

ORDINANCE NO. 2020-04

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APALACHICOLA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COMMISSION:

Section 1. The Code entitled "Code of Ordinances, City of Apalachicola, Florida," published by Municipal Code Corporation, consisting of chapters 1 through 115, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before October 2, 2018, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a of not more than five hundred dollars (\$500.00), or by imprisonment for a period not exceeding sixty (60) days, or by both such fine and imprisonment. Each day any violation of any provision of this Code or of any such ordinance, resolution, rule, regulation or order shall continue shall constitute a separate offense.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance, resolution, rule, regulation or order shall be deemed a public nuisance and may be, by the city, abated as provided by law, and each day that such condition continues shall be regarded as a new and separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the City to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after October 2, 2018, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective immediately upon final adoption.

This Ordinance was read and adopted on \_\_\_\_\_, 2019. Motion to adopt ordinance made by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_.

Voting Aye:

Voting Nay:

FOR THE CITY COMMISSION OF  
THE CITY OF APALACHICOLA

\_\_\_\_\_  
Kevin Begos, Mayor

ATTEST:

\_\_\_\_\_  
Deborah Guillotte, City Clerk