

ORDINANCE 2021-32

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING TRESPASS AND UNLAWFUL LODGING, AMENDING SUBSECTION 42-10(a), DEFINITIONS, PROVIDING FOR AMENDED DEFINITION OF "LODGE" TO ELIMINATE RELATIONSHIP TO BEING HOMELESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Ocala, Florida as follows:

Section 1. That subsection 42-10(a) of the Code of Ordinances, City of Ocala, Florida, are hereby amended to read as follows:

Sec. 42-10. - Trespass and unlawful lodging.

(a) Definitions.

- (1) "*Lodge*" means to rest while awake or sleep on property described in subsection (b) of this section when one is:
 - a. Inside, on, or near a tent or sleeping bag, or asleep atop or covered by materials (i.e., bedroll, cardboard, newspapers) or inside some form of temporary shelter; and/or
 - b. Near a campfire he or she has built.
- (2) "*Person without authority*" means one who has not received authorization, license, or invitation by any owner or lessee, or his or her agent.

Section 2. *Severability.* Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect upon approval by the mayor, or upon becoming law without such approval.

ATTEST:

CITY OF OCALA

By: Angel B. Jacobs
Angel B. Jacobs
City Clerk

By: Justin Grabelle
Justin Grabelle
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on 3/5, 2021.

By: Reuben Kent Guinn
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: Robert W. Batsel, Jr.
Robert W. Batsel, Jr.
City Attorney

Ordinance No: 2021-32
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Adopted: 3/2/2021
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