

ORDINANCE NO. 2025-007

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO PUBLIC HEALTH AND SAFETY; PROVIDING FINDINGS; ADDING A NEW CHAPTER 119 TO THE CODE OF ORDINANCES REGARDING EXCESSIVE NOISE AND LIGHT; PROVIDING DEFINITIONS; PROVIDING FOR ASSESSING SOUND USING A PLAINLY-AUDIBLE STANDARD; DECLARING IT A VIOLATION OF THE ORDINANCE FOR NOISE TO VIOLATE THE PLAINLY-AUDIBLE STANDARD AT THE TIMES OF DAY AND BEYOND THE DISTANCES SET FORTH IN THE ORDINANCE; SETTING PENALTIES FOR VIOLATIONS; PROVIDING EXEMPTIONS AND A PROCESS FOR VARIANCES; PROVIDING STANDARDS FOR LIMITING GLARE AND LIGHT TRESPASS; DECLARING IT A VIOLATION OF THE ORDINANCE TO INSTALL OUTDOOR LIGHT FIXTURES EXCEPT AS PROVIDED IN THE ORDINANCE; PROVIDING EXEMPTIONS AND A PROCESS FOR VARIANCES; SETTING PENALTIES FOR VIOLATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Be it ordained by the Town Council of the Town of Howey-in-the-Hills, Florida:

Section 1. Findings. In adopting this ordinance, the Town Council finds and declares the following:

1. The Town has authority pursuant to its home-rule powers and pursuant to Article II, Section 7 of the Florida Constitution to make provisions for the abatement of excessive and unnecessary noise and light.
2. This ordinance promotes the health, safety, welfare, and quality of life of Town citizens.

Section 2. Amendments to the Town of Howey-in-the-Hills' Code of Ordinances. Chapter 119 of the Code of Ordinances is created as follows (words that are underlined are additions; words that are ~~stricken~~ are deletions):

Chapter 119 – NOISE AND LIGHT CONTROL

Sec 119-1. Town policy.

In furtherance of the mandate of the people of Florida as expressed in Article II, Section 7 of the Florida Constitution, it is the policy of the town to provide by ordinance for the abatement of excessive and unnecessary noise. The town will also provide by ordinance for the abatement of unnecessary and excessive light.

Article I. – NOISE.

Sec 119-2. Purpose; intent; authority and responsibility of the investigating officer.

- (a) The purpose of this article is to prevent, prohibit, and provide for the abatement of excessive and unnecessary noise, known as noise disturbance.
- (b) It is the intent of this article to define and describe the authority and responsibility for the investigating officer relating to noise disturbance investigation and enforcement, unless the noise disturbance is otherwise exempt under this article.
- (c) The investigating officer has authority to investigate and, if applicable, to issue a citation for a violation of the allowable limits under section 119-6, and noise disturbance complaints which may involve the consumption of alcohol or any suspected illegal activities and noise disturbance complaints involving “breach of the peace,” as defined in section 877.03 of the Florida Statutes.
- (d) This article does not apply to the regulation or use of fireworks which are governed separately under Chapter 93 of the Code of Ordinances.

Sec. 119-3. Definitions.

- (a) The following words, terms, and phrases, when used in this article, have the meanings ascribed to them in this section unless the context clearly indicates a different meaning:
1. *Breach of the peace* means such acts as are of a nature to affect the peace and quiet of persons who witness them, as that term is used and enforced under section 877.03 of Florida Statutes.
 2. *Construction* means site preparation, assembly, erection, substantial repair, alteration, or similar action, for or on public or private lands, thoroughfares, structures, utilities, or similar property.
 3. *Demolition* means the dismantling, destruction, or razing of structures, utilities, public or private thoroughfares, or similar property.
 4. *Development permit* means a building permit, zoning permit, subdivision approval, rezoning, special exception, variance, or other official action of the town having the effect of permitting the development of land.
 5. *Emergency* means an occurrence or circumstance involving actual or imminent physical death or trauma, environmental harm, or property damage, demanding immediate emergency work or service.
 6. *Emergency work or emergency service* means actions taken for the purpose of preventing or alleviating, or attempting to prevent or alleviate, an emergency, including work by private or public utilities when restoring utility service.

7. Investigating officer means a town employee or contractor designated by the town manager as a code enforcement officer or the police chief or a police officer acting under the police chief's direction and supervision.
8. Motor vehicle means a vehicle defined as "motor vehicle" under section 320.01(1) of the Florida Statutes.
9. Noise or Noise disturbance means a sound produced in such quantity and for such duration that it annoys, disturbs, or injures a reasonable individual of normal sensitivities.
10. Nonresidential area means land within the town limits that is not a residential area.
11. Person means an individual, association, partnership, or corporation, including any officer, employee, department, agency, or instrumentality of the United States, the state, or any political subdivision thereof.
12. Plainly audible means a noise or noise disturbance produced by a source, or reproduced by a radio, tape player, television, CD player, electronic audio equipment, musical instrument, sound amplifier, or other mechanical or electronic sound-making device, that can be heard by a person using his/her normal hearing faculties. When the particular sound or noise involves words or phrases, the sound or noise may be deemed to be heard even though the investigating officer cannot determine the specific words or phrases being uttered or produced. The detection of a rhythmic, bass-reverberation type of noise disturbance constitutes a plainly audible sound or noise.
13. Residential area means land within the town's limits on which are located residential properties, or which is otherwise zoned, whether in its entirety or in major part, for residential use.
14. Right-of-way means a road, street, highway, sidewalk, alley, or similar place normally accessible to the public for transportation purposes and which is owned or controlled by the state, county, or municipality or which is dedicated to public use for transportation purposes.
15. Sound means an oscillation in pressure, stress, particle displacement, particle velocity, or other physical parameter in a medium with internal forces. The term may include any characteristic of such sound, including duration, intensity, and frequency.

Sec. 119-4. Town council findings of fact.

In enacting this article, the town council finds the following:

- (a) Excessive and unnecessary noise interferes with the quality of life and can interfere with the health, safety, and general welfare of the public.

- (b) Excessive and unnecessary noise can cause adverse psychological and physiological effects on humans.
- (c) A substantial body of science and technology exists by which noise may be measured and substantially abated.
- (d) The provisions and prohibitions contained in this article are enacted for the purpose of securing and promoting the public health, safety, welfare, and quality of life in the town for its inhabitants.

Sec. 119-5. Declaration of public nuisance.

Noise in violation of this article is a public nuisance. In addition to enforcement of this article under Chapter 8, noise in violation of this article is subject to injunction and abatement by a court of competent jurisdiction.

Sec. 119-6. Allowable plainly-audible sound; land-use categories; times.

It is unlawful to create or otherwise project noise that is plainly audible beyond the distances and during the times of day set forth in Table 1:

TABLE 1

DISTANCE AND TIME-OF-DAY RESTRICTIONS ON PLAINLY-AUDIBLE NOISE

<u>Land on Which Noise Is (or is not) Plainly Audible</u>	<u>Time of Day</u>	<u>Allowable Distance From Property Boundary of Noise Source</u>
<u>Residential Area</u>	<u>7:00 a.m. – 10:00 p.m.</u>	<u>300 feet or less</u>
	<u>10:01 p.m. – 6:59 a.m.</u>	<u>150 feet or less</u>
<u>Nonresidential area</u>	<u>7:00 a.m. – 10:00 p.m.</u>	<u>500 feet or less</u>
	<u>10:01 p.m. – 6:59 a.m.</u>	<u>300 feet or less</u>

In determining whether noise is or is not allowed under this article, the investigating officer must determine whether (i) the noise is or is not plainly audible (ii) beyond the allowable distance from the boundary of the property on which the source of the noise is located (iii) during the time of day indicated.

Sec. 119-7. Reserved.

Sec. 119-8. Prohibited acts.

Except as provided under sections 119-9 and 119-10, no person may produce, cause to be produced, or allow to be produced, by any means, a noise disturbance on private or public property, including a right-of-way, when such noise is plainly audible beyond the distances and during the times of day specified in section 119-6.

Sec. 119-9. Exemptions.

The provisions of section 119-8 do not apply to the following:

- (a) Maintenance and repair of lawn, golf course, and other grounds between 7:00 a.m. and 7:00 p.m., Monday through Saturday, and between 9:00 a.m. and 7 p.m. on Sundays;
- (b) Motor-vehicle operation conducted on public rights-of-way in accordance with state laws and regulations;
- (c) Church or clock carillons, bells, or chimes;
- (d) Law-enforcement activities, including training;
- (e) Emergency signals during emergencies;
- (f) Emergency-signal testing between 7:00 a.m. and 7:00 p.m.;
- (g) Emergency work and emergency service;
- (h) Generators used during power outages or otherwise as a result of an emergency;
- (i) Refuse-collection vehicles, including street sweepers, while performing their activities between 7:00 a.m. and 7:00 p.m., Monday through Saturday;
- (j) Construction or demolition activities for which the town has issued a development permit, provided such activity occurs Monday through Saturday between 7:00 a.m. and 7:00 p.m.;
- (k) Construction activities related to town, county, or state roads;
- (l) Scheduled activities at a publicly-owned or operated facility;
- (m) Unamplified human voices;
- (n) Outdoor events for which the organizer has been issued a permit by the town, provided it is conducted in accordance with such permit;
- (o) Air conditioners, when functioning in accord with the manufacturer's specifications, equipped with manufacturer's standard mufflers and noise-reducing equipment, and in proper operating condition according to standards promulgated by the American Refrigeration Institute;
- (p) Business operations between 7:00 a.m. and 11:00 p.m. at properties zoned and used for resort and event-venue purposes.

Sec. 119-10. Variances.

- (a) The town council may grant a variance from the provisions of sections 119-6 and 119-8.
- (b) A request for a variance from the requirements of this article may be considered by the town council and granted only when the town council finds that hardship would result from strict compliance with the provision from which a variance is sought. The town council may, but is not required to, grant a variance upon its determination that (1) the hardship is not self-imposed; (2) the variance is necessary to the permissible uses of the property; and (3) the intent and purposes of this article are achieved or otherwise not materially thwarted in granting the variance.
- (c) Any person seeking a variance must submit an application to the town clerk. At a minimum, the applicant must provide the following information:
 - 1. Identification of applicant;
 - 2. Applicant's mailing address;
 - 3. Alternate key number or legal description of property from which the sound will emanate;
 - 4. Description of source of sound;
 - 5. Description of sound;
 - 6. Names and addresses of all owners of abutting property and all owners of non-abutting properties located within 500 feet of the parcel from which the noise will emanate; and
 - 7. Facts and reasons justifying a variance.
- (d) The applicant for a variance must tender an application fee in an amount determined from time to time by the town council.
- (e) The town clerk shall schedule a hearing on the variance application. The town clerk shall notify the applicant for a variance and all owners of abutting property and all owners of parcels within 500 feet no less than ten days before the hearing of the time, date, and place of the hearing. If the variance application is in response to a complaint, the town clerk shall notify the complainant.
- (f) At the hearing, the applicant may submit relevant evidence or testimony. In deciding whether to grant or deny the application, the town council shall consider the hardship which will result to the applicant, the community, and other persons if the variance is not granted, versus the adverse impact on the health, safety, and general welfare of persons if the variance is granted. The town council shall grant or deny the variance no later than ten days after the date of the hearing. In granting or denying a variance, the town council shall state in writing on the application the reasons for its decision. If the application is approved, the town council shall set forth the terms and conditions, if any, of its approval.

Sec. 119-11. Enforcement; penalty.

- (a) It is unlawful for a person to violate any provision of this article. The provisions of this article may be enforced by notice of violation of the town code or by civil-infracton citation under Part II, Chapter 162, Florida Statutes, or its successor statute. A person not in compliance with this article may be prosecuted in accordance with Chapter 8 of this code and through the authority of a special magistrate. Each violation is considered a separate offense.
- (b) When an investigating officer determines that a violation of this article has occurred without a variance under section 119-10, the investigating officer must promptly issue a written notice of violation. The notice of violation must include a description of the site where the violation has occurred, citation to the provisions of this article and other applicable laws that have been violated, and the required remedial action or actions to be taken. Such remedial action may include:
1. Modification of the structure or business causing the violation in order to comply with this article;
 2. Other actions consistent with the purpose and intent of this article to ameliorate the adverse impacts of the violation; and
 3. Administrative and civil penalties.
- (c) 1. When a noise complaint is received and referred to the investigating officer for investigation pursuant to subsection 119-2(c), and upon personal investigation the investigating officer finds probable cause to believe the owner or operator of the real property at issue is in violation of this article, the investigating officer may issue a written warning to cease and desist the violation.
2. If the owner or operator of the real property does not take corrective action regarding such a cease and desist warning within a reasonable time, which is defined to be 15 minutes or less, or if the noise or sound is abated after the warning and then reoccurs within 180 days of the time of abatement, the owner or operator of the real property may be found guilty of a civil infraction, with a maximum penalty in an amount not to exceed \$500.00.
- (d) A person violating this article shall be liable for all costs incurred by the town in connection with enforcing this article, including, without limitation, investigative and court costs.
- (e) This article does not restrict the right of a substantially affected person to proceed under Chapters 60 and 823 of Florida Statutes against a public nuisance.

Sec. 119-12. No liability for reasonable, good-faith trespass by investigating officer or authorized designee.

The investigating officer, any other authorized code enforcement officer, and the town are immune from prosecution, civil or criminal, for reasonable, good-faith trespass upon private property while in the discharge of duties under this article.

Sec. 119-13—119-24. Reserved.

ARTICLE III. – LIGHT.

Sec. 119-25. Purpose, intent, and authority and responsibility of the investigating officer.

- (a) The purpose of this article is to define practical and effective measures to reduce problems created by improperly designed and installed outdoor lighting. These regulations are intended to minimize light pollution, glare, and trespass; conserve energy while maintaining nighttime safety, security, and productivity; protect the privacy of residents; minimize disturbance of wildlife; enhance the ambiance of the community; and ensure optimal viewing of night skies above the town.
- (b) It is the intent of this article to define and describe the authority and duties of the investigating officer in lighting-device investigation and enforcement, unless the lighting device is otherwise exempt under this article.
- (c) The investigating officer has authority under this article to investigate and issue a notice of violation as provided in this article for light pollution, whether emanating from residential property under construction or from nonresidential property, that does not conform to section 119-30 of this article.
- (d) For purposes of this article, ‘investigating officer’ means a town employee or contractor designated by the town manager as a code enforcement officer or the police chief or a police officer acting under the police chief’s direction and supervision.

Sec. 119-26. Conformance with applicable codes.

All outdoor lighting devices must be installed in conformance with the requirements of both this code and the Florida Building Code. In the event of conflict between this code and the Florida Building Code, the latter will govern.

Sec. 119-27. Applicability.

- (a) Standards. Except as provided in this section, all outdoor lighting erected or installed after the effective date of this article, regardless of whether a permit is required, must comply with the standards of this section.
- (b) Permit required. A lighting permit is required to install or erect, or to replace, outdoor lights mounted on poles or other structures higher than ten feet above the ground. In all other cases, no lighting permit is required to add, reposition, or replace outdoor lights; however, building permits may be required.

(c) Exemptions. The following are exempt from the requirements of this section:

1. Fossil fuel lighting. All outdoor light fixtures producing light directly by the combustion of fossil fuels (such as kerosene lanterns and gas lamps).
2. Government facilities. Outdoor light fixtures on, or in connection with facilities and land owned or operated by the federal, state, or county government, the Lake County School Board, and the town. Voluntary compliance with the intent and provisions of this section is encouraged.
3. Temporary construction and emergency lighting. Lighting necessary for construction or emergencies, provided that all work is being completed with the requisite permits and the lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating the lighting.
4. Hazard warning lighting. As required by federal, state, or local government agencies.
5. Seasonal lighting. From the day before Thanksgiving through January 15, lighting that is incidental to the use of the property and is customary and commonly associated with a national, local, or religious holiday.
6. Flag lighting. Up-directed lighting illuminating flags. It is recommended that flags be lowered at sunset and not illuminated with up-directed lighting from sunset to sunrise.
7. Incandescent, fluorescent, and LED lighting. Incandescent lights 75 watts and less per fixture, fluorescent lights 20 watts and less per fixture, and LED lights 15 watts and less per fixture.
8. Temporary exemption. A person may submit a written request to the town manager for a temporary exemption from the requirements of this section. The town manager has five business days from the date of receipt of the request to approve or disapprove the request. Temporary exemptions may be granted for no longer than necessary to accommodate the need for the temporary exemption and for no longer than 30 consecutive days in any case. The request for temporary exemption must include:
 - a. Name, address and telephone number of the applicant;
 - b. Location of the outdoor lighting fixture for which the exemption is requested;
 - c. Specific exemptions requested and the reasons therefore;
 - d. Duration of the requested exemption, including starting date;
 - e. Type of outdoor light fixture to be used;

- f. Previous temporary exemptions, if any; and
- g. Such other data and information as may be required by the town manager.

Sec. 119-28. Variance.

- (a) The town council may grant a variance from the provisions of this article.
- (b) A request for a variance from the requirements of this article may be considered by the town council and granted only when it is found that hardship would result from strict compliance with the provision from which a variance is sought. The town council may grant approval of a variance upon the determination that (1) the hardship is not self-imposed; (2) the variance is necessary to the permissible uses of the property; and (3) the intent and purposes of this article are not thwarted in granting the variance.
- (c) A person seeking a variance must submit an application to the town council. At a minimum, the applicant must provide the following information:
 - 1. Identification of applicant;
 - 2. Applicant's mailing address;
 - 3. Alternate key number or legal description of property from which the light will emanate;
 - 4. Description of source of light;
 - 5. Description and direction of light;
 - 6. Names and addresses of all owners of property abutting the parcel from which the light will emanate; and
 - 7. Facts and reasons justifying a variance.
- (d) The applicant for a variance must tender an application fee in an amount determined by the town council.
- (e) The town clerk must schedule a hearing on the variance application. The town clerk must notify the applicant and all abutting property owners no less than ten days before the hearing of the time, date, and place of the hearing. If the variance application stems from a complaint, the town clerk must notify the complainant.
- (f) At the hearing, the applicant may submit relevant evidence and testimony. In deciding whether to grant or deny the variance, the town council must consider the hardship which will result to the applicant, the community, and other persons if the variance is not granted, versus the adverse

impact on the health, safety, and general welfare of persons if the variance is granted. The town council must grant or deny the variance application no later than ten days after the date of the hearing. In granting or denying a variance, the town council must state in writing on the application the reasons for the decision. If the decision is to grant the variance, the town council must set forth the terms and conditions, if any, of the variance.

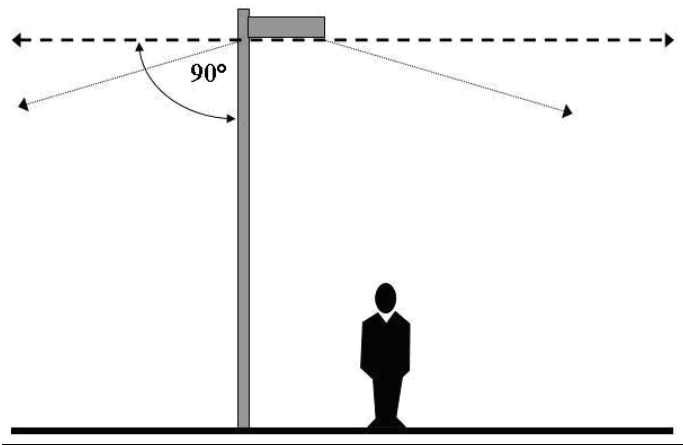
Sec. 119-29. Reserved.

Sec. 119-30. General standards for lighting.

All outdoor lighting must be designed and installed to prevent glare and light trespass on abutting property.

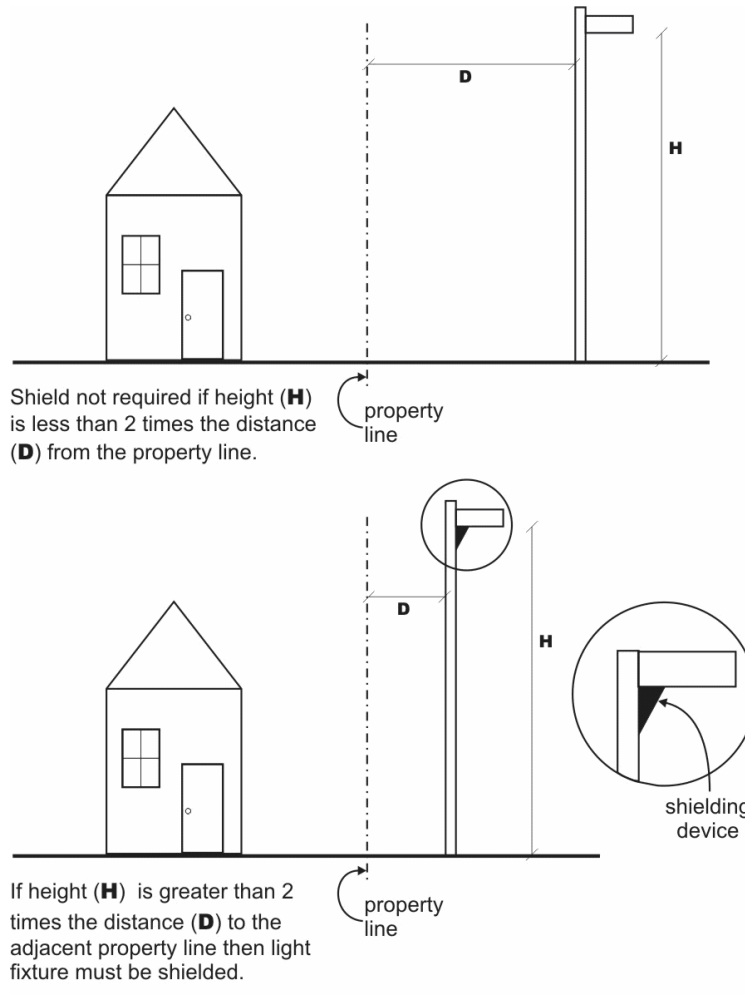
- (a) *Full cut-off lighting fixtures.* Where outdoor lighting is proposed for installation, full cut-off lighting fixtures as depicted below are required for all outdoor walkway, parking lot, canopy, and building/wall mounted lighting, and for all lighting located within those portions of open-sided parking structures that are above ground. Lights that are properly installed in an architectural space (such as under a porch roof or a roof overhang) and that provide the functional equivalent of a full cut-off fixture need not use full cut-off fixtures.

Full cut-off lighting fixture diagram:



- (b) *Setback or shielding requirement.* Where a multi-family dwelling of three or more units or a nonresidential use abuts property that is residentially zoned or has a dwelling of one or two units, all outdoor lighting fixtures shall be setback the minimum distance from the nearest lot line, or “house-side shielding” must be installed on the residential property side of the lighting fixture as shown in the Setback/Shielding Requirement Diagram below. A house-side shield consists of a visor or shielding panel that attaches to a lighting fixture. This requirement applies to both light poles and lighting fixtures mounted on the side or top of a building or structure. Where property is residentially zoned or has a dwelling of one or two units, light fixtures on abutting properties either zoned or used for (i) multifamily purposes with three or more dwelling units or (ii) nonresidential purposes must be shielded and/or angled to prevent light trespass on abutting property.

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Setback or Shielding Requirements Diagram:

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(c) Screening. Where a multi-family dwelling of three or more units or a nonresidential use abuts property that is zoned for residential use or has a dwelling or dwellings of one or two units, fences and walls must be constructed, sized, and located on the property of the multi-family dwelling or non-residential use so that no head-lamp or tail-lamp from a motor vehicle is visible from a first-floor window located within the residential district or on the dwelling unit.

(d) Sign lighting. Lighting fixtures used to illuminate an outdoor advertising sign must be mounted on the top or above the sign structure. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols are preferred, to minimize detrimental effects. All illuminated on-premises and off-premises signs for advertising purposes must be turned off between 11:00 p.m. and sunrise, except that the signs may be illuminated while the business facility on the premises is open for service.

(e) Time controls and motion detectors.

1. Residential. No person may install, construct, erect, maintain, or control any outdoor lighting or outdoor lighting fixture on a residential structure, or on its surrounding premises, which directly illuminates beyond the adjacent residential structure's property line, between sunset and sunrise. Dimmed lights may return to full luminance for no more than 30 seconds if triggered by a motion detector.
2. Non-residential. Lighting on non-residential sites must include time controls. The time controls must dim all outdoor lights by at least 50% of normal illumination levels within one hour of the close of business on the site. The lights must remain dimmed until the business re-opens in the morning or the automatic light sensors switch the light off in the morning. Where a site includes more than one business, the time controls must dim the lights associated with each discrete place of business within the hour of the respective business closing to the public, but common area lighting may remain fully lit until the last onsite business closes. This requirement does not apply to businesses that operate 24-hours a day. Dimmed lights may return to full luminance for no more than 30 seconds if triggered by a motion detector.

Sec. 119-31. Effective date and nonconforming light fixtures.

- (a) All new light fixtures must meet the requirements of this section.
- (b) Where installation can be verified prior to September 1, 2025, outdoor light fixtures that do not meet the standards of this section are legal, nonconforming light fixtures. Where a legal, nonconforming light fixture causes visible glare to residential uses or motorists on public rights-of-way, the fixtures must be either shielded, redirected, replaced, or removed to eliminate the nuisance.
- (c) New uses or structures, or change of use. Whenever there is a new use or structure on a property, or the use on the property is changed, all outdoor light fixtures must be brought into compliance with the requirements of this article.
- (d) Resumption of use after abandonment. If a property with a legal, nonconforming light fixture is abandoned for a period of 12 months or more, then all outdoor light fixtures must be brought into compliance with the requirements of this article.

Sec. 119-32. Enforcement; penalty.

- (a) It is unlawful for a person to violate the provisions of this article. The provisions of this article will be enforced in accordance with Chapter 8 of this code and through the authority of a special magistrate. Each violation is a separate offense.
- (b) When a complaint is investigated by the investigating officer and a determination is made that a violation of this article has occurred without a variance as provided in section 119-28, the investigating officer must issue a written notice of violation under Part II, Chapter 162, Florida Statutes. The notice of violation must include a description of the site where the violation has

occurred, the provisions of this article and other applicable laws that have been violated, and the required remedial action or actions to be taken. Such remedial action may include:

1. Modification of the structure or business causing the violation in order to comply with this article;
2. Other actions consistent with the purpose and intent of this article to ameliorate the adverse impacts of the violation; and
3. Administrative and civil penalties.

(c) When a light complaint is received and referred to an investigating officer for investigation and upon personal investigation the investigating officer finds probable cause to believe the owner or operator of the real property at issue is in violation of this article, the investigating officer may issue a written warning to cease and desist the violation.

(d) If the owner or operator of the real property does not take corrective action regarding such a cease and desist warning within a reasonable time, as determined by the investigating officer in his/her discretion, or if the light is abated after the warning and then reoccurs 180 days of the time of abatement, the owner or operator of the real property at issue may be found guilty of a civil infraction, with a maximum penalty in an amount not to exceed \$500.00.

(e) Any person violating this article shall be liable for all costs incurred by the town in connection with enforcing this article, including, without limitation, investigative and court costs.

(f) This article does not restrict the right of any person to proceed under Chapters 60 and 823 of Florida Statutes against any public nuisance.

Sec. 119-33. No liability for reasonable, good-faith trespass by investigating officer.

The investigating officer, any other authorized code enforcement officer, and the town are immune from prosecution, civil or criminal, for reasonable, good-faith trespass upon private property while in the discharge of duties under this article.

Section 3. Severability. If any provision or portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, all remaining provisions and portions of this ordinance shall remain in full effect. To that end, this ordinance is declared to be severable.

Section 4. Codification. Section 2 of this ordinance is to be codified in the Town of Howey-in-the-Hills Code of Ordinances.

Section 5. Effective Date. This ordinance takes effect immediately upon its enactment.

ORDAINED AND ENACTED this ____ day of _____, 2025, by the Town Council of the Town of Howey-in-the-Hills, Florida.

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TOWN OF HOWEY-IN-THE-HILLS, FLORIDA
By: its Town Council

By: _____
Hon. Graham Wells, Mayor

ATTEST: **APPROVED AS TO FORM AND LEGALITY**
(for the use and reliance of the Town only)

John Brock, Town Clerk Thomas J. Wilkes, Town Attorney

First Reading held September 22, 2025
Second Reading and Public Hearing held _____, 2025
Advertised _____, 2025, and _____, 2025