

ORDINANCE 07-04

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 10, SECTION 10-31(c) OF THE BELLE ISLE CODE OF ORDINANCES DECLARING THE EXISTENCE OF GRAFFITI ON PUBLIC OR PRIVATE PROPERTY AND THE EXISTENCE OF UNCOVERED OR UNSCREENED COMMERCIAL DUMPSTERS TO BE NUISANCE CONDITIONS REQUIRING CORRECTION WITHIN 48 HOURS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belle Isle, Florida as follows:

SECTION 1. Chapter 10, Section 10-31(C) of the Belle Isle Code of Ordinances is hereby amended, as follows:

(c) *Serious and immediate threats.* The following conditions are deemed to be serious and immediate threats to the public health, safety or welfare and are hereby prohibited and declared to be a public nuisance, requiring correction within 48 hours:

1. The existence of dead or damaged trees or of any building, structure or other improvement in a state of such disrepair, deterioration or dilapidation so as to pose a serious and immediate threat of injury or damage to persons or property in the near vicinity of such tree, building, structure or improvement is hereby prohibited and declared to be a public nuisance.

2. The existence of graffiti on any public or private property, real or personal. "Graffiti" means the unauthorized writing, painting, marking, marring, drawing, defacing or etching of any inscription that has been placed upon any surface through the use of paint, ink, dye, indelible marker, or any other substance capable of marking property or through the use of any implement that can be used to deface, mar or etch on property.

3. The existence of any commercial dumpster left uncovered or unscreened as required by Sec. 24-42 of the Belle Isle Code

SECTION 2. SEVERABILITY. If any word, phrase, sentence, clause or other portion of this Ordinance is determined to be invalid, void, or unconstitutional, the remainder of this Ordinance shall remain in effect.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon adoption.

FIRST READING: held this ____ day of _____, 2007
SECOND READING: held this ____ day of _____, 2007

	YES	NO	ABSENT
Thomas G. Petruzzi	_____	_____	_____
Trudy Prince	_____	_____	_____
Charles Scott	_____	_____	_____
Larry Ady	_____	_____	_____
"Harv" Readey	_____	_____	_____
Lydia Pisano	_____	_____	_____
Eric Spaulding	_____	_____	_____

ATTEST:

William G. Brooks, Mayor

Belinda Bateman, MMC, City Clerk

Approved as to form and legality
John F. Bennett, City Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

I, BELINDA L. BATEMAN, CITY CLERK of the City of Belle Isle do hereby certify that the above and foregoing document was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____, 2007, at which session a quorum of its members were present.

City Clerk