

code

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ORDINANCE NO. 2008- 55

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING SECTION 23.5-5, SCHEDULE OF VIOLATIONS AND PENALTIES BY STRIKING THE WORD "MINIMUM" FROM EACH SUBSECTION; CREATING A CLASS W VIOLATION AND CORRESPONDING FINES FOR OUTDOOR WATERING VIOLATIONS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council passed an ordinance significantly amending Tampa City Code Chapter 23.5 to improve the City's ability to issue civil citations for violations of the Tampa City Code' and

WHEREAS, a fine schedule was created as part of the amendments to City Code Chapter 23.5; and

WHEREAS, the only violations of the Tampa City Code which were enforced by civil citations, i.e. watering violations, were placed in the fine schedule as Class II violations which resulted in an increase in the fines for watering violations for the first and second violation and a decrease for the third and subsequent violation; and

WHEREAS, it is the desire of Tampa City Council to not raise watering violations at this time; and

WHEREAS, it is the desire of Tampa City Council to create a new class of violations in the fine schedule of Chapter 23.5 specifically for watering violations with the fines initially set at the level prior to the creation of the fine schedule.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That Section 23.5-5. Schedule of Violations and Penalties be amended as follows:

(a) Violations of the following sections of the Tampa City Code are considered Class I violations and will carry a ~~minimum~~ fine of:

- \$ 75.00 for a first offense,
- \$150.00 for a second offense
- \$300.00 for a third offense
- \$450.00 for a fourth or subsequent offense

E2008022

1 **City Code Section**

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3 <u>19-46</u>	<u>19-231(6)</u>	<u>19-231(17)</u>	<u>19-238</u>
4 <u>19-47</u>	<u>19-231(9)</u>	<u>19-231(18)</u>	<u>27-129</u>
5 <u>19-49</u>	<u>19-231(10)</u>	<u>19-232</u>	<u>27-148</u>
6 <u>19-50</u>	<u>19-231(11)</u>	<u>19-233</u>	
7 <u>19-56</u>	<u>19-231(12)</u>	<u>19-235</u>	
8 <u>19-76</u>	<u>19-231(13)</u>	<u>19-236</u>	
9 <u>19-77</u>	<u>19-231(15)</u>	<u>19-237</u>	

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12 (b) Violations of the following sections of the Tampa City Code are considered Class

13 II violations and will carry a ~~minimum~~ fine of:

- 14
- 15 \$150.00 for a first offense,
 - 16 \$300.00 for a second offense
 - 17 \$450.00 for a third or subsequent offense
- 18

19 **City Code Section**

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21 <u>19-52</u>	<u>19-231(4)</u>
22 <u>19-54(a)</u>	<u>19-231(5)</u>
23 <u>19-57</u>	<u>19-231(7)</u>
24 <u>19-79</u>	<u>19-231(8)</u>
25 <u>19-231(1)</u>	<u>19-231(16)</u>
26 <u>19-231(2)</u>	<u>26-97 including any subsequent emergency or other</u>
27 <u>19-231(3)</u>	<u>amending ordinances related to irrigation and other</u>
28	<u>outdoor water use</u>

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30 (c) Violations of the following sections of the Tampa City Code are considered Class

31 III violations and will carry a ~~minimum~~ fine of:

- 32
- 33 \$300.00 for a first offense
 - 34 \$450.00 for a second or subsequent offense
- 35

36 **City Code Section**

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38 19-54(b)

39 19-55

40 25-48(d)

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2 (d) Violations of the following sections of the Tampa City Code are considered
3 Class IV violations and will carry a ~~minimum~~ fine of \$450.00 each and every
4 offense.
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6 **City Code Section**
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8 13-43

9 13-45

10 19-48

11 19-53
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- 13 (e) Violations of 26-97 as well as any subsequent emergency or other
14 amending ordinances related to irrigation and other outdoor water use
15 are considered Class W violations and will carry a fine of:
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17 \$100.00 for a first violation

18 \$200.00 for a second violation

19 \$450.00 for a third or subsequent violation
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21 **Section 2.** That should a court of competent jurisdiction declare any part of
22 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
23 such determination as to the invalid part.
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25 **Section 3.** That all ordinances, parts of ordinances, or resolutions in conflict
26 herewith are hereby repealed to the extent of any conflict.
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28 **Section 4.** That this ordinance shall take effect immediately upon becoming a
29 law.
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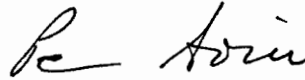
31 PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
32 TAMPA, FLORIDA, ON APR 03 2008.
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34 ATTEST:

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37 _____
38 CHAIRMAN/CHAIRMAN PRO-TEM
39 CITY COUNCIL

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42 _____
43 CITY CLERK/DEPUTY CITY CLERK

APPROVED BY ME ON APR 04 2008



PAM IORIO, MAYOR

APPROVED AS TO LEGAL
SUFFICIENCY BY:

E/S

ERNEST MUELLER
ASSISTANT CITY ATTORNEY

K:/Debbie/Chapter23

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