Ordinance 2026-14 – Code Enforcement Citation Provisions

ORDINANCE 2026-14

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REPEALING AND REPLACING CHAPTER 2, "ADMINISTRATION," ARTICLE VII, "CODE ENFORCEMENT," DIVISON 3, "CITATIONS," OF THE CODE OF ORDINANCES; CREATING A NEW DIVISION 3 RELATING TO SUPPLEMENTAL CODE ENFORCEMENT CIVIL CITATION PROVISIONS AND REGULATIONS; PROVIDING ALTERNATIVE PROCESSES AND PROCEDURES FOR CODE ENFORCEMENT CITATIONS; PROVIDING FOR THE COLLECTION OF FEES AND PENALTIES; PROVIDING A POST-DEPRIVATION HEARING PROCESS AND PROCEDURES; PROVIDING ADDITIONAL APPELLATE JURISDICTION POWERS TO BE EXERCISED BY THE SPECIAL MAGISTRATE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, sections 162.13 and 162.21(8), Florida Statutes, provide that Florida municipalities are not limited to the specific code enforcement alternatives set forth therein, and Florida municipalities are not prohibited from enforcing their local codes of ordinances by any other means; and

WHEREAS, certain code violations of an itinerant or transient nature, of a limited duration, those amenable to one-time penalties as opposed to per day penalties and fines, those occurring on public property, on properties not owned or occupied by the alleged violators, or otherwise not amenable to enforcement through pre-deprivation or pre-penalty notice and an opportunity to correct such violations are largely not enforced or are unenforceable by existing city code provisions and code enforcement procedures; and

WHEREAS, the City Council has determined that the creation of a supplemental and alternative code enforcement civil citation process may address the above-referenced code violations that have evaded review or were otherwise not subject to readily compliance and enforcement alternatives given the circumstances relating to particular violations.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Edgewood, Florida:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

SECTION 2. Amendment. Chapter 2 of the City Code of Ordinances is amended to repeal existing Chapter 2, Article VII, Division 3 and replace with a new Division 3, which shall read as follows (Note: deletions are identified with ~~striketrough~~, additions are identified with

underline, and portions that remain unchanged and are not reprinted here are identified with elipses (***)):

DIVISION 3. CITATIONS

~~Sec. 2-263. Authority and purpose.~~

~~(a) This division is adopted pursuant to F.S. ch. 162, pt. II (F.S. § 162.21 et seq.), as a supplemental method of enforcing certain provisions of the codes and ordinances of the city, and is enacted to protect the public health, welfare and safety of the citizens of the city.~~

~~(b) Nothing in this division shall be construed to prohibit the city from enforcing its codes and ordinances by any other means including, but not limited to, a summons, a notice to appear in the county court, an arrest, an action before the code enforcement board, a civil action for injunctive relief, a stop work order, or demolition.~~

~~Sec. 2-264. Designation of code enforcement officers.~~

~~(a) For the purpose of this division, the city council hereby designates all code inspectors, sworn law enforcement officers, fire inspectors, community service officers, airport safety officers, and parking control officers as code enforcement officers who shall have the powers and authority to enforce the codes and ordinances of the city as set forth in this division.~~

~~(b) The training and qualifications of the code enforcement officers shall be established by city council.~~

~~(c) Except as to sworn law enforcement officers, designation as a code enforcement officer does not confer the power of arrest or other law enforcement powers nor subject the code enforcement officer to the provisions of F.S. ch. 943.~~

~~(d) Nothing in this division shall be construed to amend, alter, or contravene the provision of any retirement or pension plan or system administered by the city.~~

~~Sec. 2-265. Citation authorization; violation as civil infraction; maximum civil penalty.~~

~~(a) Any code enforcement officer, designated pursuant to section 2-264, is hereby authorized to issue a citation to a person when, based upon personal investigation, the code enforcement officer has reasonable cause to believe that the person has committed a violation of any code or ordinance set forth in section 2-270 and that the county court will hear the charge.~~

~~(b) A code or ordinance violation, for which a citation may be issued pursuant to this division, shall be deemed to be a civil infraction.~~

~~(c) The maximum civil penalty for such a civil infraction shall not exceed $500.00 per violation plus all applicable costs of prosecution and legislative assessments plus court costs of $10.00.~~

~~(d) Each violation of a code or ordinance shall be a separate civil infraction. Each day such violation shall continue shall be deemed to constitute a separate civil infraction.~~

~~Sec. 2-266. Service of warning notice or citation.~~

~~(a) Written warning notices, if applicable, and citations shall be provided to the alleged violator by hand delivery by the code enforcement officer. In the absence of the alleged violator, issuance of a written warning notice or citation may be accomplished by leaving a copy at the alleged violator's residence with any person residing therein who is 15 years of age or older and informing the person of the contents or by registered or certified mail, return receipt requested.~~

~~(b) Issuance of a written warning notice or citation to a business may be accomplished by leaving a copy at the business, during regular business hours, with any employee and informing the employee of the contents or by registered or certified mail, return receipt requested. Each employee of the business shall be deemed to be an agent of the business for service of the warning notices and citations.~~

~~Sec. 2-267. Refusal to sign citation.~~

~~(a) Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer shall be guilty of a misdemeanor of the second degree pursuant to F.S. § 162.21(6).~~

~~(b) If the person cited refuses to sign the citation, the code enforcement officer shall write the words "refused" or "refused to sign" in the space provided for the person's signature and shall then leave a copy of the citation with the person cited, if possible.~~

~~(c) Following such refusal to sign, the code enforcement officer shall contact the police department to report such refusal as a violation of F.S. § 162.21(6).~~

~~Sec. 2-268. Payment of reduced civil penalty; court hearings.~~

~~(a) If the person elects not to contest the citation, the person shall pay in full the applicable reduced civil penalty, as set forth herein, to the clerk of the court within 14 calendar days after the issuance of the citation.~~

~~(b) If the person cited elects to pay the applicable reduced civil penalty set forth herein, the person shall be deemed to have admitted the infraction and waived the right to a hearing. If the person cited fails to pay the civil penalty by the 14th calendar day after issuance of the citation or fails to request a court hearing within the time prescribed, the person shall have waived any right to contest the citation and judgment shall be entered against the person cited in an amount up to the maximum civil penalty plus court costs of $10.00. In addition, a rule to show cause may be issued by the county judge requiring the person cited to appear in county court to explain the person's failure to pay or request a court hearing. Failure to respond to the rule to show cause may result in issuance of an arrest warrant.~~

~~(c) If the person elects to contest the citation, the person shall appear in court before a county judge within 21 days of issuance of the citation to request a hearing date.~~

~~(d) If the person cited had been previously cited for the same violation at least two times within a 12-month period, upon the issuance of a third or subsequent citation, the person shall not have the option of paying a reduced civil penalty but instead shall appear before a county court judge within 21 calendar days to answer the charge.~~

~~(e) A county judge, after a hearing on the citation, shall make a determination whether or not a violation of the code or ordinance cited has been committed. If a violation is found to have occurred, the county judge may order the violator to correct the violation and may impose a civil penalty up to the maximum civil penalty plus all applicable costs of prosecution and legislative assessments, plus court costs of $10.00. In no event, however, shall such civil penalty imposed by the county judge be less than the reduced civil penalty set forth in section 2-270.~~

~~(f) The county judge may provide for the civil penalty to be paid, and the violation to be corrected, within such time as the county judge determines to be appropriate. If the person found to be in violation fails to pay the civil penalty, a civil judgment shall be entered against that person in the amount up to the maximum civil penalty.~~

~~(g) Should the person cited schedule a hearing as provided for herein and thereafter fail to appear at such hearing, the person shall be deemed to have waived the right to contest the citation, and civil judgment shall be entered against the person in an amount up to the maximum civil penalty; provided, however, that the court shall have the discretion to continue or reschedule any hearing when it determines that doing so will further the interest of justice. In such an event, the clerk of the court shall notify the code enforcement officer and the person cited of the date and time of the hearing. In addition, a rule to show cause may be issued by the county judge requiring the person cited to appear in county court to explain the person's failure to appear at the hearing. Failure to respond to the rule to show cause may result in issuance of an arrest warrant.~~

~~(h) Should the person cited willfully fail to comply with a court order to abate or correct the violation, the court, after due notice and hearing on the matter, may hold the violator in civil contempt and may enter an order to that effect.~~

~~(i) In the event that a civil judgment is entered against the person cited as provided herein, the city may record a certified copy of said judgment in the official records of the county and the same shall thereafter constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.~~

~~(j) In the event that an order is entered finding that a violation of the ordinance cited has been committed, the city may record a certified copy of said order in the official record of the county and the same shall thereafter constitute notice to and be binding upon the violator and any subsequent purchasers, successors in interest or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and any subsequent purchasers, successors in interest or assigns if the violation concerns real property.~~

~~(k) At any hearing pursuant to this division, the commission of a violation of a code or ordinance must be proved by preponderance or the evidence. The Florida Rules of Civil Procedure and the Florida Evidence Code shall be applicable to any such hearing.~~

Sec. 2-269. Procedure for payment of civil penalty.

Payment of any civil penalty imposed by this division shall be made to the clerk of court, who shall forward the monies collected to the city's director of finance for deposit into the city's fund. If a judgment has been entered for the civil penalty, the clerk of the court shall notify the city when the judgment has been paid and the necessary satisfaction of judgment shall be prepared and recorded in the official record of the county.

Sec. 2-270. Classes of violation and reduced civil penalties.

(a) Violations of city codes and ordinances, and the applicable reduced civil penalties, shall be as follows:

Reduced Civil Penalty

Violation Classifications	First Offense	Second Offense	Third and Subsequent Offense
Class I	$ 50.00	$100.00	Court Hearing Mandatory
Class II	100.00	200.00	"
Class III	150.00	300.00	"
Class IV	200.00	400.00	"

(b) Violations of city codes and ordinances which constitute civil infractions for which citations may be issued are as follows:

	Description	Class
Ch. 10, Animals		
Sec. 10-2	Bird sanctuary	II
Sec. 10-3	Killing or trapping game or birds prohibited	II
Sec. 10-4	Commercial kennels, animal breeding or boarding facilities	II
Sec. 10-5	Maintenance of certain animals prohibited	II
Sec. 10-6	Live poultry prohibited	II
Sec. 10-7	Keeping or harboring animals that create disturbances unlawful	I
Sec. 10-8	Animals to be maintained on leash	I
Sec. 10-9	Animal waste	I
Ch. 14, Boats, Docks and Waterways		
Sec. 14-10	Deposit refuse or lowering level of lakes and canals	II
Ch. 22, Emergency Management and Emergency Services		
Sec. 22-21 et seq.	Alarm systems	I
Sec. 22-34	Permit required	IV

Sec. 22-35	Violation, civil penalty	I, IV
Ch. 30, Health and Sanitation		
Sec. 30-1	Removal of dead animal carcasses	II
Sec. 30-21	Removal of weeds, wild growth and trash required; city will remove upon failure of owner	I
Sec. 30-48	Disposal of refuse and garbage	II
Ch. 34, Licenses and Business Regulations		
Art. II, Occupational Licenses		
Sec. 34-19	Occupational license tax imposed	III
Sec. 34-23	Engaging in business without a license; delinquent fees; penalty	III
Sec. 34-24	Posting of license	I
Art. III, Bingo		
Sec. 34-61	Persons involved in conduct of bingo game	II
Sec. 34-62	Bookkeeping requirements—Charities	II
Sec. 34-63	Same—For profit bingo organization	II
Sec. 34-64	Notices	II
Sec. 34-74	Operating bingo hall or conducting bingo games in bingo hall without permit unlawful	III
Sec. 34-75	Bingo halls open for inspection	II
Art. IV, Peddlers and Solicitors		
Sec. 34-109	Penalties	IV
Art. V, Adult Establishments		
Sec. 34-133	Adult bookstores	III
Sec. 34-134	Adult motion picture theaters	III
Sec. 34-135	Adult dancing establishments	III
Ch. 38, Offenses and Miscellaneous Provisions		
Sec. 38-2	Unreasonably loud noise	I
Sec. 38-3	Smoking at public meetings prohibited	
Sec. 38-4	Vehicles for sale, certain prohibitions	II
Ch. 50, Streets, Sidewalks and Other Public Places		
Art. I, In General		
Sec. 50-1	Sales from vehicles on streets and sidewalks prohibited	I
Sec. 50-2	Obstructing streets, alleys or sidewalks prohibited	I
Sec. 50-3	Littering in public prohibited	I
Art. III, Sidewalks		
Sec. 50-58	Permit required for operation of vehicles on sidewalks	I
Art. IV, Trees		

~~Sec. 50-109~~	~~Injury and destruction of trees~~	~~II~~
~~Sec. 50-110~~	~~Planting shrubbery and trees at intersections prohibited~~	~~II~~
~~Sec. 50-111~~	~~Tree planting and removal permits required for public right-of-way and public property~~	~~II~~
~~Ch. 62, Traffic and Vehicles~~		
~~Sec. 62-24~~	~~Parking and storage of commercial vehicles and construction equipment~~	~~II~~
~~Sec. 62-33~~	~~Parking, storage, and use of recreational equipment~~	~~I~~
~~Sec. 62-34~~	~~Vehicular parking on lawns, yard and sidewalks prohibited~~	~~I~~
~~Ch. 106, Flood Prevention and Protection~~		
~~Sec. 106-9~~	~~Penalties for violation~~	~~I~~
~~Ch. 122, Signs~~		
~~Sec. 122-8~~	~~Penalties and enforcement~~	~~II~~
~~Sec. 122-9~~	~~Sign permit required~~	~~II~~
~~Sec. 122-10~~	~~Administration of chapter~~	~~I~~
~~Sec. 122-11~~	~~Variances~~	~~I~~
~~Ch. 126, Subdivisions~~		
~~Sec. 126-6~~	~~Enforcement~~	~~I~~
~~Ch. 130, Tree Management and Protection~~		
~~Sec. 130-9~~	~~Penalties and enforcement~~	~~II~~
~~Ch. 134, Zoning~~		
~~Sec. 134-135~~	~~Permit; application; fees~~	~~II~~
~~Sec. 134-513~~	~~Commercial activity prohibited in residential districts~~	~~I~~
~~Sec. 134-518~~	~~Home occupations~~	~~II~~
~~Sec. 134-519~~	~~Outdoor sales~~	~~II~~
~~Sec. 134-522~~	~~Motor vehicle lots, boat sale areas prohibited~~	~~II~~
~~Sec. 134-523~~	~~Motor vehicles and boats for sale~~	~~II~~
~~Sec. 134-524~~	~~Garage and yard sales~~	~~I~~
~~Sec. 134-919~~	~~Noise~~	~~II~~
~~Sec. 134-920~~	~~Vibration~~	~~II~~

Sec. 2-263. Supplemental code enforcement citation process.

(a) Generally. It is the intention that this division shall provide a cumulative alternative to existing city code provisions and existing Florida law regarding the enforcement of the city's code of ordinances. Pursuant to this article, all city code inspectors and code enforcement officers may

issue civil citations to alleged violators of the city's code of ordinances. Such citations shall be in a form prescribed by the city and shall contain:

(1) the date and time of issuance of the citation;

(2) the name and address of the person to whom the citation is issued;

(3) the date and time the civil code infraction was committed;

(4) the facts constituting reasonable cause;

(5) the number or section of the code or ordinance violated;

(6) the name and authority of the code inspector or code enforcement officer;

(7) the procedure for the person to follow in order to pay the civil penalty or to contest or appeal the citation;

(8) the applicable civil penalty relating to the violation and citation;

(9) a conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to contest or appeal the citation, then such person shall be deemed to have waived his or her right to contest the citation and that, in such case, judgment may be entered against the person for an amount up to the maximum civil penalty authorized by law.

(b) Fees and penalties; Citation payment due date. A violation of the city's code of ordinances shall be punishable under this article by a fine or penalty of up to $400.00 per violation. Fees for violations shall be due and payable within ten (10) business days from the date of service by U.S. Mail of city written notification or ten (10) business days from the date of hand delivery or posting on the relevant personal property of the violator which constituted the violation or where the violation originated, as applicable, providing notification of the imposition of the fees and penalties set forth herein. The fees and penalties set forth herein are separate and apart from any additional fines, penalties, or remedial measures that the city may assess or impose for violations of this article under federal or Florida law, this code of ordinances, or otherwise as provided herein.

(1) Classification penalties. All violations of city codes or ordinances and the applicable civil penalties under this article shall be classified as follows:

Classification Penalty Civil Penalty

Class I $50.00

Class II $100.00

Class III $250.00

Class IV $400.00

Class V $500.00

(2) Repeat violations. Each successive repeated violation of a particular code or ordinance section shall be subject to a civil penalty for the next higher violation classification. For example, a second violation of a Class I violation will be fined as a Class II violation, a third violation of a Class I violation will be fined as a Class III violation, and so on.

(3) Subsequent codes and ordinances; amendments. City codes and ordinances subsequently enacted or amended may set forth the applicable civil penalties for violations by designating the appropriate violation classification as provided in subsection (1) of this section. In the event no classification is set forth therein, then violations shall be designated Class I violations.

(4) Violations of city codes and ordinances which constitute civil infractions for which citations may be issued are as follows:

	Description	Class
Ch. 10, Animals		
Sec. 10-2	Bird sanctuary	II
Sec. 10-3	Killing or trapping game or birds prohibited	II
Sec. 10-4	Commercial kennels, animal breeding or boarding facilities	II
Sec. 10-5	Maintenance of certain animals prohibited	II
Sec. 10-6	Live poultry prohibited	II
Sec. 10-7	Keeping or harboring animals that create disturbances unlawful	I
Sec. 10-8	Animals to be maintained on leash	I
Sec. 10-9	Animal waste	I
Ch. 14, Boats, Docks and Waterways		
Sec. 14-10	Deposit refuse or lowering level of lakes and canals	II
Ch. 22, Emergency Management and Emergency Services		
Sec. 22-21 et seq.	Alarm systems	I
Sec. 22-34	Permit required	IV
Sec. 22-35	Violation, civil penalty	I, IV
Ch. 30, Health and Sanitation		
Sec. 30-2	Removal of dead animal carcasses	II
Sec. 30-21, et. Seq	Removal of weeds, wild growth and trash required; city will remove upon failure of owner	I
Sec. 30-48	Disposal of refuse and garbage	II
Ch. 34, Licenses and Business Regulations		

Art. II, Occupational Licenses		
Sec. 34-19	Local business tax imposed	III
Sec. 34-23	Engaging in business without a business tax receipt; delinquent fees; penalty	III
Sec. 34-24	Posting of business tax receipt	I
Art. III, Bingo		
Sec. 34-61	Persons involved in conduct of bingo game	II
Sec. 34-62	Bookkeeping requirements—Charities	II
Sec. 34-63	Same—For profit bingo organization	II
Sec. 34-64	Notices	II
Sec. 34-74	Operating bingo hall or conducting bingo games in bingo hall without permit unlawful	III
Sec. 34-75	Bingo halls open for inspection	II
Art. IV, Peddlers and Solicitors		
Sec. 34-109	Penalties	IV
Art. V, Adult Establishments		
Sec. 34-133	Adult bookstores	III
Sec. 34-134	Adult motion picture theaters	III
Sec. 34-135	Adult dancing establishments	III
Ch. 38, Offenses and Miscellaneous Provisions		
Sec. 38-2	Unreasonably loud noise	I
Sec. 38-3	Smoking at public meetings prohibited	
		II
Ch. 50, Streets, Sidewalks and Other Public Places		
Art. I, In General		
Sec. 50-1	Sales from vehicles on streets and sidewalks prohibited	I
Sec. 50-2	Obstructing streets, alleys or sidewalks prohibited	I
Sec. 50-3	Littering in public prohibited	I
Art. III, Sidewalks		
Sec. 50-58	Operation of vehicles on sidewalks	I
Ch.130,Tree Management and Protection		
Sec. 130-4	Care of Trees	II
Sec. 130-5	Application for Tree Removal Permit	II
Sec. 130-10	Trees, shrubs, and plants in and adjacent to right-of-way	II
Ch. 62, Traffic and Vehicles		
Sec. 62-24	Parking and storage of commercial vehicles and construction equipment	II
Sec. 62-33	Parking, storage, and use of recreational equipment	I

Sec. 62-34	Vehicular parking on lawns, yard and sidewalks prohibited	I
Ch. 106, Flood Prevention and Protection		
Sec. 106-181	Violations	I
Ch. 122, Signs		
Sec. 122-3	Permits and Fees	II
Sec. 122-10	Prohibitted Signs	II
Ch. 126, Subdivisions		
Sec. 126-6	Enforcement	I
Ch. 130, Tree Management and Protection		
Sec. 130-9	Penalties and enforcement	II
Ch. 134, Zoning		
Sec. 134-135	Permit; application; fees	II
Sec. 134-513	Commercial activity prohibited in residential districts	I
Sec. 134-518	Home-based businesses	II
Sec. 134-519	Outdoor sales	II
Sec. 134-522	Motor vehicle lots, boat sale areas prohibited	II
Sec. 134-523	Motor vehicles and boats for sale	II
Sec. 134-524	Garage sales, yard sales, and estate sale	I
Sec. 134-919	Noise	II
Sec. 134-920	Vibration	II

(c) Appeal of fines and fees. Any person determined by the city to be in violation of any provision of the city's code of ordinances that is cited or assessed penalties under this article may appeal the imposition of any fee or penalty imposed by filing a written request for appeal to the city clerk within fifteen (15) business days of service or hand delivery of the city's written citation or notification that imposes any fines or fees relating to a violation of the city's code of ordinances. The written request for appeal must contain a short statement of the grounds for the appeal. The special magistrate, exercising appellate jurisdiction over the matter, shall hear the appeal within sixty (60) days after the filing of the written request for appeal and the City shall provide notice of the hearing in a manner consistent with Chapter 162.12, Florida Statutes. The appellant shall pay to the city a fee prescribed by the city council to cover the administrative costs of such an appeal.

(d) Discretionary authority of special magistrate on appeal. The special magistrate may reduce or waive the fees or penalties imposed based upon appellant's presentation of evidence and testimony relating to any efforts taken to correct the violation(s) in a timely manner, the gravity of the violation(s), and any previous violations committed by the appellant in the previous twelve (12) month period. The city shall be permitted a reasonable opportunity to present its own evidence

regarding the reasonableness of any fees imposed and to rebut any evidence or argument presented by the appellant.

(e) Past due fees and penalties for violations occurring on private property. In the event that the fees imposed in accordance with this article are not paid when due for any reason, including but not limited to mistake or inadvertence, the city shall have the right to collect such fees and charges relating to violations occurring on private property as follows:

(1) The city shall serve, by certified mail-return receipt requested and regular U.S. Mail, a notice of non-payment upon the violator and the current owners of the property based on the ownership information appearing on the Orange County Property Appraiser's website. Provided the city sends the notice of non-payment, the violator and/or current owner's failure to receive delivery of such notice of non-payment shall not invalidate or otherwise impact the city's ability to collect the outstanding amount owed through the recording of a lien, maintenance of foreclosure proceedings, or any other remedies provided by Florida law.

(2) The notice of non-payment shall:

(i) contain a description or address of the property from which the violation originated or upon which the violation occurred;

(ii) advise the violator and/or property owner of the amount due and the fee and/or charges that were not paid; and

(iii) advise that in the event the fees and/or charges are not paid within thirty (30) calendar days from the date of the notice of non-payment, that the City shall institute collection efforts.

(3) If the amount set forth in the notice of non-payment is not paid within thirty (30) days from the date of the notice of non-payment, then the outstanding balance owed to the city shall accrue interest at the rate of twelve percent (12%) per annum until such amount is paid in full; the city may pursue any lawful means to make collection, including working with collection agencies.

(4) The violator and the owner shall be responsible, jointly and severally, for and the city shall be entitled to reimbursement for the payment of all collection expenses and costs, including attorneys' fees and litigation costs and recording and filing fees, incurred by the city in the collection of fees and charges, and any legal action.

(5) The collection and enforcement procedures set forth in this subsection shall be cumulative with and in addition to any applicable procedures provided in any other ordinance of the city, any applicable Florida law, or any agreement. Failure of the city to follow the procedures set forth in this subsection shall not constitute nor be construed as a

waiver of the city's rights to proceed under any other ordinance of the city, in accordance with Florida law, or pursuant to any agreement.

(f) Past due fees and penalties for violations not occurring on private property. In the event that the fees imposed in accordance with this article are not paid when due for any reason, including but not limited to mistake or inadvertence, the city shall have the right to collect such fees and charges relating to violations not occurring on private property as follows:

(1) The city, in its discretion, may file suit for the recovery of any fees and penalties issued pursuant to this article or otherwise obtain a monetary judgment to collect past due amounts owed, initiate code enforcement proceedings relating to the violation, or pursue any other additional fines, penalties, or remedial measures that the city may assess or impose for violation of this article under federal or Florida law, this code of ordinances, or otherwise as provided herein. In such event the violator shall be responsible for and the city shall be entitled to reimbursement for the payment of all collection expenses and costs incurred by the city in the collections of any such past due fees and penalties for violations not occurring on private property.

(2) The collection and enforcement procedures set forth in this subsection shall be cumulative with and in addition to any applicable procedures provided with and in addition to any applicable procedures provided in any other ordinance of the city, any applicable Florida law, or any agreement. Failure of the city to follow the procedures set forth in this subsection shall not constitute nor be construed as a waiver of the city's rights to proceed under any other ordinance of the city, in accordance with Florida law, or pursuant to any agreement.

SECTION 4. Codification. This Ordinance shall be incorporated into the Code of Ordinances of the City of Edgewood, Florida. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or the Code of Ordinances of the City of Edgewood, Florida may be freely made.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 7. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Edgewood, Florida.

FIRST READING this _____ day of _____, 2026.

SECOND READING and adoption this _____ day of _____, 2026.

_____
Richard A. Horn, Council President

ATTEST:

_____
Sandra Riffle
City Clerk

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)