

ORDINANCE NO. 0-07-15

An ordinance of the City of Gainesville, Florida, relating to landlord permits; amending section 14.5 of the Code of Ordinances; creating additional owner certifications; changing the period in which points for code violations accrue; providing for revocation of permit for failure to comply with owner certifications; clarifying the process for revocation of a permit and the process for denial of a permit; amending Appendix A by changing the due dates for payment of landlord permit fees; providing for a transition permit; providing for a prorated permit fee; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the Supreme Court of the United States in the case of Village of Belle Terre v. Boraas, 416 U.S. 1, 9 (1974) found that it is a permissible exercise of local government police power to regulate the occupancy of residential dwellings to maintain community “values, and the blessings of quiet seclusion and clean air (to) make the area a sanctuary for people.”

WHEREAS, after lengthy and considered deliberations by the City Community Development Committee, the City Public Safety Committee, the City Commission, City staff and members of the public, the City Commission finds that it is necessary to revise the City’s landlord permit regulations in order to prevent a decline in residential quality-of-life that may be caused by, among other things, tenant over-occupancy, noise, trash and yard parking; while at the same time recognizing and protecting the property rights of landowners engaged in the rental business.

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;

1 NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
2 CITY OF GAINESVILLE, FLORIDA;

3 Section 1. The aforementioned findings are adopted by the City Commission of the City of
4 Gainesville, Florida.

5 Section 2. Article I of Section 14.5 of the Code of Ordinances of the City of Gainesville is
6 amended to read as follows:

7 Article I. Landlord Permits

8 Sec. 14.5-1. Landlord permits.

9
10 (a) *Application for permit; issuance of permit.* Every owner of a single-family dwelling, two-
11 family dwelling, three-family dwelling, four-family dwelling, multiple-family dwelling,
12 roominghouse, dormitory or other dwelling unit within a district designated in section 30-57 of this
13 Code is required to get an annual landlord permit from the city manager or designee prior to ~~leasing,~~
14 ~~subleasing, renting or~~ allowing the occupancy of such unit by ~~to~~ another natural person or other
15 natural persons, unrelated to the owner, whether or not for consideration, except as provided in
16 subsection (b). In the case of multiple owners of any such dwelling unit, it shall be sufficient for any
17 one of the owners to have obtained a permit on the unit. The application shall be in writing and on a
18 form provided by the city. Such annual permit shall be valid from ~~August~~ January 1 through July
19 ~~December 31~~ of each year, unless revoked, and shall be issued ~~and not revoked if provided:~~

- 20
21 (1) An annual regulatory fee in accordance with the schedule set out in Appendix A is
22 paid.
23
24 (2) The ~~applicant~~ owner or agent and the ~~applicant's property~~ dwelling unit are ~~not in~~
25 ~~violation of~~ in compliance with this article.
26
27 (3) The ~~applicant~~ owner or agent provided the correct street address for the dwelling unit
28 on the permit application ~~for all parcels or property covered by this article.~~

29
30 (b) *Exemption.* The provisions of this section do not apply if the dwelling unit is occupied by
31 less than three persons 18 years of age or older, one of whom is the owner, and the children of the
32 owner or the other person ~~one or both of these people.~~

33
34 (c) *Payment; late payment.* The city shall bill each applicant or holder of a landlord permit for
35 the annual fee, once the city manager or designee determines that all requirements for the permit
36 have been met. If payment is not received on the due date, an extra fee shall be due and payable as
37 specified in Appendix A. If payment is not received within the time frames specified in Appendix A,
38 the city manager or designee may refer the account to a collection agency. If the collection agency
39 does not collect the amount due within 90 days of the referral, or if the city manager or designee

1 decides not to refer the account to a collection agency, the applicant or permit holder shall be subject
2 to notice of citation for violation of this article and proceedings before the code enforcement board.

3
4 (d) *Failure to apply for permit.* If the city manager or designee has reasonable cause to believe
5 that a dwelling unit is ~~being leased, subleased, rented or~~ occupied without a permit in violation of
6 this article, the owner of the property shall be given notice that a permit is required and that an
7 application must be filed with the city within 30 days of the notice. If an application, ~~or evidence that~~
8 ~~a permit is not required,~~ is not received on the due date, an extra fee shall be charged for the permit
9 as specified in Appendix A. Failure to apply, ~~or provide evidence that a permit is not required,~~
10 within the time frames specified in Appendix A shall subject the owner to citation for violation of
11 this article and proceedings before the code enforcement board.

12
13 (e) *Certifications of applicant for permit.* The applicant for a landlord permit will be required to
14 make the following certifications. Failure to comply with any of the provisions of either of these
15 certifications shall be grounds for revocation of the permit for that unit, as described in section 14.5-
16 3 14-5.2 below or denial of a permit as described in section 14.5-4.

17
18 (1) Prior to ~~executing a lease for~~ allowing occupancy of the dwelling unit covered by the
19 permit, ~~the owner or agent~~ applicant provided each tenant with a copy of:

- 20
21 a. F.S. ch. 83, pt. II, entitled "Residential Tenancies";
22
23 b. Chapter 14.5, Article I of this Code, entitled "Landlord Permits"; and
24
25 c. A pamphlet prepared ~~provided~~ by the city containing guidelines for rentals in
26 residential neighborhoods.

27 (2) ~~That in~~ In the event the city provides notice to the ~~applicant~~ applicant (property owner or
28 ~~designated agent~~) of repeated violations of certain ordinances ~~by a tenant or guests of~~
29 ~~a tenant of~~ occurring at the dwelling unit, as provided in section 14.5-2 below, the
30 ~~applicant owner or agent~~ applicant owner or agent will pursue all lawful remedies available under F.S. § 83.56,
31 regarding termination of the rental agreement due to the tenant's failure to comply
32 with F.S. ch. 83, the provisions of the lease or this Code.

33
34 (3) The applicant is the fee simple owner of the dwelling unit or the agent of the fee
35 simple owner of the dwelling unit.

36
37 (4) The applicant owner has provided the city with an agent as required by section 14.5-
38 2(a), if applicable.

39
40 (f) *Definitions.* Unless otherwise specified in this article, "Days" shall mean calendar days and
41 "Notice" shall mean written notice (1) delivered by certified mail, return receipt requested, to the last
42 known address of the owner or agent, or (2) posted at the dwelling unit, in the event delivery cannot
43 be made by the method specified in (1).

44
45 **Sec. 14.5-2. Requirements of permittee owner.**

1 (a) Appointment of agent. Any owner who resides, either at the time of procuring a permit or
2 after having procured a permit, outside of Alachua County shall appoint an agent who resides within
3 the county for the purpose of receiving notices from the city concerning the permit. The owner shall
4 notify the city in writing of the name, address, and telephone number of the agent. ~~If the owner fails~~
5 ~~to appoint an agent or notify the city, the owner shall be presumed to have agreed to constructive~~
6 ~~notice by publication in a newspaper of countywide circulation within Alachua County.~~

7
8 (b) List of Tenants. The owner or ~~permittee and appointed~~ agent shall maintain a list of the
9 names of tenants in each dwelling unit. Such lists shall be available to the city upon reasonable
10 notice.

11
12 ~~(c) Adjudications of guilt or pleas of no contest of the city's noise ordinances (Chapter 15 of the~~
13 ~~Code of Ordinances), animal control ordinances (Chapter 5 of the Code of Ordinances), solid waste~~
14 ~~ordinances (Article III of Chapter 27 of the Code of Ordinances), ordinance on insects, storage, trash~~
15 ~~and yard maintenance (section 13-171 of the Code of Ordinances) or the provisions of section 30-57~~
16 ~~concerning habitation by more than one family shall be a material breach of a lease of any unit~~
17 ~~regulated by this article, and grounds for termination of the lease.~~

18
19 ~~(d) The city shall provide the owner or agent with copies of pamphlets containing information on~~
20 ~~living in a residential neighborhood. The owner or agent shall provide a pamphlet to at least one~~
21 ~~tenant of each dwelling unit covered by this ordinance before executing a lease for the unit.~~

22
23 ~~(e)(c) Violations; warnings; points. Rental units where there are repeated violations of ordinances~~
24 ~~that adversely affect the rights of nearby residents to the quiet enjoyment of their property constitute~~
25 ~~a public nuisance at common law or a noxious use of private property. To this end, repeated~~
26 ~~warnings of violation and/or adjudication of guilt, finding of guilt with adjudication withheld, waiver~~
27 ~~of right to contest the violation, or pleas of no contest (including, but not limited to, payment of fine)~~
28 ~~of the following city's ordinances:~~

- 29
30 (1) noise ordinances (Chapter 15 of the Code of Ordinances),
31 (2) animal control ordinances (Chapter 5 of the Code of Ordinances),
32 (3) solid waste ordinances (Article III of Chapter 27 of the Code of Ordinances),
33 (4) the provisions of section 30-57 concerning habitation by more than one family,
34 (5) yard parking ordinance (section 30-56(c)(4) of the Code of Ordinances), ~~or~~
35 (6) sections 13-171 (related to insects, storage, trash and yard maintenance); ~~or and~~
36 (7) section 13-181 (related to hazardous conditions)

37
38 where the violation takes place at a unit regulated by this article shall be grounds for the
39 ~~commencement of permit revocation proceedings~~ accumulation of points as follows:

- 40
41 (1) For one or more written warnings given in any 24-hour period for violation of one or
42 more of the ordinances listed above, one point will be assessed on the landlord permit
43 for that unit. For each instance of adjudication of guilt, finding of guilt with
44 adjudication withheld, waiver of right to contest the violation, or plea of no contest
45 (including, but not limited to, payment of fine) for violation of any of the ordinances
46 listed above, two points will be assessed on the landlord permit for that unit.

1 However, to the extent more than one person is adjudicated guilty, found guilty with
2 adjudication withheld, waives the right to contest the violation or pleads no contest
3 for the same violations that occur within a 24-hour period, only two points will be
4 assessed on the landlord permit for that unit. For purposes of this section, written
5 warnings shall mean those warnings issued pursuant to civil citation or code
6 enforcement procedures, including stickers placed on vehicles advising of violation of
7 the yard parking ordinance.
8

9 (2) After each one point is assessed on a landlord permit for a unit, the city manager or
10 designee will send a written warning to the owner or agent. ~~After three points are~~
11 ~~assessed on a landlord permit for a unit, the city manager or designee will send a~~
12 ~~second written warning to the owner or agent. No additional points will be assessed~~
13 ~~on the permit for the unit before the second written warning is sent.~~ Each warning
14 will specify which ordinance or ordinances have been violated and will state that
15 further warnings or violations could lead to a revocation of the permit. Each warning
16 will be sent by regular mail ~~or hand-delivered~~ to the last known address of the owner
17 or agent. ~~The city may, as a courtesy, also attempt to notify the owner or agent by e-~~
18 ~~mail or fax at the e-mail address or fax number provided to the city on the application~~
19 ~~for permit; however, failure to so notify the owner or agent shall not affect the~~
20 ~~validity of the warnings.~~

21
22 (3) ~~Accumulation of six or more points on a landlord permit for a unit during a 12-~~
23 ~~month period commencing on August 1 and extending through the following July~~
24 ~~31 shall constitute a violation of this section and the certifications of the applicant~~
25 ~~described above, subjecting the permittee to revocation of the permit. In this~~
26 ~~event, the following procedure shall be followed:~~

27
28 ~~a. Service of the written notice to show cause why the permit should not be~~
29 ~~revoked shall be deemed complete if personally delivered upon the~~
30 ~~permittee or agent; and if the same cannot be delivered personally within~~
31 ~~the city, then service shall be made on the permittee or designated agent,~~
32 ~~and shall be deemed complete upon sending same by certified mail, return~~
33 ~~receipt requested, to the last known address of the owner or agent.~~

34 ~~b. Any officer authorized by law to serve process or a duly appointed law~~
35 ~~enforcement officer of the city police department may make service of~~
36 ~~process. The person serving process shall make proof of service within the~~
37 ~~time during which the person served must respond to the process. Failure~~
38 ~~to make proof of service shall not affect the validity of the service.~~

39
40 ~~c. The city attorney is authorized to appoint an independent person who is~~
41 ~~admitted to the practice of law in the State of Florida to conduct a hearing~~
42 ~~and make recommendations pursuant to this subsection.~~

43
44 ~~d. The hearing officer shall conduct a hearing no sooner than 15 days after~~
45 ~~service is deemed complete and shall submit recommendations to the city~~
46 ~~manager within ten days of completion of the hearing.~~

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~~e. The lack of knowledge of, acquiescence, or participation in, or responsibility for, a public nuisance on the part of the permittee or agent shall not be a defense by such permittee or agent. However, proof that the permittee or agent has commenced the process of terminating the lease and recovering possession of the rental unit under state law and is diligently pursuing completion or has completed the process shall be a defense.~~

~~f. If after notice and opportunity for a hearing, the hearing officer finds no public nuisance to exist or that the owner has commenced the process of terminating the lease and is diligently pursuing completion of the process, he/she will dismiss the revocation action and the points that were on the permit when the notice was sent prior to the hearing shall be rescinded.~~

~~g. If after notice and opportunity for a hearing, the hearing officer finds the existence of a public nuisance, the accumulation of the requisite points as provided under this section, and that the owner has failed to comply with the certifications as provided in section 14.5 1, the hearing officer shall submit written recommendations to the city manager.~~

~~h. The hearing officer shall have all the powers to this end, including power to subpoena.~~

~~i. The city manager shall approve, modify or reject the recommendation of the hearing officer, and issue a final order within ten days of receipt of the recommendation. The city manager may revoke the permit for the rental unit for a period not to exceed six months, and additionally may require the permittee to pay the full costs of the hearing officer prior to the permit being reinstated.~~

~~j. Orders of the city manager issued pursuant to this section shall be posted at the rental unit, and shall be mailed to the permittee and the rental unit within three business days of the posting.~~

~~k. If the permit is revoked under these procedures, the permittee shall have ten days from the day the order is mailed to commence proceedings to terminate the lease and recover possession of the rental unit under state law. The permittee shall diligently pursue the process to completion. The permittee shall provide copies of all documents provided to the tenants or filed with the court concerning the process to the city manager or designee. If the permittee fails to comply with these provisions, or fails to abide with the orders of the city manager, the city may cite the permittee for violation of section 14.5 1 (renting without a landlord permit), or seek other available legal or equitable relief.~~

1 ~~_____ 1. _____ In addition to other procedures, the city attorney is authorized to file for _____~~
2 ~~_____ injunctive relief to abate the public nuisance pursuant to law.~~

3
4 ~~_____ (f) By applying for a permit, the owner agrees to allow inspection of the unit for~~
5 ~~violations of the housing code (Article II of chapter 13 of the Code of Ordinances) at any~~
6 ~~reasonable time; however, this provision shall not be interpreted as authorizing the city to~~
7 ~~conduct an inspection of an occupied rental unit without obtaining either the consent of an~~
8 ~~occupant or a warrant.~~

9
10 ~~_____ (g) No permit shall be issued or renewed until the applicant or permit holder has~~
11 ~~provided the name and phone number of a natural person 18 years of age or older who can be~~
12 ~~contacted 24 hours a day, seven days a week, regarding the rental unit. This contact person may~~
13 ~~be the owner, the owner's agent, or any other person other than a resident of the rental unit who~~
14 ~~has agreed to be the contact person.~~

15
16 **Sec. 14.5-3. Revocation of permit.**

17
18 (a) Accumulation of six or more points on a permit for a dwelling unit during three consecutive
19 annual (i.e., August 1 through July 31) permit periods or failure to comply with the certifications
20 required in section 14.5-1(e), shall constitute a violation of this article, subjecting the owner to
21 proceedings to revoke the permit.

22
23 (b) Upon the accumulation of six or more points or failure to comply with certifications as
24 described in (a) above, the following procedure shall be followed:

25
26 (1) The City Manager or designee shall cause to be served written notice to show cause
27 why the permit should not be revoked. Service shall be deemed complete if
28 personally delivered upon the owner or agent by any officer authorized by law to
29 serve process or a duly appointed law enforcement officer of the city police
30 department. The person serving process shall make proof of service within the time
31 during which the person served must respond to the process. If service cannot be
32 personally made within the city, then service may be made by Notice.

33
34 (2) The owner or agent shall have 15 days from the date of service to request a hearing to
35 contest the revocation of the permit. The request shall be sent to the city manager by
36 certified mail, return receipt requested. If such request is not timely made, the
37 revocation shall take effect on the 21st day after the date of service to show cause.

38
39 (3) Upon request for a hearing, the city attorney is authorized to arrange for the services
40 of a hearing officer to conduct the hearing and to prepare a recommended order.

41
42 (4) In conducting the hearing, the hearing officer shall have the power to administer
43 oaths, issue subpoenas, compel the production of books, paper, and other documents,
44 and receive evidence. All parties shall have an opportunity to respond, to present
45 evidence and argument on all issues involved, to conduct cross-examination and
46 submit rebuttal evidence, to submit proposed findings of facts and orders, to file

exceptions to the hearing officer’s recommended order, and to be represented by counsel or other qualified representative. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The lack of actual knowledge of, acquiescence to, participation in, or responsibility for, a public nuisance at common law or a noxious use of private property on the part of the owner or agent shall not be a defense by such owner or agent.

(5) If the hearing officer finds either: (a) the accumulation of the six points and the existence of a public nuisance at common law or noxious use of private property, or (b) the owner failed to comply with the certifications as required in section 14.5-1(e), the hearing officer shall prepare a recommended order.

(6) If the hearing officer finds no failure to comply with the certifications exists, no public nuisance at common law or noxious use of private property exists, or that the owner has recovered possession of the dwelling unit, the hearing officer will prepare a recommended order to dismiss the revocation action and recommend which points, if any, should be rescinded from the permit based upon the actions taken by the landlord to seek compliance with the city’s ordinances.

(7) The hearing officer’s recommended order shall consist of findings of fact, conclusions of law and recommended relief. The hearing officer shall transmit the recommended order to the city manager and the owner or agent. The owner or agent shall have 15 days from the date of the hearing officer's order to submit written exceptions to the hearing officer's recommended order. The city manager shall review such order and any written exceptions by the owner and may set forth any deficiencies he/she finds with respect to the order. Said deficiencies shall be limited to determinations that the findings were not based upon competent, substantial evidence, or that the proceedings on which the findings were based did not comply with the essential requirements of law. In reviewing such recommended order, the city manager shall not have the power to receive or consider additional evidence and shall not have the power to reject or modify the findings of fact or conclusions of law contained in the recommended order. The city manager may remand the recommended order along with the delineated deficiencies back to the hearing officer for consideration of the deficiencies. The hearing officer shall address the deficiencies in an addendum to the recommended order. The city manager shall then either: (a) adopt the recommended order and addendum, if applicable, in its entirety; or (b) adopt the findings of fact and conclusions of law in the recommended order and addendum, if applicable, and reject or modify the recommended relief. The action of the city manager shall be the final order of the city.

(8) The city manager or designee shall provide Notice of the final order within 15 days of the date of the final order.

(9) If the permit is revoked under these procedures, the owner or agent shall have 15 days from the date of the final order to commence proceedings to recover possession of the rental unit under state law, if not already done. The owner or agent shall diligently pursue the process of eviction to completion. The owner or agent shall provide copies of all documents provided to the tenants or filed with the court concerning the eviction process to the city manager or designee. If the owner fails to comply with these provisions, or fails to abide with the final order of the city, the city may cite the owner for violation of section 14.5-1 (renting without a landlord permit), or seek other available legal or equitable relief.

(10) In addition to the above-described procedures, the city attorney is authorized to file for injunctive relief to abate the public nuisance at common law or noxious use of private property pursuant to law.

(11) The final order of the city is subject to certiorari review in a court of competent jurisdiction in Alachua County, Florida.

Sec. 14.5-43. Denial ~~or revocation~~ of permit.

(a) The city manager or designee may deny issuance of, ~~or revoke,~~ any permits applied for under this section if it is determined either that the owner or agent applicant or holder has made material misrepresentations about the condition of his/her property, or status of ownership, or that the occupancy of the property is in violation of section 30-57, or that the owner or agent has refused to make or comply with the certifications required in Sec. 14.5-1.(e) ~~or at any time subsequent to the issuance of the permit becomes, in excess of occupaney by a single family as defined in section 30-23,~~ or that the owner has otherwise violated a provision of this article.

(b) If the city manager or designee determines there is reasonable cause to believe that there are grounds to ~~revoke or deny~~ a permit applied for ~~or held,~~ a written notice the city manager or designee shall provide a ~~Notice of the denial, including the grounds for the denial, shall be mailed by registered mail~~ the owner or agent whose address was provided in the application for such permit. If the dwelling unit in question is occupied, a copy of the notice shall be mailed to at least one tenant. Such written notice shall state the alleged grounds for revocation or denial. For revocation of a permit, such written notice shall also state that the revocation will become effective 30 days from the date of the notice unless, within the 30 days, the alleged grounds for revocation are remedied (or legal action to do so is begun) to the satisfaction of the city manager or designee or a hearing is applied for in accordance with this section.

(c) Within ~~30~~ 15 days of the date of the ~~Notice, of revocation or denial is mailed,~~ a holder of or applicant for a permit or the appointed agent the owner may request in writing to the city manager a hearing on the ~~revocation or denial.~~ The city manager or designee shall schedule the hearing to occur within 15 days after receiving the request for hearing and shall notify the ~~permit holder or applicant~~ owner at least five days in advance of the time and location for the hearing. The hearing may be postponed if mutually agreed upon by ~~all parties~~ the city manager and the owner.

(d) The hearing shall be conducted informally and adherence to the rules of evidence normally followed by the courts shall not be required. Any person may present testimony, documents or other evidence as deemed relevant by the city manager or designee. Any person may be represented by counsel.

(e) The city manager or designee shall consider all evidence presented, and if the preponderance of the evidence supports the allegation of violation the permit shall be ~~denied or revoked~~. If the preponderance of the evidence does not support the allegation of violation, the permit shall be issued ~~or allowed to continue~~. The decision of the city manager or designee may be appealed by a writ of certiorari to a the county court of competent jurisdiction in Alachua County, Florida.

(f) The city manager or designee may waive the denial revocation requirement as to any permit if it is determined that the owner has attempted in good faith to comply with this article. In determining asserted good faith as required for a waiver, the city manager or designee may consider, but not be limited to, the owner's response to current violations and remedy of past violations, and ~~the owner's past history of violations of the conditions of the landlord permit.~~

(g) If a permit is denied ~~revoked~~ under this section, the owner whose permit was denied ~~revoked~~ shall not be issued another permit on the same premises dwelling unit for a period of 6 months after the date of denial ~~revocation~~.

Sec. 14.5-54. Inspections and complaints.

(a) *Inspections.* ~~If there is cause to believe a violation of this article exists, the city manager or designee is hereby authorized to make inspections of any premises at reasonable times with 72 hours notice to the owner or agent at the address provided in the application for the permit for the premises or, if no permit has been applied for, to the owner as shown on the latest tax rolls, and one occupant (if any), to determine if a violation exists. Upon refusal to allow entry into the dwelling, the city may apply for a search warrant from the appropriate court for authorization to enter the dwelling. By applying for a permit, the owner agrees to allow inspection of the unit for violations of this article, as well as violations of the housing code (Article II of chapter 13 of the Code of Ordinances) at any reasonable time; however, this provision shall not be interpreted as authorizing the city to conduct an inspection of an occupied rental unit without obtaining either the consent of an occupant or a warrant.~~

(b) *Complaints.* ~~All~~ Each complainants shall be requested to state ~~their~~ his/her names and addresses and give a statement of the facts giving rise to the complainant's belief that the provisions of this article are being violated. Such information may be obtained orally or in writing. A complainant may be subpoenaed to appear in a revocation or denial proceeding to provide evidence or testimony.

Section 3. Appendix A, relating to landlord permit fees, is amended to read as follows:

LAND DEVELOPMENT CODE

(4) *Zoning:*

DRAFT

5-25-07

1	a.	Landlord permit:	
2			
3	1.	Initial applications:	
4			
5	a.	Application received on time and payment	
6		received on or before 10 business days of city	
7		finding all other permit requirements met	177.00
8			
9	b.	Application received 1 business day to 30	
10	*	calendar days late or payment received	
11		after 10 business days but on or before	
12		30 calendar days of city finding all other	
13		permit requirements met	261.00
14			
15	c.	Application received 31 to 60 calendar days late	
16		or payment received after 30 calendar days but	
17		on or before 60 calendar days of city finding all	
18		other permit requirements met	345.00
19			
20	d.	Application received 61 to 90 calendar days late	
21		or payment received after 60 calendar days but	
22		on or before 90 calendar days of city finding all	
23		other permit requirements met	429.00
24			
25	2.	Renewals:	
26			
27	a.	Payment received on or before <u>August</u> January 31	177.00
28			
29	b.	Payment received after <u>August</u> January 31 but on or	
30		before <u>October</u> March 1	261.00
31			
32	c.	Payment received after <u>October</u> March 1 but on or	
33		before <u>November</u> April 1	345.00
34			
35	d.	Payment received after <u>November</u> April 1 but on or	
36		before <u>December</u> May 1	429.00
37			

38
39 **Section 4.** Transition Period. Any holder of a landlord permit issued for the permit period of
40 January 1, 2007 through December 31, 2007, who desires to extend the existing permit until July 31,
41 2008 shall pay to the city a prorated permit fee of \$103.25 on or before January 1, 2008.

1 Section 5. It is the intention of the City Commission that the provisions of Sections 2 and 3 of
2 this ordinance shall become and be made a part of the Gainesville Code of Ordinance, of the City of
3 Gainesville, Florida, and that the Sections and Paragraphs of this ordinance may be renumbered or
4 relettered in order to accomplish such intentions.

5 Section 6. 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 the
7 validity of the remaining portions of this ordinance.

8 Section 7. All ordinances, or parts of ordinances, in conflict herewith are to the extent of such
9 conflict hereby repealed.

10 Section 8. This ordinance shall become effective on August 1, 2007.

11 PASSED AND ADOPTED this ____ day of _____, 2007.

12
13 _____
14 PEGEEN HANRAHAN, MAYOR

15
16 ATTEST APPROVED AS TO FORM AND LEGALITY

17
18 _____
19 KURT M. LANNON MARION J. RADSON
20 CLERK OF THE COMMISSION CITY ATTORNEY

21
22
23
24 This Ordinance passed on first reading this ____ day of _____, 2007.

25 This Ordinance passed on second reading this ____ day of _____, 2007.