

ORDINANCE 09-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 14, ARTICLE II OF THE BELLE ISLE CODE OF ORDINANCES TO PROVIDE FOR THE APPOINTMENT OF A SPECIAL MAGISTRATE TO ACT IN LIEU OF A CODE ENFORCEMENT BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 14, Article II of the Belle Isle Code of Ordinances establishes a Code Enforcement Board and procedures for the enforcement of the City Code; and

WHEREAS, the Code Enforcement Board was established pursuant to Chapter 162, Florida Statutes; and

WHEREAS, Section 162.03, Florida Statutes provides that a local governing body may appoint special magistrates, who shall have the same status as enforcement boards under Chapter 162; and

WHEREAS, City Council desires to allow for the appointment of a special magistrate to conduct code enforcement hearings.

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

SECTION 1. Chapter 14, Article II, of the Belle Isle Code of Ordinances is hereby amended by adding a section, to be numbered 14-31.1, which section reads, as follows:

Sec. 14-31.1 Special Magistrate.

(a) The City Council may by resolution, appoint a special magistrate to act in lieu of the Code Enforcement Board. A special magistrate shall have the same status as an Enforcement Board and references in this Article II to an Enforcement Board, except in Section 14-31, shall include a special magistrate if the context permits.

(b) In order to serve as a code enforcement special magistrate, a person must be an attorney in good standing with the Florida Bar.


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 7th day of April, 2009

SECOND READING: held this 12th day of May, 2009

	YES	NO	ABSENT
Thomas G. Petruzzi	<u>✓</u>	<u> </u>	<u> </u>
Trudy Prince	<u> </u>	<u> </u>	<u>✓</u>
Charles Scott	<u>✓</u>	<u> </u>	<u> </u>
Larry Ady	<u>✓</u>	<u> </u>	<u> </u>
"Harv" Readey	<u>✓</u>	<u> </u>	<u> </u>
Lydia Pisano	<u> </u>	<u> </u>	<u>✓</u>
Eric Spaulding	<u>✓</u>	<u> </u>	<u> </u>



William G. Brooks, Mayor
Ordinance 09-05

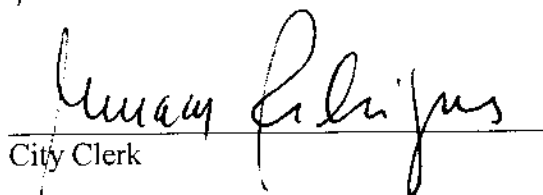
ATTEST:



MIRIAM RODRIGUEZ, City Clerk

STATE OF FLORIDA
COUNTY OF ORANGE

I, MIRIAM RODRIGUEZ, 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 12th day of May, 2009, at which session a quorum of its members were present.



City Clerk