section 7. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City
of Parker, Florida on this 17 day of July, 2012.

CITY OF PARKER

Tonya Barrow
TONYA BARROW, MAYOR

ATTEST:

Mary Lou Bratton
ACTING CITY CLERK

Examined and approved by me, this 17 day of July,
2012.

Tonya Barrow
TONYA BARROW, MAYOR