1		ORDINANCE NO. <u>100591</u>				
2 3 4 5 6 7 8 9		An ordinance of the City of Gainesville, Florida, amending section 14.5-1(c) of the City of Gainesville Code of Ordinances to authorize the City Attorney to seek judicial resolution of delinquent fees; amending section 14.5-1(d), City of Gainesville Code of Ordinances, relating to landlord permit fees; providing for Code Enforcement Board-imposed fines to stop accruing under certain conditions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.				
11 12		WHEREAS, at least 10 days notice has been given once by publication in a newspaper				
13	of general circulation notifying the public of this proposed ordinance and of a public hearing to					
14	be held in the City Commission Auditorium, City Hall, City of Gainesville; and					
15	WHEREAS, the Public Hearings were held pursuant to the published notice described a					
16	which hearings the parties in interest and all others had an opportunity to be and were, in fact,					
17	heard					
18		NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE				
19	CITY	OF GAINESVILLE, FLORIDA:				
20		Section 1. Subsection (c) of Chapter14.5-1 of the City of Gainesville Code of				
21	Ordinances is amended to read as follows:					
22	Sec. 14.5-1. – Landlord permits.					
23	(c)	Payment; late payment. The city shall bill each applicant or holder of a landlord permit				
24		for the annual fee, once the city manager or designee determines that all requirements for				
25		the permit have been met. If payment is not received on the due date, an extra fee shall be				
26		due and payable as specified in Appendix A. If payment is not received within the time				
27		frames specified in Appendix A, the city manager or designee may refer the account to a				
28		collection agency. If the collection agency does not collect the amount due within 90				

days of the referral, or if the city manager or designee decides not to refer the account to

30		a con	ection agency, the applicant or permit holder shall be subject to notice of citation for		
31		violat	tion of this article and proceedings before the code enforcement board, or the case		
32		can b	e referred to the city attorney to pursue resolution in a court of competent		
33		jurisd	liction.		
34		Section	on 2. Subsection (d) of Chapter 14.5-1 of the City of Gainesville Code of		
35	Ordin	ances is	s hereby amended to read as follows:		
36	Sec. 14.5-1 Landlord permits.				
37	(d)	Failu	re to apply for permit. If the city manager or designee has reasonable cause to		
38		believ	ve that a dwelling unit is occupied without a permit in violation of this article, the		
39		owne	r of the property shall be given notice that a permit is required and that an		
40		applic	cation must be filed with the city within 30 days of the notice. If an application is		
41		not re	ceived on the due date, an extra fee shall be charged for the permit as specified in		
42		appen	dix A. Failure to apply, or provide evidence that a permit is not required, within the		
43		time f	rames specified in appendix A shall subject the owner to citation for violation of		
44		this a	rticle and proceedings before the code enforcement board. Fines imposed by the		
45		code o	enforcement board shall cease at any time any one or more of the following events		
46		occur	<u>:</u>		
47		<u>(1)</u>	A valid landlord permit is obtained for the subject property,		
48		(2)	The owner ceases to rent the subject property,		
49		(3)	The subject property has been relinquished by the owner by sale, foreclosure, etc.,		
50			or other action which dispossess the owner of title to the property.		
51		<u>(4)</u>	The landlord permit year for which the owner is in arrears ends.		

52	Fees and fines accruing up to the date of the occurrence of any of the events are				
53	still due and owing to the city.				
54	Section 3. It is the intention of the City Commission that the provisions of Sections 1				
55	and 2 shall become and be made a part of the Code of Ordinances of the City of Gainesville,				
56	Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered or relettered				
57	in order to accomplish such intentions.				
58	Section 4. If any section, sentence, clause or phrase of this ordinance is held to be				
59	invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no				
60	way affect the validity of the remaining portions of this ordinance.				
61	Section 5. All ordinances, or parts of ordinances, in conflict herewith are to the extent of				
62	such conflict hereby repealed.				
63	Section 6. This ordinance shall take effect immediately upon adoption.				
64					
65	PASSED AND ADOPTED this 21st day of July, 2011.				
66 67 68	CRAIG LOWE MAYOR				
69 70	ATTEST: Approved as to form and legality				
71 72 73	RORT M. LASMON CLERK OF THE COMMISSION  Approved as to form and regardy  Marion J. Radson acting CITY ATTORNEY  CITY ATTORNEY  CITY ATTORNEY				
74	This Ordinance passed on first reading this 21 <sup>st</sup> day of July, 2011.				
75	This Ordinance passed on second reading this 4 <sup>th</sup> day of August, 2011.				