

**RESOLUTION NO. 2022-16**

**A RESOLUTION OF THE CITY OF VENICE, FLORIDA ADOPTING A REVISED SCHEDULE OF VIOLATIONS AND PENALTIES CONSISTENT WITH SECTION 2-333 OF THE CITY CODE OF ORDINANCES; SUPERSEDING RESOLUTION NO. 2020-30; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Venice has a Schedule of Violations and Penalties that identifies the maximum civil penalty for violation of a city code or ordinance; and

**WHEREAS**, the City desires to update and revise the existing Schedule of Violations and Penalties; and

**WHEREAS**, Section 2-333(d) of the City of Venice Code of Ordinances authorizes City Council to adopt and amend a Schedule of Violations and Penalties by resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA**, as follows:

**SECTION 1.** The whereas clauses above are ratified and confirmed as true and correct.

**SECTION 2.** The Venice City Council hereby adopts the Schedule of Violations and Penalties attached hereto as "Exhibit A".

**SECTION 3.** This Resolution shall superseded and replace Resolution 2020-30 in its entirety.

**SECTION 4.** This Resolution shall take effect immediately upon its approval and adoption as required by law.

**APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 24<sup>th</sup> DAY OF MAY 2022.**

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Ron Feinsod, Mayor

ATTEST:

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Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of a Resolution duly adopted by the City of Venice Council at a meeting thereof duly convened and held on the 24<sup>th</sup> day of May, 2022 a quorum being present.

WITNESS my hand and the official seal of the said city this 24<sup>th</sup> day of May 2022.

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Kelly Michaels, MMC, City Clerk

(SEAL)

Approved as to form:

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Kelly Fernandez, City Attorney

**SCHEDULE OF VIOLATIONS AND PENALTIES**

| Ordinance/Code Violation Classification        | First Offense                                                                                           | Applicable Civil Penalty | Subsequent Offense |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------|--------------------------|--------------------|
| Class I                                        | Non-Contested                                                                                           | \$ 75.00                 | \$ 175.00          |
|                                                | Contested                                                                                               | \$ 175.00                | \$ 375.00          |
| Class II                                       | Non-Contested                                                                                           | \$ 150.00                | \$ 250.00          |
|                                                | Contested                                                                                               | \$ 250.00                | \$ 450.00          |
| Class III                                      | Non-Contested                                                                                           | \$ 175.00                | \$ 300.00          |
|                                                | Contested                                                                                               | \$ 300.00                | \$ 500.00          |
| Class IV                                       | Non-Contested                                                                                           | \$ 200.00                | \$ 375.00          |
|                                                | Contested                                                                                               | \$ 375.00                | \$ 500.00          |
| CLASS-III 90-101 Construction without a permit | Non-contested                                                                                           | \$ 1500.00               | \$ 2000.00         |
|                                                | Appealed                                                                                                | \$ 2500.00               | \$ 2500.00         |
| Class IV -90-165 Unlicensed Contracting        | Non-contested                                                                                           | \$ 1500.00               | \$ 2000.00         |
|                                                | Appealed                                                                                                | \$ 2500.00               | \$ 2500.00         |
| City Code*                                     | Description                                                                                             | Class Violation          |                    |
| 6-40                                           | Drinking, consuming or possessing an open container on public property.                                 | Class III                |                    |
| 10-2                                           | Dogs running at large.                                                                                  | Class I                  |                    |
| 10-6                                           | Animals in or on parks, playgrounds, school premises, public buildings or beaches.                      | Class I                  |                    |
| 10-8                                           | Removal of animal waste deposited on public or private property.                                        | Class I                  |                    |
| 34-35                                          | Prohibited Noise                                                                                        | Class I                  |                    |
| 34-62                                          | Burning of land clearing and tree cutting debris.                                                       | Class IV                 |                    |
| 34-81                                          | Offensive Accumulations.                                                                                | Class I                  |                    |
| 42-3                                           | Damaging or disturbing trees, shrubbery or other plants on city property.                               | Class II                 |                    |
| 42-5                                           | Security measure requirements for owners and operators of retail gas pumps.                             | Class II                 |                    |
| 46-62 (a)(1-8)                                 | General rules and regulations for all parks, beaches and recreational areas.                            | Class I                  |                    |
| 46-62(a)(9)                                    | Animals in prohibited areas.                                                                            | Class II                 |                    |
| 46-62(a)(10)                                   | Use of tobacco products in prohibited areas.                                                            | Class II                 |                    |
| 46-63                                          | Fishing in swim area of Venice Municipal Beach.                                                         | Class II                 |                    |
| 46-64                                          | Fishing lines, bikes, shark fishing on Venice Fishing Pier.                                             | Class III                |                    |
| 46-183 thru 46-186                             | Launching and docking watercraft. Parking and camping. Picnicking. Violation of rules for marine parks. | Class I                  |                    |
| 46-202                                         | Camping prohibited.                                                                                     | Class II                 |                    |
| 54-3                                           | Prohibited Dumping.                                                                                     | Class IV                 |                    |
| 54-51                                          | Storage of solid waste containers.                                                                      | Class I                  |                    |
| 54-73                                          | Storage of solid waste.                                                                                 | Class I                  |                    |
| 62-1                                           | Obstructing street drainage or drainage facilities.                                                     | Class II                 |                    |
| 62-62                                          | Right-of-way use.                                                                                       | Class II                 |                    |
| 62-121                                         | Sale of merchandise on public right-of-way or property without permit.                                  | Class II                 |                    |
| 62-124                                         | Café Permit, outside dining.                                                                            | Class I                  |                    |

## SCHEDULE OF VIOLATIONS AND PENALTIES

|                    |                                                                                                      |                                                   |
|--------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| 66-102             | No business tax receipt.                                                                             | Class III                                         |
| 70-9               | Operation of bicycles and other vehicles on public sidewalks                                         | Class I                                           |
| 70-55              | Trailer not to be detached from towing vehicle while parked on street.                               | Class I                                           |
| 74-43 and 74-45    | Tampering with meters, valves, and other city equipment. Unpermitted cross connections.              | Class IV                                          |
| 74-131             | Prohibited discharges.                                                                               | Class IV                                          |
| 86-151             | Illegal Resort Dwellings                                                                             | Class IV                                          |
| 86-153 thru 86-154 | Dog dining.                                                                                          | Class I                                           |
| 86-156             | Garage Sales                                                                                         | Class I                                           |
| 86-400             | Sign without obtaining a permit.                                                                     | Class I                                           |
| 86-405             | Prohibited signs.                                                                                    | Class I                                           |
| 86-406             | Unlawful, obsolete or unsafe signs.                                                                  | Class I                                           |
| 86-410 thru 86-423 | Off-Street Parking.                                                                                  | Class I                                           |
| 86-500             | Parking, storage or use of certain recreational equipment.                                           | Class I                                           |
| 86-501             | Parking and storage of unlicensed vehicles; parking of commercial vehicles in residential districts. | Class I                                           |
| 90-101             | Construction Without a Permit                                                                        | CLASS-III 90-101<br>Construction without a permit |
| 90-165             | Unlicensed Contracting                                                                               | Class IV -90-165<br>Unlicensed Contracting        |
| 106-34 to 106-35   | Violation of turtle lighting ordinance.                                                              | Class IV                                          |
| 106-38             | Prohibition of activities disruptive to marine turtles                                               | Class IV                                          |
| Chapter 118        | Tree preservation, protection and replacement                                                        | Class IV                                          |

**\*NOTE: Any changes to Chapter or Section numbers due to the renumbering or revision of the City Code of Ordinances shall be deemed to be automatically made to this Schedule of Violations and Penalties.**