

ORDINANCE NO.: 2024-01

AN ORDINANCE CREATING PROCEDURES FOR CODE ENFORCEMENT CASES AS WELL AS VIOLATIONS TO BE HEARD BY SPECIAL MASTER(S) OR A CODE ENFORCEMENT BOARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lee has numerous codes and ordinances in effect and desires to establish a process by which violations of said codes and ordinances are processed by a Special Master or a Code enforcement Board, and

WHEREAS, Chapter 162, Florida Statutes, authorizes the creation of a procedure whereby a Special Master(s) or a Code enforcement Board is appointed who can administratively determine the existence of violations of codes and ordinances of the Town of Lee, Florida.

Now, Therefore, be it Ordained by the Council of the Town of Lee, Florida:

Section 1. Intent:

It is the intent of this ordinance to promote, protect and improve the health, safety and welfare of the citizens of the Town by authorizing the appointment of a Special Masters or a Code enforcement Board with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances in force in the Town, where a pending or repeated violation continues to exist.

Section 2. Appointment Process:

(a.) The Town Council may appoint one (1) or more Special Masters or a five (5) member Code enforcement Board who shall have the authority to hold hearings and assess fines against violators of the codes and ordinances of the Town, as provided in F.S. Ch. 162, Part 1 and in this ordinance.

(b.) A Special Master/Code Enforcement Board if chosen shall be citizens of, Florida, who, if chosen, shall possess experience in zoning and land use law, building control, code enforcement, and administrative law. The Code Enforcement Board shall consist of a (5) Citizens of the Town of Lee to be appointed by the Town Council.

(c.) A Special Master shall not be a Town employee.

(d.) The Town shall provide necessary and reasonable clerical and administrative support to enable a Special Master/ Code Enforcement Board to perform their duties. A Special Master/Code Enforcement Board shall not be authorized to hire or use the services of any person except those provided by the Town to assist them in the performance of their duties.

Section 3. Definitions:

(a.) Special Master means an attorney admitted to the Florida Bar who possesses experience in zoning and land use law, building control, and administrative law, and has been appointed by the Town to hold hearings and assess fines against violators of the codes and ordinances of the Town.

(b.) Code Enforcement Board means a (5) member board appointed by the Town Council to hold hearings and assess fines against violators of the codes and ordinances of the Town. Code Enforcement Board members cannot be Town employees.

(c.) Code Enforcement Secretary means an employee of the Town having primary responsibility for providing administrative support for Code Enforcement Board, accepting applications, giving notices and otherwise supporting the Code Enforcement Program.

(d.) Code Enforcement Officer means any authorized agent or employee of the Town whose duty it is to assure code compliance.

(e) Repeat Violation means a violation of a provision of a code or ordinance by a person whom the Code Enforcement Board has previously found to have violated the same provision within (5) years prior to the most recent alleged violation.

Section 4. Procedure:

(a.) It shall be the duty of the Code Inspector to initiate enforcement proceedings of the various codes. A Special Master or Code Enforcement Board shall not have the power to initiate such enforcement proceedings.

(b.) Notification of Violation; Hearing; Written Notice of Hearing. Except as provided in subsections (c.) and (d.), if a violation of the code is found, the Code Enforcement Officer shall notify the violator and give him or her a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the Code Enforcement Officer shall notify a Special Master or Code Enforcement Board and request a hearing. The Special Master or Code Enforcement Board shall schedule a hearing and written notice of such hearing shall be handdelivered or mailed as provided by Ordinance to the violator. At the option of the Special Master or Code Enforcement Board, notice may additionally be served by publication or posting as provided in section. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Master or Code Enforcement Board even if the violation has been corrected prior to the hearing, and the notice shall so state.

(c.) Repeat Violations. If a repeat violation is found, the Code Enforcement Officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. The Code Enforcement Officer, upon notifying the violator of a repeat violation, shall notify a Special Master or Code Enforcement Board and request a hearing. The Special Master or Code

Enforcement Board shall schedule a hearing and shall provide notice pursuant to section. The case may be presented to the Special Master or Code Enforcement Board even if the repeat violation has been corrected prior to the hearing, and the notice shall so state.

(d.) Emergency Hearings. If the Code Enforcement Officer has reason to believe a violation presents a serious threat to the public health, safety or welfare or if the violation is irreparable or irreversible in nature, the Code Enforcement Officer shall make a reasonable effort to notify the violator and may immediately notify a Special Master or Code Enforcement Board and request a hearing.

Section 5. Conduct of Hearing:

(a.) Manner of Calling Hearing; Minutes Open to Public. Upon request of the Code Enforcement Officer, or at such other times may be necessary, a Special Master or Code Enforcement Board may call a hearing. Minutes, written or digitally recorded, shall be kept of all hearings by the Special Master or Code Enforcement Board, and all hearings and proceedings shall be open to the public. The Town Council shall provide clerical and administrative personnel as may be reasonably required by the Special Master or Code Enforcement Board.

(b.) Presenting Cases. Each case, before a Special Master or Code Enforcement Board, shall be presented by a member of the administrative staff of the Town Council.

(c.) Testimony; Rules of Evidence. The Special Master or Code Enforcement Board shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The Special Master or Code Enforcement Board shall take testimony from the Code Enforcement Officer and alleged violator. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(d.) Findings of Fact; Order of Compliance. At the conclusion of the hearing, the Special Master or Code Enforcement Board shall issue findings of fact, based on evidence of record and conclusion of law, and shall issue an order affording the proper relief consistent with powers granted herein. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed if the order is not complied with by said date. A certified copy of such order shall be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors on interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records and the order is complied with by the date specified in the order, the Special Master or Code Enforcement Board shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

Section 6. Power of Special Master/Code Enforcement Board: -

A Special Master or Code Enforcement Board shall have the power to:

- i. Adapt rules for the conduct of hearings.
- ii. Subpoena alleged violators and witnesses to Special Master/Code Enforcement Board hearings. Subpoenas may be served by the rules and statutes pertaining to subpoenas.
- iii. Subpoena evidence to Special Master hearings.
- iv. Swear or affirm witnesses prior to receiving their testimony.
- v. Issue orders having the force of law to command the necessary steps to bring a violation and violator into compliance.

Section 7. Administrative Fines; Liens:

(a.) Generally, a Special Master or Code Enforcement Board, upon notification by the Code Enforcement Officer that an order of a Code Enforcement Board or Special Master has not been complied with by the set time, or upon finding that a repeat violation has been committed, may order the violator to pay a fine in an amount specified in this Ordinance for each day the violation continues past the date set for compliance or, in the case of a repeat violation, for each day the repeat continues beginning with the date the repeat violation is found to have occurred by the Code Enforcement Officer.

(b.) Amount of fines:

(1.) A fine imposed pursuant to this Ordinance shall not exceed two hundred fifty dollars (\$250.00) per day for a first violation and shall not exceed five hundred dollars (\$500.00) per day for a repeat violation. However, if a Special Master finds the violation to be irreparable or irreversible in nature, Special Master or Code enforcement Board may impose a fine not to exceed five thousand dollars (\$5,000.00) per violation. At no time shall the fine imposed be in excess of the legally permitted amount allowed by law at the time of imposition.

(2.) In determining the amount of the fine, if any, the Special Master or Code Enforcement Board shall consider the following factors:

- (a) The gravity of the violation;
- (b) Any action taken by the violator to correct the violation; and
- (c) Any previous violations committed by the violator.

(3.) A Special Master or Code enforcement Board may reduce a fine imposed pursuant to this section.

(c.) Administrative Costs Related to the Prosecution of Code Enforcement Cases. Costs incurred by the Town in the successful prosecution of a code enforcement case shall be assessed against the violator pursuant to Florida Statutes 162.07(2).

(d.) Fine Imposed. A certified copy of an order imposing a fine may be recorded in the public records and 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. Upon petition to the Circuit Court, such order may be enforced in the same manner as a court judgment by the Sheriffs of this state, including levy against personal property, but such order shall not be a court judgment except for enforcement purposes. A fine imposed pursuant to this part shall continue to accrue interest until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this Ordinance runs in favor of the Town, and the Town may execute a Satisfaction or Release of lien entered pursuant to this section. However, the Town Council shall not review an Order of the code enforcement Special Master or Code Enforcement Board. Only the Code Enforcement Special Master or Code Enforcement Board has the power to reduce code enforcement liens pursuant to the provisions contained in this article. The Town shall execute a Satisfaction or Release of lien upon direction of the Special Master or Code Enforcement Board. After three (3) months from the filing of any such lien which remains unpaid, the Special Master may authorize the Town Attorney to foreclose on the lien. No lien created pursuant to the provisions of this part may be foreclosed on real property which is homestead under the Florida State Constitution.

Section 8. Duration of lien:

No lien provided under the Local Government Code Enforcement Boards Act shall continue for a period longer than twenty (20) years after the certified copy of an order imposing the fine has been recorded, unless within that time an action to foreclosure on the lien is commenced in a Court of competent jurisdiction, the prevailing party is entitled to recover all costs, including reasonable attorney's fees, that it incurs in the foreclosure. The Town shall be entitled to collect all costs incurred in recording and satisfying a valid lien. The continuation of the lien effected by the commencement of the action shall not be valid against creditors or subsequent purchasers for a valuable consideration, without notice, unless a notice of Lis pendens is recorded.

Section 9. Appeals:

An aggrieved party, including the local governing body, may appeal a final administrative order of a Special Master or Code Enforcement Board to the Circuit Court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Special Master or Code Enforcement Board. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed. The Town Attorney or his or her designee is hereby authorized to defend such appeals on behalf of the Town and/or a Special Master or Code Enforcement Board.

Section 10. Reconsider Action; (a) Procedure for Reduction of Lien, (b) Request for Rehearing, (c) Reconsideration for Sale, (d) Extension of Compliance Date:

(a.) These reconsideration procedures are applicable to any violator whose case has been heard before a Code Enforcement Board or a Special Master. The applicable requirements as set forth in this Ordinance shall be met.

(b.) The Code Enforcement Officer or his or her designee shall finish the form for an application for a lien reduction, an extension of compliance date, a reconsideration for sale, or a rehearing of the case. An application form for a lien reduction will be furnished with a copy of an Affidavit of Compliance when an Affidavit of Compliance is issued. Each application shall require a completed application form accompanied by the applicable fee.

Section 10(a). Lien Reductions:

The following criteria must be complied with prior to a lien reduction hearing.

(a.) The property in question must be in total compliance and an affidavit of compliance must be issued for the case being reconsidered.

(b.) The subject property must be free of all outstanding debts (including taxes) due to the Town.

(c.) The request for lien reduction application must be submitted to the Code Enforcement Secretary within forty-five (45) days of the date of execution of the affidavit. Where the applicant owns more than one property in the Town which have received code enforcement violations, the request for lien reduction application must be submitted to the Code Enforcement Secretary within fortyfive (45) days of the date of the execution of the Affidavit of Compliance for the last property to come into compliance.

(d.) An application fee as provided in this Ordinance shall be included for the application to be processed.

(e.) All other properties owned by the violator within the Town must not have any active code enforcement cases in process with the Town.

(1.) A party requesting a lien reduction shall submit a completed lien reduction application to the Code Enforcement Secretary within forty-five (45) days of the execution date of the Affidavit of Compliance. If the reduction application is complete, a lien reduction hearing shall be scheduled before a Special Master. Or Code Enforcement Board, The appealing party will be notified in writing of the scheduled hearing at least five (5) days prior to the hearing date.

(2.) The Special Master or Code Enforcement Board, at a lien reduction hearing shall make one (1) of the following determinations: (a) the lien may be reduced to a specified amount, or (b) the request for lien reduction may be denied. Any lien reduction made pursuant to this Ordinance are not applicable to any administrative fees assessed at any prior hearing. The Special Master or Code Enforcement Board shall review all the facts set forth in the application to determine if the applicant is eligible for the requested relief prior to making a decision and entering an order. The lien reduction hearing shall not be a hearing de novo of the original case. The Special Master or Code Enforcement Board shall hear not more than one (1) request for a lien reduction for each case.

Section 10(b) Rehearing:

(a) The violator may request a rehearing of a case if the violator disagrees with a decision of the Special Master or Code Enforcement Board and if new evidence has become available since the initial hearing and was not considered at the initial hearing. The following criteria shall be used to determine if the applicant qualifies for a rehearing of a case:

(1) The applicant shall submit proof of new evidence to support the request for rehearing. The proof of new evidence shall be reviewed based on evidence that was presented at the initial hearing. If the evidence was previously considered at the initial hearing the application will be denied.

(2) All new evidence shall be described on the back of the application form for rehearing.

(3) The request for Rehearing Application must be submitted to the Code Enforcement Secretary within thirty (30) days of the date of the order rendered pursuant to the initial hearing.

(4) An application fee as provided herein shall be included for the application to be processed.

(b) A party requesting a rehearing shall submit a completed rehearing Application to the Code Enforcement Secretary within thirty (30) days after the initial hearing. The Code Enforcement Officer or his or her designee shall process the application and determine whether all required criteria have been met. If the applicant does not qualify for a rehearing, the party will be notified in writing of the reasons for rejection and refunded one-half (1/2) of the application fee. If the Rehearing Application is complete and meets the requirements of this Ordinance, a rehearing request shall be scheduled before a Special Master/Code Enforcement Board. The appealing party will be notified in writing of the scheduled hearing at least five (5) business days prior to the hearing date. The Code Enforcement Secretary shall notify the applicant in writing of the decision of the Special Master or Code enforcement Board on the application.

(c) The Special Master or Code Enforcement Board shall make one (1) of the following determinations regarding the request for rehearing: (1) the request for rehearing may be granted; or (2) the request for rehearing may be denied. If a request for rehearing is granted, the Special Master or Code Enforcement Board shall schedule the rehearing for a later date. Any request granted pursuant to this Ordinance is not applicable to any administrative fees assessed in the prior hearing. The Special Master or Code Enforcement Board shall review all the facts set forth in the application prior to making a decision and entering an order. The Special Master shall consider not more than one (1) request for rehearing for each case.

Section 10(c) Reconsideration for Sale:

(a) The Special Master or Code Enforcement Board may hear a reconsideration request for the sale of a property. The following criteria shall be used to determine whether the applicant qualifies for a request for reconsideration for sale:

(1.) The applicant shall submit a copy of a valid contract for sale along with the completed application for reconsideration.

(2.) The property must be secured, and landscaping must not be in an overgrown condition and all trash and/or debris must be removed.

(3.) A proposed compliance schedule for all outstanding violations must be submitted along with the completed application.

(4.) An application fee as provided in this Ordinance shall be included for the application to be processed.

(5.) A party seeking a request for reconsideration for sale shall submit a completed application to the Code Enforcement Secretary. The Code Enforcement Officer assigned to the case will make an inspection to determine compliance with item (2) as outlined above. If the Code Enforcement Officer is not available, any subsequent Code Enforcement Officer will suffice. If the reconsideration for sale application is complete and meets the requirements of this section, the request shall be scheduled before a Special Master or Code Enforcement Board. The appealing party will be notified of the scheduled hearing at least five (5) business days prior to the hearing date.

(b) The Special Master or Code Enforcement Board shall make one (1) of the following determinations regarding the request for reconsideration for sale: (1) the request for reconsideration may be granted, or (2) the request for reconsideration may be denied. If a request for sale is granted, the Special Master or Code Enforcement Board may set forth the conditions under which the request is granted. Any request and subsequent conditions granted pursuant to this Ordinance are not applicable to any administrative fees assessed due to any prior hearings. The Special Master or Code Enforcement Board shall review all the facts set forth in the application to determine whether the applicant is eligible for the requested relief prior to making a decision and entering an order. The Special Master shall not hear more than one (1) request for reconsideration for sale per proposed purchaser of the property.

Section 10(d). Extensions of Compliance Date:

(a.) A violator may request an extension of his or her compliance date set by the Special Master or Code Enforcement Board. The following criteria shall be used by the Special Master or Code Enforcement Board when determining whether the applicant qualifies for a request for extension of his or her compliance date:

(1.) The applicant shall submit proof of extenuating circumstances that will prevent the violations from being complied with within the period initially set for compliance by the Special Master or Code Enforcement Board.

(2.) At least thirty (30) percent of the violations cited must be in compliance when the application is submitted. This shall be verified by the Code Enforcement Officer assigned to the case and an affidavit indicating such shall be filed by the Officer.

(3.) A completed application and the filing fee as provided in this Ordinance shall be filed with the Code Enforcement Secretary prior to the original compliance date.

(b.) A party requesting an extension of the compliance date shall submit a completed application to the Code Enforcement Secretary. If the Request for Extension of Compliance Date Application is complete and filed in a timely manner, the request shall be scheduled before a Special Master or Code Enforcement Board. The appealing party will be notified in writing of the scheduled hearing at least five (5) business days prior to the hearing date.

(c.) The Special Master or Code Enforcement Board shall make one (1) of the following determinations regarding the request for an extension of a compliance date: (1) the request for extension may be granted, or (2) the request for extension may be denied. If a request for an extension of the compliance date is granted, the Special Master or Code Enforcement Board shall set forth the conditions under which the request is granted. Any request and subsequent conditions granted pursuant to this Ordinance are not applicable to any administrative fees assessed due to any prior hearings. The Special Master or Code Enforcement Board shall review all the facts set forth in the application to determine if the applicant is eligible for the requested relief prior to making a decision and entering an order. The Special Master or Code Enforcement Board shall not hear more than one (1) request for an extension of the compliance date for each case.

Section 10(e) Application Fees:

(a.) Fees for an application for relief shall be:

(1.) Lien reduction, initial application: ten (10) percent of the outstanding lien balance. When multiple properties are involved, the lien reduction fee shall be ten (10) percent of the highest outstanding lien balance.

(2.) Lien reduction, each additional reduction application filed with the initial application --- \$500.00*

(3.) Rehearing --- \$200.00, Section 10(b)(4) Reconsideration for sale --- \$500.00** Extension of compliance date. . . \$100.00

*Or ten (10) percent of the outstanding lien balance, whichever is greater.

**Payment of fifteen (15) percent of the outstanding lien balance holds the accumulating fine in abeyance until the hearing.

(b.) If the Special Master or Code Enforcement Board determines that the criteria for such applications are not met the applicant shall be required to file a new application, pay the full

amount of the fees, and demonstrate full compliance with the criteria in order to be eligible for the relief sought.

Section 10(f). Waiver of Hearing Procedure:

(a.) In the event that a violator agrees with violations contained on the notice of violations, but requests more time to correct the violations, the violator shall have the option to agree to the violations and waive the violator's right to a hearing before the Special Master or Code Enforcement Board. The violator shall then have additional time as agreed to between the violator and the Code Enforcement Officer to correct the violations before any fine begins to run. Such extension shall not be unreasonable in nature.

(b.) The waiver of the right to a hearing must be in writing and on a form provided to the violator by the Code Enforcement Officer. The waiver of hearing form shall indicate that the waiver of hearing is solely at the option of the violator, and the violator has an absolute right to have a hearing before the Special Master or Code Enforcement Board. The waiver of hearing form shall further contain the date that the violator must correct the violations before a fine commences to run and shall state the amount of the daily fine if the violation is not corrected by the correction date.

(c.) By signing the waiver of hearing form, the violator agrees to the entry of an order approving the waiver of hearing. The order shall provide that the mandatory administrative costs and reinspection fee are to be paid by the violator. The violator further agrees to the entry of an additional order in the event that the violator does not correct the violations by the correction date.

(d.) The Special Master or Code Enforcement Board, upon notification by the Code Enforcement Officer that an order described in this Ordinance has not been complied with by the set time, may order the violator to pay a fine in an amount not to exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the Code Enforcement Officer, and, in addition, may include all costs of repairs and inspection as permitted by this Ordinance. However, if a Code Enforcement Board finds the violation to be irreparable or irreversible in nature, it may impose fine not to exceed \$5,000 per violation.

Section 11. Mandatory Inspection for Properties Found to be in Violation; Fees for Mandatory Inspection:

(a.) Any property that has been found in violation by a Special Master or Code Enforcement Board shall be required to be inspected after six (6) months from the date of the initial hearing and again at twelve (12) months after the date of the initial hearing in which the property was found to be in violation.

(b.) The owner of a property that has been found to be in violation by a Special Master or Code Enforcement Board shall be required to pay an inspection fee of seventy-five (\$75.00) for each

of the mandatory inspections. The required inspection fees totaling one hundred fifty dollars (\$150.00) shall be included as part of the administrative costs assessed by the Town and shall be included in any liens filed by the Town.

Section 12. Notices:

(a.) All notices required by this article shall be provided to the alleged violator by certified mail, return receipt requested, addressed to the address listed in the tax collector's office for tax notices, or by hand delivery by the Town Manager, Code Enforcement Officer, or other person designated by the Town Council; or by leaving the notice at the violator's usual place of residence with any person residing therein who is above fifteen (15) years of age and informing such person of the contents of the notice. In the case of commercial premises, by leaving the notice with the manager or other person in charge.

(b.) In addition to providing notice as set forth in this Ordinance, at the option of a Special Master or Code Enforcement Board notice may also be served by publication or posting, as follows:

(1.) Such notice shall be published once during each week for four (4) consecutive weeks of general circulation in Madison County. The newspaper shall meet such requirements as are prescribed under Chapter 50, Florida Statutes, for legal and official advertisements. Proof of publication shall be made as provided in sections 50.041 and 50.051, Florida Statutes.

(2.) In lieu of publication as described in this Ordinance, such notice may be posted for at least ten (10) days in at least two (2) locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be in the Town of Lee. Proof of posting shall be by affidavit of the person posting the notice which affidavit shall include a copy of the notice posted and the date and places of its posting.

(3.) Notice by publication may run concurrent with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under this Ordinance. (c.) Evidence that an attempt has been made to hand deliver or mail notice as provided in this Ordinance, together with proof of publication or posting as provided in this Ordinance, shall be sufficient to show that the notice.

requirements of this Ordinance have been met, without regard to whether or not the alleged violator actually received such notice.

Section 13. Correction by Town; Assessment of Costs:

(a.) Should an order of a Special Master or Code Enforcement board not be complied with by the set time, the Town is hereby authorized to correct the violation or violations employing such labor as is necessary.

(b.) In addition, if the violation is a violation described in section 162.06(4), Florida Statutes, the enforcement board shall notify the local governing body, which may make all reasonable repairs

which are required to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this Ordinance. Making such repairs does not create a continuing obligation on the part of the local governing body to make further repairs or to maintain the property and does not create any liability against the local governing body for any damages to the property if such repairs were completed in good faith.

Section 14. Transition:

Nothing herein shall be construed so as to affect any prior decision or order of the Town Council, or any lien imposed by the Town Council which shall continue in full force and effect as if this article had not been adopted.

Section 15. Severability:

If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the 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 16. Conflicts:

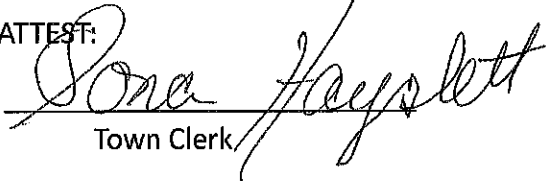
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 17. Effective Date:

Passed the first reading this 5th day of December, 2023.

This Ordinance shall become effective upon the passage of the second and final reading this 6th day of February, 2024.


Mayor

ATTEST:

Town Clerk