

ORDINANCE NO. 120

AN ORDINANCE AMENDING CHAPTER 1, GENERAL PROVISIONS OF THE TOWN OF CINCO BAYOU CODE OF ORDINANCES; PROVIDING FOR THE SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

SECTION 1. The paragraph entitled Official Time under Section 1-2, Chapter 1, General Provisions, of the Town of Cinco Bayou Code of Ordinances is hereby amended to read as follows:

Official Time. - Whenever certain hours are named herein, they shall mean Central Standard Time or daylight saving time as may be in current use in the Town.

SECTION 2. Section 1-8, Chapter 1, General Provisions, of the Town of Cinco Bayou Code of Ordinances is hereby amended to read as follows:

SECTION 1-8. GENERAL PENALTY; CONTINUING VIOLATIONS; VIOLATIONS AS PUBLIC NUISANCE.

Whenever in this Code, or in any ordinance or resolution of the town, or rule or regulation or order promulgated by any officer or agency of the Town under authority duly vested in him or it, any act is prohibited or is declared to be unlawful, or the doing of any act is required or the failure to do any act is declared unlawful and no specific penalty is provided for the violation thereof, the violation of any such provision of this Code or any such ordinance, resolution, rule, regulation or order may be fined an amount not more than five hundred dollars (\$500.00), or by imprisonment for a period not exceeding ninety (90) days, or by both such fine and imprisonment. Each day any violation of any provision of this Code or of any such ordinance, resolution, rule, regulation or order shall continue shall constitute a separate offense.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance, resolution, rule, regulation or order shall be deemed a public nuisance and may be abated by the Town, as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.

SECTION 3. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or word shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.
All ordinances and resolutions of the governing body in conflict herewith are repealed.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption.

Adopted this 9th day of March, 1988.



APPROVED:

Charles R. Layman
Mayor

ATTEST:

Ann B. Bockley
Town Manager/Clerk