

Ordinance No. _____
0-06-65

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An ordinance of the City of Gainesville, Florida, relating to Code Enforcement Board fines; amending subsection (b) of section 2-388.1, of the City of Gainesville Code of Ordinances, providing for the maximum fines permitted by section 162.09(2)(d), Florida Statutes; providing 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 Auditorium of City Hall in the 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. Subsection (b) of Section 2-388.1, City of Gainesville Code of Ordinances, is hereby amended to read as follows:

Sec. 2-388.1. Administrative fines; costs of repair; liens.

(b) A fine imposed pursuant to this section shall not exceed \$1,000 ~~\$250.00~~ per day per violation for a first violation and shall not exceed \$5,000 ~~\$500.00~~ per day per violation for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (a). However, if the board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$15,000 per violation.

Section 2. It is the intention of the City Commission that the provisions of Section 1 of this ordinance shall become and be made a part of the Code of Ordinances of the City

CODE: Text ~~stricken~~ is deleted; text underlined is added.

1 of Gainesville, Florida, and that the Sections and Paragraphs of this ordinance may be
2 renumbered or relettered in order to accomplish such intentions.

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

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7 extent of such conflict hereby repealed.

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

9 **PASSED AND ADOPTED** this ____ day of _____, 2006.

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PEGEEN HANRAHAN,
MAYOR

ATTEST:

Approved as to form and legality

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

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24 This Ordinance passed on first reading this ____ day of _____, 2006.
25 This Ordinance passed on second reading this ____ day of _____, 2006.