



## Legislation Text

File #: 14-301, Version: 2

### ITEM: ORDINANCE NO. 2014-11 (REVISIONS TO CHAPTER 2, CODE ENFORCEMENT)

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING WELLINGTON CODE OF ORDINANCE CHAPTER 2 "ADMINISTRATION", ARTICLE IV "CODE ENFORCEMENT", DIVISION 1 "GENERALLY" AND DIVISION 2 "SUPPLEMENTAL CODE THROUGH CITATIONS", TO REFLECT REVISIONS OF VIOLATIONS; TO REINSTATE OMITTED CODE SECTIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Approval of Ordinance No. 2014-11 amending Chapter 2, Code Enforcement.

**EXPLANATION:** The current "Violations and Penalties" section of the Citation Code does not reflect the revised code sections enacted with the adoption of the current Land Development Regulations and Codes of Ordinances. In addition, staff is correcting an error in the Noise Code Section, reinstating Code Section 36-33, "Specific Prohibitions". Section 36-33 was omitted in error with the adoption of Ordinance No. 2006-26. Removal of Wellington's super priority clause found in Section 2-199 (b) to reflect a Florida Supreme Court Decision. Staff is recommending the addition of citation Class V violations consisting of repeat violations of Class I, II, III and IV, increasing the potential fine from the existing \$250.00 to \$500.00 as outlined in Florida Statute 162 and Wellington Code Section 2-230. Amendments to reflect the removal of "Special Master" and addition of "Special Magistrate." Amendments to code Section 2-201 to reflect changes to FS 162.12 Notices. Changes contained in the draft are summarized in Table 1.

Section Number	Proposed Amendment
<b>Code Section 2-199 (b)</b>	Removes Wellington's super priority clause
<b>Code Section 2-201</b>	Amends current Notices section to reflect updates within FS 162.12 Notices
<b>Code Section 2-229</b>	Amends the current subsection 30-144 (a) - (f) to reflect the current subsections 30-144 (a) - (e) Water Conversation
<b>Code Section 2-229</b>	Amends the current ULDC to LDR Article 6 Zoning Districts
<b>Code Section 2-229</b>	Amends the current ULDC to LDR 6.4.4.96 Transient Sales
<b>Code Section 2-229</b>	Amends the current ULDC to LDR 7.5 Vegetation Removal
<b>Code Section 2-229</b>	Amends the current ULDC to LDR 7.14 Prohibited Signs
<b>Code Section 2-229</b>	Creates Citation Class V violations, increases amount to a maximum of \$500.00 for a second and additional repeat violation
<b>Code Section 2-229</b>	Amends the current ULDC to LDR Article 5 Chapter 5 Special Use Permit
<b>Special Master</b>	Replacement of the title Special Master to current title of Special Magistrate

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** YES

**QUASI-JUDICIAL:** NO

**FIRST READING:**

**SECOND READING:** YES

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** N/A

**WELLINGTON FUNDAMENTAL:** Neighborhood Renaissance

**RECOMMENDATION:** Approval of Ordinance No. 2014-11 amending Chapter 2, Code Enforcement.