

STAFF REPORT REGULAR MEETING

AGENDA DATE: November 1, 2022

DEPARTMENT: City Attorney and
Community Sustainability

TITLE:

Ordinance No. 2022-23 – Second Reading - Amending Chapter 2 “Administration,” Article X “Supplemental Code Compliance Procedures,” Section 2-86 “Code Citation Procedures; Appeals,” Section 2-87 “Civil Penalties,” and Section 2-88 “Classification of Infractions”

SUMMARY:

An ordinance amending the City’s Civil Citation process to streamline the contesting of a citation and to address penalties for the City’s new ordinance prohibiting smoking and vaping at City parks and the beach and to address graduated penalties for repeat noise ordinance violations.

BACKGROUND AND JUSTIFICATION:

The City has adopted supplemental code enforcement procedures in Chapter 2 “Administration,” Article X “Supplemental Code Enforcement Procedures.” Currently, the civil citation form includes the fine and the date of the scheduled special magistrate hearing if the violator wishes to contest the citation. The City wishes to amend the process to require a violator to make a written request for a hearing if he or she wishes to contest the violation. This will allow the City to better manage special magistrate agendas and hearings. Further, the City is amending its noise ordinance to allow for the issuance of City civil citations for noise violations. The civil citation penalties provision requires amending to include graduated penalties for noise ordinance violations and to also include violations of the City’s recently adopted ordinance that prohibits smoking and vaping in City parks and beach.

The Ordinance was approved unanimously at the October 18 City Commission meeting with an amendment adding “and location” to 2-86 (d) (3).

MOTION:

Move to approve/disapprove Ordinance No. 2022-23, amending Chapter 2 “Administration,” Article X “Supplemental Code Compliance Procedures,” Section 2-86 “Code Citation Procedures; Appeals,” Section 2-87 “Civil Penalties,” and Section 2-88 “Classification of Infractions”.

ATTACHMENT(S):

Fiscal Impact Analysis – N/A
Ordinance 2022-23