

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CODE OF ORDINANCES BY AMENDING SECTION 96.26, "PUBLIC NUISANCES," TO PROVIDE FOR THE REMOVAL OF ANY COMBUSTIBLE, EXPLOSIVE AND HAZARDOUS MATERIAL OR OTHER CONDITION WHICH HAS THE POTENTIAL TO CAUSE IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR THE ENVIRONMENT EITHER BY ITSELF OR INTERACTION WITH OTHER FACTORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 96.26, "Public Nuisances," of Chapter 96, "Health and Safety," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 96.26 PUBLIC NUISANCES.

...

(C) The following are declared to be public nuisances when occurring upon any street, sidewalk, alley, or other public place or property, or upon any private property:

(1) Any unauthorized accumulation of construction debris, garbage, horticulture trash, or refuse.

...

(12) Recycling drop-off stations as defined in Section 155.4303AA.2. of the city's code, that have been located on properties in the city with no approved building permit from the city which shall be deemed to constitute a windstorm hazard.

(13) The presence of any combustible, explosive and hazardous material or other condition which has the potential to cause immediate danger to the public health, safety and welfare or the environment either by itself or interaction with other factors.

...

SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2017.

PASSED SECOND READING this _____ day of _____, 2017.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

FP:sh
5/19/17
l:/ord/ch96/2017-222f