

ORDINANCE 2008-05

AN ORDINANCE OF THE VILLAGE OF HIGHLAND PARK, FLORIDA, AMENDING ORDINANCE 2008-03 TO ADD PROVISIONS TO SECTION 1 OF THE ORDINANCE AS PREVIOUSLY ADOPTED AND TO AMEND SECTION 6 OF THE ORDINANCE TO DEFINE CODE ENFORCEMENT SPECIAL MAGISTRATE AND APPELLATE SPECIAL MAGISTRATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Highland Park and Polk County (the "County") are parties to a certain Interlocal Agreement dated October 8, 1998, whereby the County has accepted responsibility for enforcement of the Codes and Ordinances of the Village of Highland Park; and

WHEREAS, Ordinance 2008-03 of the Village of Highland Park as adopted requires supplementation and revision in order to implement and further provide for its enforcement.

NOW THEREFORE, Be it ordained by the Board of Commissioners of the Village of Highland Park, Polk County, Florida, that the following provisions are hereby adopted by the Village of Highland Park:

Section 1 General Provisions

The following subparagraphs are added:

- G. **General Jurisdiction and Appeals**
Code enforcement special magistrates and appellate special magistrate shall have the jurisdiction to hear any alleged violation of this Ordinance. The code enforcement appellate special magistrate will hold a hearing upon the filing of a Notice of Appeal by either party. Such Notice must be filed with the administrative staff of the code enforcement special magistrate within ten (10) days of the date of the entry of a special magistrate's written order.
- H. **Enforcement Procedure**
Violations of this Ordinance shall be enforce pursuant to those procedure adopted by the County for code enforcement violations.
- I. **Administrative Fines; Costs of Repairs; Costs to the County; Liens**
A code enforcement special magistrate and appellate special magistrate is hereby authorized to order a violator to pay a fine, costs of repairs, and/or County costs up to the amount allowed by general law and County ordinance. The County is hereby authorized to record a certified copy of an order imposing fines and costs in the public records as allowed by general law and County ordinance which thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.

Section 6 Definitions

The definition of CODE ENFORCEMENT BOARD is hereby deleted and the following is substituted therefor:

CODE ENFORCEMENT SPECIAL MAGISTRATE AND APPELLATE SPECIAL MAGISTRATE: Special magistrates authorized by the Polk County Board of County Commissioners to hear any alleged violation of any code or ordinance.

Section 7 Severability

If any clause, section, or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated therein.

Section 8 Effective Date

This Ordinance shall become effective immediately upon passage by the Village of Highland Park Commission.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2008.

Rusty Ingley, Mayor-Commissioner

ATTEST:

Lita O'Neill, Village Clerk