



MEMORANDUM

Office of the City Attorney

Registrar No. 000055

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: ~~September 25, 2000~~
October 9, 2000

FROM: City Attorney

~~FIRST READING~~
SECOND READING

SUBJECT: Ordinance No. 0-00-79

An ordinance of the City of Gainesville, Florida, relating to civil citations; amending section 2-339 of the Code of Ordinances adding various code provisions to the list of violations that can be enforced by civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

At its meeting of April 24, 2000, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the civil citation ordinance.

Prepared by:

Patricia M. Carter
Patricia M. Carter,
Sr. Assistant City Attorney

Approved and
Submitted by:

Marion J. Radson
Marion J. Radson,
City Attorney

MJR:PMC:sw

PASSED ON FIRST READING BY A VOTE OF 5-0.

D R A F T

8-31-00

Ordinance No. _____
0-00-79

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4 **An ordinance of the City of Gainesville, Florida relating to civil citations;**
5 **amending section 2-339 of the Code of Ordinances adding various code**
6 **provisions to the list of violations that can be enforced by civil citation;**
7 **providing directions to the codifier; providing a severability clause;**
8 **providing a repealing clause; and providing an immediate effective date.**
9

10 **WHEREAS**, at least 10 days notice has been given once by publication in a newspaper of
11 general circulation notifying the public of this proposed ordinance and of a Public Hearing in the
12 City Commission Auditorium in City Hall, City of Gainesville; and

13 **WHEREAS**, a Public Hearing was held pursuant to the published notice described at
14 which hearing the parties in interest and all others had an opportunity to be and were, in fact,
15 heard;

16 **NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COMMISSION OF THE
17 CITY OF GAINESVILLE, FLORIDA:

18 **Section 1.** The list of ordinances enforceable by civil citation set out in section 2-339 of the
19 Code of Ordinances is amended to include the following: *(Note to Editor: Except as set forth*
20 *below, the rest of the section remains unchanged.)*

21 **DIVISION 6. CIVIL CITATIONS**

22 **Sec. 2-339. Applicable codes and ordinances.**

23 The following ordinances are enforceable by the procedures described in this division:

D R A F T

8-31-00

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<i>Section</i>	<i>Description</i>	<i>Class</i>	<i>Penalty</i>
<u>13-181</u>	<u>Hazardous conditions on residential property</u>	<u>I</u>	<u>\$50.00</u>
<u>30-45</u>	<u>Prohibited use in zoning district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-59(c)</u>	<u>Permitted uses in office districts</u>	<u>I</u>	<u>\$50.00</u>
<u>30-61(c)</u>	<u>Permitted uses in general business district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-62(c)</u>	<u>Permitted uses in automotive oriented business district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-63(c)</u>	<u>Permitted uses in tourist-oriented business district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-64(e)</u>	<u>Permitted uses in mixed use low intensity district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-65(c)</u>	<u>Permitted uses in mixed use medium intensity district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-66(c)</u>	<u>Permitted uses in central city district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-67(g)</u>	<u>Illegal outdoor storage and sales</u>	<u>I</u>	<u>\$50.00</u>
<u>30-68(c)</u>	<u>Permitted uses in warehousing and wholesaling district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-69(c)</u>	<u>Permitted uses in limited industrial district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-70(c)</u>	<u>Permitted uses in general industrial district</u>	<u>I</u>	<u>\$50.00</u>
<u>30-86</u>	<u>Use, parking, storage and keeping of recreational vehicles</u>	<u>I</u>	<u>\$50.00</u>
<u>30-357</u>	<u>New business, expansion or change of use without zoning compliance permit</u>	<u>I</u>	<u>\$50.00</u>

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D R A F T

8-31-00

1 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of this
2 Ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville,
3 Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered or relettered
4 in order to accomplish such intentions.

5 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or
6 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
7 the validity of the remaining portions of this ordinance.

8 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of such
9 conflict hereby repealed.

10 **Section 5.** This ordinance shall be effective immediately upon final adoption.

11
12 **PASSED AND ADOPTED** this _____ day of _____, 2000.
13

14
15 _____
16 PAULA M. DeLANEY, MAYOR

17 ATTEST:

Approved as to form and legality

18
19 _____
20 KURT M. LANNON
21 CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

22 This Ordinance passed on first reading this _____ day of _____, 2000.

23 This Ordinance passed on second reading this _____ day of _____, 2000.
24

25 carter:ordinances:0-00-79 - additions to civil citation list