

ORDINANCE NO. 05-2023

AN ORDINANCE OF THE CITY OF SEMINOLE, FLORIDA, AMENDING SEC. 18-37 OF CHAPTER 18 (ENVIRONMENT) OF THE CODE OF ORDINANCES BY REPLACING THE WORDS “SPECIAL MASTER” WITH “SPECIAL MAGISTRATE;” AND PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Sec. 18-37 provides for the conditions subject to special master code enforcement procedure; and

WHEREAS, the City Attorney has reviewed the current provisions of Sec. 18-37 and has recommended that the references to “Special Master” need to be amended to read “Special Magistrate” to update same; and

WHEREAS, the City Commission finds that amending Sec. 18-37 of Chapter 18 of the Code of Ordinances as set forth in this Ordinance is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Seminole, Florida, that:

Section 1. That Sec. 18-37 of Chapter 18 (Environment) of the Code of Ordinances of the City of Seminole, Florida, is hereby amended to read as follows:

Sec. 18-37. Conditions subject to ~~special-master~~ Special Magistrate code enforcement procedure.

The existence of: excessive accumulations or untended growth of weeds, undergrowth or other dead or living plant life; overgrowth of lawn, grass or weeds; accumulation of stagnant water, rubbish, debris, construction material, construction debris, construction fill, or trash, including any wrecked, derelict or partially dismantled motor vehicle, trailer, boat, machinery, refrigerator, washing machine, plumbing fixture, furniture or similar article; all other objectionable, unsightly or unsanitary matter upon any property within this city to the extent and in the manner that such property is or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, or may reasonably cause disease, or adversely affects and impairs the economic welfare of adjacent property; is hereby prohibited and declared to be a public nuisance, unlawful, and subject to code enforcement through the ~~special-master~~ Special Magistrate hearing procedure.

Section 2. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 3. For purposes of codification of any existing section of the Code of Ordinances, City of Seminole, herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

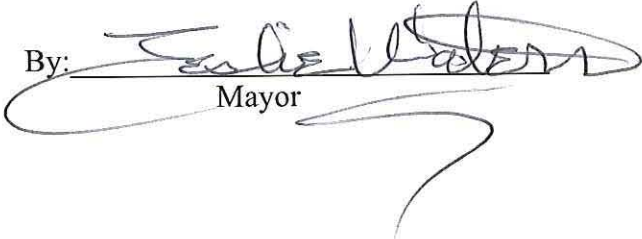
Section 4. If any section, subsection, sentence, clause, provision, or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the City Commission would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Code of Ordinances, City of Seminole, contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

DULY ADOPTED with a quorum present and voting this 10 day of October, 2023.

CITY OF SEMINOLE, FLORIDA

By: 
Mayor

ATTEST: CITY CLERK

Antonie Mancuso



Business Impact Estimate

Proposed ordinance's title/reference: **Ordinance No. 05-2023**

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This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): **The proposed ordinance replaces the outdated and inconsistent term “special master” with “special magistrate” in one section of the City’s code. The ordinance serves the public purpose and welfare by clarifying the City’s code for consistency, clarity, and predictability for the City’s residents and businesses.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None.

4. Additional information the governing body deems useful (if any):

The proposed ordinance is an ordinance of general applicability that applies to all persons and businesses subject to the City’s code enforcement procedure.