

ORDINANCE 1535

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AUTHORIZING THE ENFORCEMENT OF ALL CITY ORDINANCES BY CODE ENFORCEMENT OFFICERS SUBJECT TO PENALTIES AND PROCEDURES SET FORTH IN THE CITY'S CODE OF ORDINANCES AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AS FOLLOWS:

SECTION 1 From and after the effective date of this ordinance, Section 1-12, of the Panama City Beach Code of Ordinances is amended to read as follows (new text **bold and underlined**, deleted text struck through):

Sec. 1-12. - General penalty; continuing violations, **enforcement**.

- (a) Whenever in this Code or the ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or the ordinances of the city the doing of any act is required, or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or the ordinances of the city shall be punished by a fine not exceeding five hundred dollars (\$500.00), imprisonment in a lawful place for a term not exceeding sixty (60) days, probation with terms set by the court, or by any combination thereof including all three in the discretion of the court. This section shall not apply to offenses which are recognized by the laws of the state as misdemeanors, the penalties for which are provided by the laws of the state, which state penalties shall likewise be applicable under this Code. Each day any violation of any of the provisions of this Code or of any ordinance of the city shall continue shall constitute a separate offense.
- (b) In addition to the penalties provided in subsection (a), any condition caused or permitted to exist in violation of any of the provisions of this code and the ordinances of the city shall be deemed a public nuisance and may be abated by the city as provided by law, and each day that any such offensive condition continues shall be regarded as a new and separate offense.
- (c) **Any violation of municipal ordinance may be enforced by civil citation by an employee of the City designated as a code enforcement officer by the City**

Manager. Any violation of a provision of this Code, the City's Land Development Code, or any other ordinance of the City shall be punishable by the penalties set forth in section (a) of this Section or as specifically set forth in the body of the Code, ordinance, or resolution. This grant of authority shall be cumulative and supplemental to any enforcement powers granted to Police and Fire Department employees as more specifically set forth throughout this Code.

(d) Any violation of municipal ordinance which is not adjudicated through administrative procedures set forth in the body of the ordinance shall be adjudicated in the County Court of Bay County pursuant to section 34.01, Florida Statutes.

(Code 1973, §§ 1-8, 1-9; Ord. No. 208, § II, 5-24-78; Ord. No. 570, § 1, 5-15-98)

Cross reference— Nuisances, Ch. 15; offenses, Ch. 16.

State Law reference— Fines and forfeiture in county court payable to municipality, F.S. § 34.191; **enforcement by code inspectors §166.0415**; punishment for misdemeanors, F.S. §§ 775.082, 775.083.

SECTION 2. SEVERABILITY. If any clause or portion of this Ordinance is held invalid or unenforceable, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage.

THIS ORDINANCE shall be effective immediately upon passage.

PASSED in regular session this 13th day of August, 2020.

CITY OF PANAMA CITY BEACH

By: _____


Mark Sheldon, Mayor

ATTEST:



Jo Smith, Interim City Clerk

Published in the News Herald on the 31st day of July, 2020.

Posted on pcbgov.com on the 17th day of August 2020.