

Ordinance No. 070133  
0-07-54

**An ordinance of the City of Gainesville, Florida, amending Chapter 2, Division VI, Section 2-339 of the Gainesville Code of Ordinances by adding section 30-57(a)(3) dealing with over-occupancy to the list of violations which are subject to civil citations, and increasing the penalty for violation of certain other offenses, as specifically enumerated in this ordinance; providing for directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**Section 1.** Section 2-339, City of Gainesville Code of Ordinances, is amended to read as follows:

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

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

Section	Description	Class	Penalty
2-67(b)	Declaration of water emergency imposing water use restrictions	I	\$50.00

Chapter 5 except as provided below	Animal control	I	<del>\$50.00</del> <u>\$250.00</u>
5-2(c)	Animal molesting or biting pedestrian or bicyclist	IV	<del>\$200.00</del> <u>\$250.00</u>
6-3	104.1.1 of adopted Standard Building Code, as amended Building, electrical, plumbing, gas, and/or mechanical work within a required permit	II	\$75.00
6-183(1)	False advertising	III	\$125.00
6-185	Acting as a contractor without a valid contractor certificate	IV	\$200.00
6-186(b)(2)	No journeyman or certified craftsman on the job site	II	\$75.00
Article IX of Chapter 6	Downtown minimum property standards	I	\$50.00
Chapter 10	All adopted fire prevention & protection codes, except NFPA 101 Chapters 5, 6, 7 and SFPC Chapters 6, 8, 31 and 42	II	<del>\$75.00</del> <u>\$250.00</u>
10-38(a)	Failure to register--fire alarm contracting or monitoring company	III	\$125.00
10-38(d)	Failure to maintain records for one year	III	\$125.00
10-39	Fire alarm verification calls required	III	\$125.00
10-40(a)	Failure to register--fire alarm system contractor	III	\$125.00
10-40(b)	Fire alarm system contractor status required	III	\$125.00
10-40(c)	Identification cards required	I	\$50.00
10-40(d)	Failure to meet UL or NVPA 72 standards	III	\$125.00
10-40(e)	Activating or servicing unpermitted alarm system	III	\$125.00
Chapter 10	NFPA 101 Chapters 5, 6, 7 SFPC Chapters 6, 8, 31 and 42	IV	\$200.00
11.5-1	Availability of potable water	I	\$50.00
Article III of Chapter 13	Commercial building code	II	<del>\$75.00</del> <u>\$250.00</u>
13-171	Insects, storage, trash and yard maintenance	I	<del>\$125.00</del> <u>\$250.00</u>
13-181	Hazardous conditions on residential property	I	<del>\$125.00</del>

			<u>\$250.00</u>
Article II of Chapter 14.5	Merchandising of tobacco products	II	\$75.00
Article III of Chapter 14.5	Towing from certain private property	II	\$125.00
14.5-1	Not having landlord permit	II	<del>\$125.00</del> <u>\$250.00</u>
Chapter 15	Noise violations	I	<del>\$125.00</del> <u>\$250.00</u>
16-19	Dangerous buildings/hazardous lands	I	<del>\$125.00</del>
17-2	Fliers on utility poles or other fixtures	I	<del>\$50.00</del> <u>\$250.00</u>
17-34	Knowingly rent or let a residence to a sexual offender or sexual predator to use as a temporary or permanent residence contrary to the Sexual Predator Ordinance	II	\$125.00
19-2	Violation of regulations for peddling in Downtown Plaza	I	\$50.00
19-34	Violation of permit requirements for commercial peddlers, solicitors, or canvassers	I	<del>\$50.00</del> <u>\$250.00</u>
19-52	Unauthorized solicitation of alms or financial assistance	I	\$50.00
19-53	Unauthorized sale or transfer of goods and services; religious and charitable organizations soliciting for contributions without a permit	I	\$50.00
19-55	Violation of restrictions and requirements for permitted soliciting	I	\$50.00
19-96	Operation of mobile food cart in prohibited area	I	<del>\$50.00</del> <u>\$250.00</u>
19-97	Violation of regulations on permitted mobile food cart	I	<del>\$50.00</del> <u>\$250.00</u>
Chapter 5 except as provided below	Animal control	I	<del>\$50.00</del> <u>\$250.00</u>
19-112	Unauthorized soliciting of funds	I	\$50.00
19-127	Violation of prohibition on throwing or distributing	I	\$125.00

	handbills upon property displaying a "No Handbills" sign		
21-53(b)(6)	Non-permitted, revoked or suspended alarm system	IV	\$200.00
21-58(a)	Failure to register alarm monitoring company	II	\$125.00
21-58(c)	Failure to maintain records	II	\$125.00
21-59	Failure to make alarm verified call	II	\$125.00
21-60(a)	Failure to register--Alarm system contractors	II	\$125.00
21-60(b)	Maintenance, repair, alter or service of system for compensation by noncontractor	II	\$125.00
21-60(c)	Failure to issue ID	I	\$50.00
21-60(d)	Use of equipment or methods below minimum standards	II	\$125.00
21-60(e)	Activation/servicing non-permitted alarm	II	\$125.00
21-60(f)	Causing false alarm during servicing	II	\$125.00
21-60(g)	Failure to provide blank alarm permit application	I	\$50.00
21-61(a)	Operating automatic dialing device	II	\$125.00
21-61(b) 21-61(c)	Failure to remove non-permitted features	I	\$50.00
21-62	Operating alarm system without auxiliary power	II	\$125.00
Chapter 22	Secondhand Goods Secondhand Dealers	III	\$125.00
26-137	Abandoned vehicles	I	<del>\$125.00</del> <u>\$250.00</u>
27-73	Solid waste violations except (4), (8) and (9)	I	<del>\$125.00</del> <u>\$250.00</u>
27-76(b)(1)b	Improper use of cart	I	<del>\$50.00</del> <u>\$250.00</u>
27-79(a) and (f)	Commercial franchise violations	IV	\$200.00
Chapter 28	Taxicab regulation	I	\$50.00
30-45	Prohibited use in zoning district	I	\$125.00
30-51(c)	Permitted uses in single family districts	II	\$125.00
30-56(b) and	Residential parking	I	<del>\$125.00</del>

(c)			<u>\$250.00</u>
30-57(a)(3)	Residential Leases – Over-occupancy	II	<u>\$250.00</u>
30-59(c)	Permitted uses in office districts	I	\$50.00
30-61(c)	Permitted uses in general business district	I	\$50.00
30-62(c)	Permitted uses in automotive oriented business district	I	\$50.00
30-63(c)	Permitted uses in tourist-oriented business district	I	\$50.00
30-64(e)	Permitted uses in mixed use low intensity district	I	\$50.00
30-65(c)	Permitted uses in mixed use medium intensity district	I	\$50.00
30-66(c)	Permitted uses in central city district	I	\$50.00
30-67(g)	Illegal outdoor storage and sales	I	\$50.00
30-68(c)	Permitted uses in warehousing and wholesaling district	I	\$50.00
30-69(c)	Permitted uses in limited industrial district	I	\$50.00
30-70(c)	Permitted uses in general industrial district	I	\$50.00
30-86	Use, parking, storage and keeping of recreational vehicles	I	<del>\$50.00</del> <u>\$250.00</u>
30-315 et seq.	Violation of sign regulations	I	<del>\$50.00</del> <u>\$250.00</u>
30-357	New business, expansion or change of use without zoning compliance permit	I	<del>\$50.00</del> \$250.00

**Section 2.** It is the intention of the City Commission that Section 1 of this ordinance shall become and be made a part of the Gainesville Code of Ordinance, of the City of Gainesville, Florida, and that the Section and Paragraphs of this ordinance may be renumbered or re-lettered in order to accomplish such intentions.

**Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said

holding shall in no way affect the validity of the remaining portions of this ordinance.

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

**Section 5.** This ordinance shall become effective immediately upon adoption.

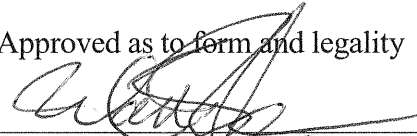
**PASSED AND ADOPTED** this 27<sup>th</sup> day of August, 2007.

  
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PEGEEN HANRAHAN  
MAYOR

ATTEST:

  
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CLERK OF THE COMMISSION

Approved as to form and legality

  
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MARION J. RADSON  
CITY ATTORNEY

AUG 28 2007

This ordinance passed on first reading this 13<sup>th</sup> day of August, 2007.

This ordinance passed on second reading this 27<sup>th</sup> day of August, 2007.