

ORDINANCE NO. 2009-4156

An ordinance of the City of Sanford, Florida amending the *City Code of the City of Sanford* Section 1-7 of the *City Code of the City of Sanford*, relating to general penalties pertaining to violations of the *City Code of the City of Sanford*; providing for the recoupment of costs and expenses by the City; providing direction to the City Manager and City Attorney; providing for conflicts; providing for a savings provision; providing for codification in the *City Code of the City of Sanford*; providing for severability and providing for an effective date.

Be it enacted by the People of the City of Sanford, Florida:

Section 1. Amendment to Section 1-7 of the City Code. Section 1-7, *City Code of the City of Sanford*, is amended to read as follows:¹

Sec. 1-7. General penalty; recoupment of costs incurred by the City.

(a) Unless otherwise provided in this Code or controlled by State or Federal law, The violation of or failure to comply with any provision of this Code shall constitute an offense against the City, and where no specific penalty is provided therefor shall subject the offender, upon conviction, to a fine of not to exceed \$500.00, or imprisonment for a period of not to exceed 60 days, or both such fine and imprisonment or such other penalty as may be provided in this Code arising from the code enforcement processes and procedures of the City.

(b) Any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance of the City shall be deemed a public nuisance and shall be subject to abatement by the City utilizing any remedy available under law.

(c) Each and every act, action or thing done in violation of the provisions of this Code, or any ordinance of the city, shall be construed, deemed and taken as a separate and distinct violation of such provisions of this Code, and in every event that a violation of this Code or any of the provisions of this Code shall continue, each day of such continuance shall be deemed, construed and taken as a separate and distinct violation of the provisions of this Code.

(d) It is the intent of the City to recoup from the responsible party or parties all costs and expenses incurred by the City arising from code enforcement actions and other processes, such as, by way of example only, nuisance abatement activities of the City.

Section 2. Review of City Code.

The City Manager is directed to accomplish, in conjunction with the City Attorney, a review of the City Code to determine which violations of the City Code should subject a violator to potential incarceration and to submit a revisionary ordinance to the City Commission relating to such study and to make such recommendations as they deem appropriate.

Section 3. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. Savings. The prior actions of the City of Sanford in terms of the assessment of penalties to include, but not be limited to, matters relating to code enforcement activities of the City are hereby ratified and affirmed.

Section 5. 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 6. Codification. This Ordinance shall be codified in the *City Code of the City of Sanford*; provided, however, that Sections 3, 4, 5, 6 and 7 shall not be codified. The Code Codifier is granted broad and liberal authority to change section numbers in the current *City Code* and other appropriate actions as set forth in Section 1-10 of the *City Code*.

Section 7. 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