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GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
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ORDINANCE NUMBER 22-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 115, SECTION 115-11.4 OF THE LAND DEVELOPMENT REGULATIONS, PROHIBITING THE PLACEMENT OF SIGNS WITHOUT A PROPERTY OWNER'S AUTHORIZATION; PROVIDING FOR ENFORCEMENT, REPEAL OF CONFLICTING ORDINANCES; CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Eustis City Commission has determined it is necessary to establish rules for unauthorized signs and to establish appropriate penalties for placing signs on property without authorization, and

WHEREAS, prohibiting unauthorized signs promotes the health, safety and general welfare of the City and its citizens by reducing blight, honoring private property rights, and increasing traffic safety.

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1. Adding section 115-11.4 (a) (9) Unauthorized Signs Prohibited and Adding section 115-11.4 (b) Enforcement to Section 115-11.4 – Prohibited Signs.

The City of Eustis Land Development Regulations are hereby amended as underlined below:

Section 115-11.4 (a) (9) Unauthorized Signs Prohibited. Unauthorized signs are prohibited on public property, private property and rights-of-way of the City, County, State, or federal government ("right-of-way"). An unauthorized sign is any sign or other material placed on public property, private property, or a right-of-way by a person without the permission of the property owner.

Section 115-11.4 (b). – Enforcement.

Any person who erects, places, or constructs a sign or other material on any property (public, private or a right-of-way) without the permission of the property owner shall immediately cease the activity and may be issued a citation by the City of Eustis punishable by a fine not to exceed \$500, as authorized under §162.21(5), Florida Statutes, and Sections 2-57 and 2-58 of the City of Eustis Code of Ordinances. Each action in violation of this section shall constitute a separate offense. Issuance of a citation does not preclude an action for injunction, issuance of a trespass warning where authorized, or any other legal remedy available to the City of Eustis, including charging an offender with criminal trespass after a proper trespass warning. Any unauthorized sign or other material may be immediately removed and discarded by the property owner without notice.

SECTION 2. Repeal of Conflicting Ordinances.

Ordinances or parts of Ordinances in direct conflict herewith are hereby repealed. The enforcement actions provided for herein are supplemental to any other enforcement action permitted under Florida law or the City of Eustis Code or the City of Eustis Land Development Regulations.

SECTION 3. Renumbering and Renaming for Codification.

The provisions of this Ordinance shall become and be made a part of the City of Eustis Land Development Regulations and that the sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

SECTION 4. Severability and Time Limitation for Court Action to Challenge.

Should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid. Any lawsuit challenging the validity of this Ordinance must be filed within 90 days after the City Commission's adoption of this Ordinance and if not, it is time barred.

SECTION 5. Effective Date of Ordinance.

This Ordinance shall become effective on June 16, 2022.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Lake County, Florida, this 16th day of June, 2022.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**



Michael L. Holland
Mayor/Commissioner

ATTEST:



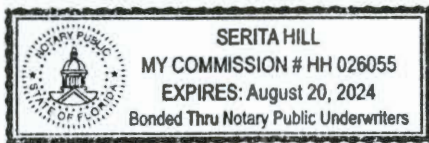
Christine Halloran, City Clerk



CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by physical presence, this 16th day of June, 2022, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.



Serita Hill
Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

for Derek A. Schacht 6/16/2022
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 22-16 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran
Christine Halloran, City Clerk