

ORDINANCE NO. 2009-4153

An ordinance of the City of Sanford, Florida amending the *City Code of the City of Sanford* by providing additional and supplemental means of enforcing the codes and ordinance of the City; providing for an appellate process of a general nature when unpermitted activity would be subject to code enforcement proceedings; providing for legislative findings and intent; providing for code enforcement procedures; providing for a general appeal practice when not otherwise provided in permitting processes; providing for the use of hearing officers when assigned and processes and procedures relating thereto; providing for an additional level of penalty in the City's hearing officer/special magistrate code enforcement process by amending Subsection 26-36(w) of the *City Code*; amending Subsections 26-36(j), (l), (m) and (t) of the *City Code* to address procedural matters relating to hearings and adding a subsection providing for stipulated orders in the hearing officer/special magistrate code enforcement process as well as to define costs of the proceeding; providing for investigative fees relating to certain complaints; providing for implementing administrative actions; providing for conflicts; providing for a savings provision; providing for codification in the *City Code of the City of Sanford*; providing direction to the City Attorney; providing for severability; and providing for an effective date.

Whereas, municipal local governments are responsible for the enforcement of their codes and ordinances within their municipal boundaries; and

Whereas, the various statutory provisions of State law state that they provide local governments with an additional or supplemental means of obtaining compliance with local codes and ordinances while not prohibiting a local governing body from enforcing its codes and ordinances by any other means; and

Whereas, Florida law provides that a local government is authorized to administer and adjudicate the enforcement of codes and ordinances locally rather than utilizing the County Court system; and

Whereas, the population of the City of Sanford is continuing to grow and now exceeds 50,000; and

Whereas, the City Commission of the City of Sanford desires to provide a high quality and livable community and enact codes and ordinances in order to provide the citizens of the City with a hometown which is clean, pleasant, orderly and well planned; and

Whereas, the City Commission of the City of Sanford desires to provide a system of code enforcement activities and related administrative processes which are workable and do not result in impacts on crowded judicial dockets and the unnecessary expenditure of time by the judiciary when other forums and processes are available which provide due process and comport with the requirements of controlling law; and

Whereas, this Ordinance is enacted pursuant to the home rule powers of the City of Sanford as set forth at Article VIII, Section 2, of the *Constitution of the State of Florida*; Chapter 166, *Florida Statutes*; and other applicable controlling law.

Now, therefore, be it enacted by the People of the City of Sanford, Florida:

Section 1. Legislative findings and intent. A new section of the *City Code of the City of Sanford* is created to read as follows:

(a). The City Commission of the City of Sanford hereby adopts and incorporates into this Ordinance the recitals (whereas clauses) to this Ordinance, the City staff report and City Commission agenda memorandum relating this Ordinance.

(b). The City of Sanford has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance to include, but not be limited to, approval by a vote of at least a majority plus one of the entire City Commission.

(c). Although not a land development regulation, this Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Sanford*.

Section 2. Supplemental means of enforcing City codes and ordinances/administrative citation. A new section of the *City Code of the City of Sanford* is created to read as follows:

(a). In lieu of proceeding in accordance with the provisions of Sections 26-71 through 26-82 and prior to, or in conjunction with, proceeding in accordance with the provisions of Sections 26-31 through 26-36, the City may process allegations of violations of the codes and ordinances of the City in accordance with the provisions of this Section by means of the issuance of an administrative citation.

(b). The administrative citation process may be used to enforce any code or ordinance of the City as deemed appropriate by the City.

(c). In the course of providing notice to violators under the provisions of Part I, Chapter 162, *Florida Statutes*, the City shall cause an administrative citation to be issued to the violator and the violator shall be notified of a date and time in which the cited violation must be remedied and, if not remedied, the fine for each day, or a total amount of the fine, that will be assessed should the violator not remedy the violation within the time prescribed and not elect to proceed to the hearing officer/special

magistrate process.

(d). In any case where an administrative citation is issued, service of the citation shall be made by complying with the following:

(1). The code enforcement officer, or other authorized officer, shall attempt to locate and personally serve the responsible person and obtain the signature of the responsible person on the administrative citation. If the responsible person refuses or fails to sign the administrative citation, the refusal to sign shall not affect the validity of the administrative citation or of subsequent proceedings; or

(2). The responsible person shall be served by certified mail, return receipt requested or overnight delivery while simultaneously, the administrative citation shall be mailed by first class mail with delivery certification. If the administrative citation is sent by certified mail and returned unsigned, then service shall be deemed effective pursuant to first class mail, provided the administrative citation sent by first class mail is not returned.

(e). The fines assessed under this Ordinance shall be in accordance with the following amounts:

(1). A fine in the amount of one hundred dollars (\$100.00) for the first administrative citation;

(2). A fine in the amount of two one hundred dollars (\$200.00) for a second administrative citation for violation of the same code or ordinance if issued within a twelve (12) month period;

(3). A fine in the amount of five hundred dollars (\$500.00) for any subsequent administrative citation issued for violation of the same code or ordinance within a twelve (12) month period.

(f). The forms relating to the implementation of this Ordinance, the City's hearing officer/special magistrate process implementing the provisions of Part I, Chapter 162, *Florida Statutes*,¹ and any other code enforcement process may be combined; provided, however, that each administrative citation shall contain the following information:

(1). The date, approximate time and address or definite description of the location where the violation(s) was/were observed;

(2). The code section(s)/ordinance number(s) violated and a description of the violation(s);

¹ Sections 26-31 through 26-36 of the *City Code*.

- (3). The amount of fine for the violation(s);
- (4). An explanation of how the fine shall be paid and the time period by which it shall be paid;
- (5.) Identification of rights to a hearing, including the time within which the hearing may be requested; and
- (6). The name and signature of the code enforcement officer, or other authorized officer, issuing the administrative citation.
- (7). If the violation(s) is/are one which is continuing, a notice to correct the violation(s) and an explanation of consequences for failing to correct the violation shall be issued concurrently with the administrative citation. Failure to issue the notice to correct and/or explanation of consequences for failure to correct violations shall not affect the validity of the administrative citation or of subsequent proceedings.
- (g). Upon receipt of a citation, the responsible person must either pay the fine to the City within fifteen (15) days from the issue date of the administrative citation; or, within said time period, file a request for hearing pursuant. Upon the filing of a request for hearing, the City will proceed with a hearing on the matter in accordance with the provisions of Sections 26-31 through 26-36. Any recipient of an administrative citation may contest the citation by completing a request for hearing form and returning it to the designated City office within fifteen (15) days from the date the administrative citation is served or deemed to have been served. A failure to file a timely request for hearing shall be deemed a waiver of the right to a hearing on the administrative citation and a failure to exhaust administrative remedies; provided, however, that the City may proceed with other code enforcement remedies in its discretion.
- (h). Notwithstanding the foregoing provisions of this Section, if a citizen or other person files a complaint with the City alleging a code or ordinance violation and the City notifies the owner of the property on which the violation is alleged to occur of the allegation and, after such notice an investigation is conducted by the City which results in a determination that the allegation was well founded and the violation was not cured after notice, the City may assess an investigative fee in such amount as may be established by resolution of the City Commission.

Section 3. Appeals. A new section of the *City Code of the City of Sanford* is created to read as follows:

- (a). The City Commission of the City of Sanford hereby finds that not all of the City's codes and ordinances provide for administrative appeals with regard to permit issuance or denial.

(b). In such cases when a specific permitting activity or process of the City does not provide for an appellate process when a permit is denied and an applicant would be in violation of a City code or ordinance to conduct the activity without the issuance of a permit, the applicant for the permit may appeal the denial to the City Manager or, if the City Manager is the official vested with the initial power to grant a permit, to the City Commission. Appeals must be filed within ten (10) City working days from the date of the denial and must specifically state in writing and in detail the basis of the appeal. Engaging in unpermitted activity while a permit has been denied is prohibited and unlawful notwithstanding the fact that an appeal may have been filed and be pending.

Section 4. Hearing officers. A new section of the *City Code of the City of Sanford* is created to read as follows:

(a). The City Commission of the City of Sanford hereby finds that from time-to-time it is beneficial and desirable for various matters, arising from the provisions of the City's codes and ordinances, to be referred to hearing officers to make findings of facts and conclusions of law; to hear administrative appeals; or to hear other matters of a similar nature.

(b). A *hearing officer* means a person whom the City Commission authorizes to conduct appeals or other administrative hearings. Hearing officers must be members of The Florida Bar in good standing and have adequate experience or knowledge in the area of the matters over which they will preside. The employment, performance evaluation, compensation and benefits of a hearing officer shall not be directly or indirectly conditioned upon the amount of penalties or administrative costs upheld, awarded, imposed, or assessed by the hearing officer. Hearing officers shall have all powers necessary to conduct fair and impartial hearings including, but not limited to, the power to hold conferences for settlement or simplification of the issues; administer oaths and affirmations; hear testimony; rule upon motions, objections, and the admissibility of evidence; preserve and authenticate the record of the hearing and all exhibits and evidence introduced at a hearing; regulate the course of the hearing in accordance with this Chapter or other applicable law; issue orders which include findings of fact and conclusions of law and make recommendations, determinations, decisions, or any combination thereof.

(c). The City Commission or City Manager may determine that matters will be referred to hearing officers for a determination, a decision, a recommendation, or findings of facts and conclusions of law, or any combination thereof, by providing for same in the provisions of an ordinance enacted or a resolution adopted by the City Commission or a letter of assignment by the City Manager.

(d). The rules of procedure relating to a matter referred to a hearing officers shall be set forth in the ordinance, resolution or letter of assignment providing for the

involvement of hearing officers; provided, however, that in the absence of such rules of procedure, hearing officers shall conduct proceedings in accordance with the following:

(1). After considering all of the testimony and evidence submitted at the hearing, the hearing officer may immediately issue a verbal decision or may issue a written decision within ten (10) working days of the hearing. The decision shall include any conditions pertaining to the matter as may be appropriate.

(2). If a verbal decision is issued at the hearing, a written decision shall be prepared by the hearing officer and mailed to the parties within ten (10) working days.

(3). The effective date of the decision shall be the date that the written decision is filed in the office of the City Clerk.

(4). The case for the City shall be presented by the City Attorney or designee.

(5). The case for the respondent may be presented by the respondent or attorney for the respondent. An attorney shall present a written appearance form signed by the respondent under penalty of perjury indicating that such attorney is authorized to act and to bind the respondent to any orders entered by the hearing officer.

(6). The hearing officer shall conduct the hearings in an orderly manner and insist upon proper decorum by all persons present at the hearings. The intent of the hearings is to provide the City and the respondent a full and fair presentation of the issues.

(7). The strict laws of evidence shall not apply. Hearings are intended to be informal in nature. Formal rules of evidence and discovery do not apply, except that findings shall not be based solely on hearsay evidence. Other than responses to public records requests and the distribution of copies of citations, notices, orders, and inspection reports served on the responsible parties, or other similar materials as may be appropriate as part of the matter giving rise to the hearing, no pre-hearing discovery shall be permitted.

(8). Hearsay testimony may be admitted and relied upon by the hearing officer in making a determination.

(9). Relevant documents may be received into evidence without formal proof of authenticity. The hearing officer shall determine the weight, if any, to be afforded documents received into evidence.

(10). Either party may request that the proceedings be taken and transcribed by a certified court reporter.

(11). All hearings shall be conducted on the date set for hearing; provided,

however, that for good cause shown, a postponement may be granted in the discretion of the hearing officer, or the office of the City Attorney may stipulate to a continuance. The purpose of hearings is to provide prompt resolution of matters and, accordingly, the request for and the grant of continuances shall be limited to the extent fairness permits.

(12). The City bears the burden of proof at hearings unless a code, ordinance or resolution states otherwise.

(13). The standard of proof to be used by hearing officers in deciding the issues at a hearing is the preponderance of the evidence unless a code, ordinance or resolution states otherwise.

(14). Each party shall have the opportunity to cross-examine witnesses and present relevant evidence in support of that party's case.

(15). The hearing officer shall issue orders, including final orders, in accordance with the controlling code, ordinance or resolution.

(e). A hearing officer is subject to disqualification for bias, prejudice, interest, or for any other reason for which a judge may be disqualified in a Florida court of law.

Section 5. Amendment of Section 26-36 of the City Code. Section 26-36 of the *City Code of the City of Sanford* is amended to read as follows:

Sec. 26-36. Code enforcement hearing officer/special magistrate/selection/code enforcement processes and procedures.

(a) It is the intent of this part of this article to establish a hearing officer/special magistrate with the authority to impose administrative fines and other non-criminal penalties to promote, protect, and improve the health, safety, morals, and welfare of the City of Sanford and to provide an equitable, expeditious, effective and an inexpensive method of enforcing the City Code and city ordinances where a pending or repeated violation exists or continues to exist. This part of this article has been enacted pursuant to the authority of F.S. ch. 162, and other applicable law.

(b) The city hearing officer/special magistrate shall have jurisdiction to hear and decide cases in which violations are alleged of any provisions of the City Code and city ordinances except as specifically excluded herein.

(c) Hearing officer/special magistrates shall be appointed by the ~~mayor~~ and city commission and shall be an attorney duly licensed to practice law in the State of Florida. The city may utilize the services of one or more hearing officer/special magistrates to conduct hearings concerning the City Code and city ordinances.

(d) Hearing officer/special magistrates shall have the power to:

(1) Adopt rules for the conduct of hearings;

(2) Subpoena alleged violators and witnesses to its hearings. Subpoena evidence to its hearings. The City of Sanford Police Department may serve subpoenas;

(3) Subpoena evidence to hearings;

- (4) Administer oaths and take testimony under oath;
- (5) Issue orders having the force of law finding a violation of the City Code or city ordinances and commanding whatever steps are necessary to bring the violation into compliance; and
- (6) Enter orders finding compliance or non-compliance.
- (e) Hearing officer/special magistrates shall serve for terms established by the ~~mayor~~ and city commission. Hearing officer/special magistrates shall be subject to removal, with or without cause, from their positions at any time during their term, by the mayor and city commission. Hearing officer/special magistrates shall not be considered to be city employees, although they may receive compensation for their services and also may be reimbursed for such travel, mileage and per diem expenses as may be authorized.
- (f) The city attorney shall act as legal counsel to the code enforcement officer as he or she presents cases to the hearing officer/special magistrate or shall present the case for the code enforcement officer. Because only attorneys may hold the position of hearing officer/special magistrate, the ~~mayor~~ and city commission shall not be required to retain an attorney to represent the hearing officer/special magistrate.
- (g) Hearing officer/special magistrates shall have the jurisdiction to hear and decide alleged violations of the City Code and city ordinances.
- (h) The jurisdiction of the hearing officer/special magistrates shall not be exclusive. Any alleged violation of the City Code or city ordinances may be pursued by any appropriate remedy in a court of competent jurisdiction at the option of the city commission or administrative official whose responsibility it is to enforce the City Code or city ordinances.
- (i) It shall be the duty of the responsible city departments, through the code enforcement officer, to initiate enforcement proceedings of the City Code and city ordinances through the hearing officer/special magistrate process. The hearing officer/special magistrate shall not have the power to initiate such enforcement proceedings. Any violations presented to the hearing officer/special magistrate shall be administered by the code enforcement officer.
- (j) In the case of a first time violation of the City Code or a city ordinance(s), the code enforcement officer shall notify the violator and give him or her a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code enforcement officer shall request a hearing before the hearing officer/special magistrate and provide notice to the alleged violator. All notices required by this part of this article shall be provided to the alleged violator in accordance with the provisions of F.S. § 162.12 and in accordance with controlling legal precedent.
- (k) If a repeat violation is found, the code enforcement officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. The code enforcement officer, upon notifying the violator of a repeat violation, shall request a hearing. The code enforcement officer shall schedule a hearing before the hearing officer/special magistrate and shall provide notice to the violator. The case may be presented to the hearing officer/special magistrate even if the repeat violation has been corrected prior to the hearing officer/special magistrate hearing and the notice shall so state.

(l) If a code enforcement officer has reason to believe a violation presents a serious threat to the public health, safety, morals, or welfare, or if the violation is irreparable or irreversible in nature, said decision being made in conjunction with the city manager, the code enforcement officer shall make a reasonable effort to notify the violator and may immediately request an emergency a hearing thereon.

(m) The code enforcement officer shall coordinate the calling of hearings by the hearing officer/special magistrate. The city shall provide scheduling of a hearing room and clerical staff as may be reasonably required by the hearing officer/special magistrate to conduct hearings and perform his or her duties. All hearings by the hearing officer/special magistrate shall be open to the public and minutes shall be kept of all hearings.

(n) Each case before the hearing officer/special magistrate shall be presented by the code enforcement officer with the assistance of the city attorney or by the city attorney as the case may be. All relevant evidence shall be admitted. When appropriate, the code enforcement officer or city attorney may call as witnesses property owners within the community who are adversely affected by the alleged code violation. The hearing officer/special magistrate may exclude irrelevant or unduly repetitious evidence.

(o) Each party to the hearing shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses, impeach witnesses and rebut evidence. The general public shall not be entitled to present evidence although members of the general public may be called as witnesses by either party.

(p) The alleged violator has the right, at his or her own expense, to be represented by an attorney at any hearing.

(q) All testimony before the hearing officer/special magistrate shall be under oath and shall be recorded. The alleged violator or the city may cause a verbatim record of the proceedings to be made.

(r) The burden of proof shall be with the code enforcement officer and/or city attorney to show by the greater weight of evidence that a code violation exists and that the alleged violator committed, allowed, or was responsible for maintaining the violation.

(s) If notice has been provided to the violator of the public hearing pursuant to this part of this article (which shall be as required by F.S. ch. 162), the hearing may be conducted and an order rendered in the absence of the alleged violator.

(t) At the conclusion of the hearing, the hearing officer/special magistrate shall issue an order setting forth findings of fact, based on evidence of record, and issue conclusions of law, and shall render relief in the order affording the proper relief consistent with powers granted in this part of this article. A written order shall be issued within a reasonable period of time subsequent to the hearing. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed if the order is not complied with by that date. A second hearing shall be scheduled by the City at which the hearing officer/special master shall not be necessary for the fine to begin; provided, however, that the alleged violator shall have the right to request a hearing to determine when compliance has been attained in accordance with controlling legal precedent. An aggrieved party, including the city, may appeal a final administrative order of the hearing officer/special magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created

before the hearing officer/special magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

(u) A certified copy of an order imposing the fine provided for herein may be recorded in the public records of Seminole County or any other county, and thereafter such order shall constitute a lien against the property on which the violation exists or, if the violator does not own the land involved in the violation, upon any other real or personal property owned by the violator and may be enforced in the same manner as a court judgment by the sheriffs of this state including levy against personal property, but shall not be deemed otherwise to be a judgment of a court except for enforcement purposes.

(v) When an order is recorded in the public records pursuant to this part of this article and the order is complied with by the dates specified in the order, the hearing officer/special magistrate shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required if such is an order acknowledging compliance prior to the date set for compliance; provided, however, that the alleged violator shall have the right to request a hearing to determine when compliance has been attained.

(w) A fine imposed pursuant to this part of this article 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 up to \$15,000 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature. In formulating the provisions of the order, the hearing officer/special magistrate should be consistent in the imposition of fines, paying special attention to the gravity of the violation, any actions and the timeliness of actions taken by a violator to correct the violation and any previous violations committed by the violator. The hearing officer/special magistrate shall include in the order establishing a fine that the violator shall pay all costs of the proceedings incurred by the city.²

(x) The fine imposed pursuant to this part of this article by the hearing officer/special magistrate shall be final and may be appealed only to the circuit court in accordance with the controlling provisions of law. The violator may make arrangements through the city manager to pay the fine in monthly payments; provided, however, if the violator fails to timely perform under the agreement, the city shall have and maintain all enforcement rights relative to the fine imposed as reduced by payments that have been made.

(y) A certified copy of an order imposing a fine may be recorded in the public records of Seminole County or any other county and, therefore, shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, such order may be enforced in the

² Section 162.09(d), *Florida Statutes*, provides that “[a] county or a municipality having a population equal to or greater than 50,000 may adopt, by a vote of at least a majority plus one of the entire governing body of the county or municipality, an ordinance that gives code enforcement boards or special magistrates, or both, authority to impose fines in excess of the limits set forth in paragraph (a). Such fines shall not exceed \$1,000 per day per violation for a first violation, \$5,000 per day per violation for a repeat violation, and up to \$15,000 per violation if the code enforcement board or special magistrate finds the violation to be irreparable or irreversible in nature. In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs pursuant to subsection (1). Any ordinance imposing such fines shall include criteria to be considered by the code enforcement board or special magistrate in determining the amount of the fines, including, but not limited to, those factors set forth in paragraph (b).” The City of Sanford population now exceeds 50,000.

same manner as a court judgment by the sheriffs of the state, including levy against the personal property, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this part of this article shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever occurs first. After three months from the filing of any such lien which remains unpaid, the mayor and the city commission may authorize the city attorney to foreclose on the lien.

(z) Notwithstanding the processes set forth relative to presentation of matters before the special magistrate, the City may negotiate a stipulated order prior to a hearing and submit the order to the special magistrate for his or her execution.

(aa) Costs of the proceedings, as used in this Section, means all costs incurred by or on behalf of the City from the first discovery of a code or ordinance violation through the appeal process and until compliance is achieved including, but not limited to, staff time in investigating the violation, inspecting the property where the violation occurred, preparing investigation reports, issuing and distributing notices, preparing for and attending any appeal hearing, attorneys' fees, and fees paid to the special magistrate.

(bb) Notwithstanding any provision in this part of this article to the contrary, the city shall adhere to the procedures set forth in the Local Government Code Enforcement Boards Act in conducting its code enforcement activities.

Section 6. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative rules.

Section 7. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that this Ordinance shall not affect any code or ordinance of the City which provides for a mechanism for enforcement of the City's codes and ordinances by the City.

Section 8. Savings.

The prior actions of the City of Sanford in implementation of its code enforcement activities are hereby ratified and affirmed.

Section 9. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 10. Codification/direction to the City Attorney.

(a). This Ordinance shall be codified in the *City Code of the City of Sanford*; provided, however, that Sections 6, 7, 8, 9, 10 and 11 shall not be codified. The Code Codifier is granted broad and liberal authority to change section numbers in the current *City Code* and take other appropriate actions as set forth in Section 1-10 of the *City Code*. The exhibit to this Ordinance shall be codified as a section of the *City Code*.

(b). The City Attorney is hereby directed to conduct a review and analysis of the provisions of the *City Code* and to develop a reorganization of the *City Code* with regard to making the code enforcement provisions of the *City Code* a unified chapter of the *City Code*.

Section 11. Effective Date.

This Ordinance shall take effect immediately upon passage and adoption.

Passed and adopted this ____ day of _____, 2009.

**City Commission of the City of
Sanford, Florida
Seminole County, Florida**

Linda Kuhn, Mayor

Attest:

Janet Dougherty, City Clerk

Approved as to form and
legality:

William L. Colbert, Esquire
City Attorney

Certificate

I, Janet R. Dougherty, City Clerk of the City of Sanford, Florida, do hereby certify that a true and correct copy of the foregoing Ordinance No. _____, Passed and Adopted by the City Commission of the City of Sanford, Florida, on the _____ day of _____, 2009, was posted at the front door of the City Hall in the City of Sanford, Florida, on the _____ day of _____, 2009.

Janet R. Dougherty