

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF SEMINOLE COUNTY, FLORIDA; AMENDING CHAPTER 95, "HEALTH AND SANITATION," ARTICLE 1, "NUISANCES," SECTION 95.2, "DEFINITIONS," TO REVISE THE DEFINITIONS OF "LANDS OR PREMISES" AND "UNCULTIVATED VEGETATION" AND ADDING A DEFINITION OF "IMPROVED PROPERTY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, previously improved lands may be abandoned without ongoing provisions for the control of vegetation and vermin, rendering the property unsafe and unsanitary; and

WHEREAS, such lands are often situated near or adjacent to established residential and non-residential neighborhoods; and

WHEREAS, the Board of County Commissioners desires to protect neighboring properties from the negative impacts of such unsafe and unsanitary conditions; and

WHEREAS, an economic impact statement has been prepared and is available for public review in accordance with the provisions of the Seminole County Home Rule Charter; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

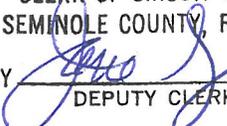
Section 1. Amendments to Chapter 95, Article 1, Nuisances. Chapter 95 of the Seminole County Code of Ordinances is amended as follows:

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Sec. 95.2. Definitions.

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Improved property. Any lot, parcel, or area of land that has been deliberately altered from its natural condition through human action for an identifiable purpose in support of a lawful

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY  DEPUTY CLERK

use or activity including, but not limited to, residential or commercial development, stormwater management, recreation, and agriculture. Abandonment, disuse, or foreclosure shall not remove such property from classification as “improved.” Excluded from this definition are public rights-of-way, publicly owned stormwater facility, publicly owned landfills, and all publicly owned parks and/or natural land areas designated for passive recreational purposes. Property that does not fall within the scope of the preceding description shall be considered “unimproved.”

* * *

Lands or premises. Any real property, whether improved or unimproved, lying within a radius of 300 feet from any structure; provided, however, that as used in relation to, or in connection with, Sections 95.3(h) and 95.3(j), it shall mean any ~~and all~~ unimproved real property lying within a radius of 75 feet from any structure and any improved property regardless of distance from a structure. As it relates to this paragraph, the term structure shall mean any building, either permanent or temporary, that can be used for housing, business, commercial, office or industrial purposes and does not refer to signs, fences, swimming pools, utility, accessory or agricultural buildings.

Uncultivated vegetation. Any weed growth, grass growth, undergrowth or dead or living vegetative matter ~~which that is allowed or has been allowed to grow~~ growing in an uncontrolled manner or is not regularly maintained, ~~and which is in excess of 24 inches~~ eight (8) inches in height as measured from the soil level. ~~Crops~~ Active crops or pasture lands ~~being used for grazing or haying~~ shall not be included within this definition.

* * *

Section 2. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners

that such invalidity will not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 3. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance will become and be made a part of the Seminole County Code, and that the word “ordinance” may be changed to “section,” “article,” or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; providing, however, that the Sections 2, 3, and 4 of this Ordinance shall not be codified.

Section 4. Effective Date. This Ordinance will take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

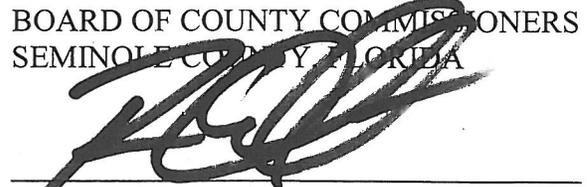
BE IT ORDAINED by the Board of County Commissioners of Seminole County, this 18th day of November, 2014.

ATTEST:



MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA



ROBERT DALLARI, Chairman

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FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 22, 2014

Honorable Maryanne Morse
Clerk of the Circuit Court
Seminole County
County Commission Records
1101 E. First Street, Room 2204
Sanford, Florida 32771

Attention: Jane Spencer

Dear Ms. Morse:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy for Seminole County Ordinance No. 2014-44, which was filed in this office on November 21, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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