

ORDINANCE NO. 05-2023

AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, AMENDING SEC. 18-37 OF CHAPTER 18 (ENVIRONMENT) OF THE CODE OF ORDINANCES BY REPLACING THE WORDS "SPECIAL MASTER" WITH "SPECIAL MAGISTRATE;" AND PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Sec. 18-37 provides for the conditions subject to special master code enforcement procedure; and

WHEREAS, the City Attorney has reviewed the current provisions of Sec. 18-37 and has recommended that the references to "Special Master" need to be amended to read "Special Magistrate" to update same; and

WHEREAS, the City Commission finds that amending Sec. 18-37 of Chapter 18 of the Code of Ordinances as set forth in this Ordinance is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Seminole, Florida, that:

Section 1. That Sec. 18-37 of Chapter 18 (Environment) of the Code of Ordinances of the City of Seminole, Florida, is hereby amended to read as follows:

Sec. 18-37. Conditions subject to ~~special master~~ Special Magistrate code enforcement procedure.

The existence of: excessive accumulations or untended growth of weeds, undergrowth or other dead or living plant life; overgrowth of lawn, grass or weeds; accumulation of stagnant water, rubbish, debris, construction material, construction debris, construction fill, or trash, including any wrecked, derelict or partially dismantled motor vehicle, trailer, boat, machinery, refrigerator, washing machine, plumbing fixture, furniture or similar article; all other objectionable, unsightly or unsanitary matter upon any property within this city to the extent and in the manner that such property is or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, or may reasonably cause disease, or adversely affects and impairs the economic welfare of adjacent property; is hereby prohibited and declared to be a public nuisance, unlawful, and subject to code enforcement through the ~~special master~~ Special Magistrate hearing procedure.

Section 2. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 3. For purposes of codification of any existing section of the Code of Ordinances, City of Seminole, herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision, or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the City Commission would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Code of Ordinances, City of Seminole, contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

DULY ADOPTED with a quorum present and voting this 10 day of October, 2023.

CITY OF SEMINOLE, FLORIDA

By: 

Mayor

ATTEST: CITY CLERK

Arlene Mancuso