

## ORDINANCE 17-03

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, AMENDING AND CORRECTING A SCRIVENER'S ERROR IN THE CITY CODE SECTIONS 10-39 PERTAINING TO ENFORCEMENT, VIOLATION AND PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to Section 166.021(1), Florida Statutes, the City of Belleair Beach City Council has the power to adopt ordinances necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law; and,

WHEREAS, Ordinance 14-02 Section 5. amended Sec.10-39 of the city code, but with typographical errors contained therein to which this ordinance seeks to correct,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, as follows:**

**Section 1.** Section 10-39 titled Enforcement, Violation and Penalty is amended to read:

**Sec. 10-39. Enforcement, violation and penalty.**

- (a) *Stop-work order; revocation of permit.* In the event that any person holding a site development permit pursuant to this article violates the terms of the permit, or implements site development in such manner as to cause erosion, sediment or runoff that adversely or materially affects the stormwater drainage system or the waters or tributaries in or around the city, the person designated by the city manager, community services department and city engineer may suspend or revoke the site development permit.
- (b) *Violation and penalties.* Any person who violates the provisions of this article or any order issued by the ~~building official~~ city suspending or revoking a site development permit shall be guilty of a civil infraction punishable in accordance with the provisions section ~~2-266~~ 2-248 of the City Code. Any continued violation of the provisions of this article shall constitute a criminal violation punishable in

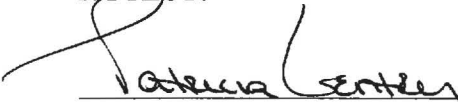
accordance with the provisions of section 1-15 of the City Code. In addition, the code enforcement board ~~board~~ special master or a court of competent jurisdiction may order the violator to pay restitution for or to repair any damage caused by a violation of this article.

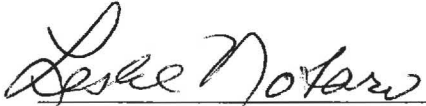
**Section 2. Severability.** It is declared to be the intent of the City Council of the City of Belleair Beach, Florida, that if any section, subsection, sentence, clause or provision of this ordinance is held invalid, or unconstitutional by any court of competent jurisdiction, the remainder of the ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision and shall not be affected by such holding.

**Section 3. Effective Date.** This Ordinance shall take effect upon adoption by the City Council.

The above and foregoing Ordinance was read by title only and passed by a majority vote upon its first reading at a Regular Meeting of the City Council of the City of Belleair Beach, Florida, held on the 10th day of July, 2017.

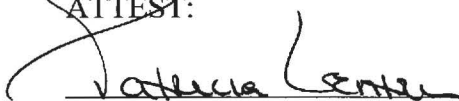
ATTEST:

  
Patricia Gentry, City Clerk

  
Leslie Ford Notaro, Mayor

The above and foregoing Ordinance was read by title only and was passed by majority vote upon its second and final reading at the Regular Meeting of the City Council of the City of Belleair Beach, Florida, held on the 7th day of August, 2017.

ATTEST:

  
Patricia Gentry, City Clerk

  
Leslie Ford Notaro, Mayor