

RESOLUTION NO. 2023-21

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. 2023-16; 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 supersede and replace Resolution No. 2023-16 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 23RD DAY OF MAY 2023.

Nick Pachota, Mayor

ATTEST:

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 23rd day of May, 2023 a quorum being present.

WITNESS my hand and the official seal of the said city this 23rd day of May, 2023.

Kelly Michaels, MMC, City Clerk

(SEAL)

Approved as to form:

Kelly Fernandez, City Attorney

Exhibit "A"

SCHEDULE OF VIOLATIONS AND PENALTIES (adopted 5/23/23)

| 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 - Construction without a permit | Non-contested | \$ 1500.00 | \$ 2000.00 |
| | Appealed | \$ 2500.00 | \$ 2500.00 |
| Class IV - 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 | |
| 30-34 | False alarms. | 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 | |
| 62-31 | Failure to maintain sidewalk. | Class I | |
| 62-62 | Right-of-way use. | Class II | |
| 62-121 and 62-124 | Display or sale of merchandise on public right-of-way or property without permit. | Class II | |
| 62-121 and 62-124 | Café Permit, outside dining. | Class I | |
| 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 | |

SCHEDULE OF VIOLATIONS AND PENALTIES (adopted 5/23/23)

| | | |
|-----------------|--|---|
| 74-131 | Prohibited discharges. | Class IV |
| 87-3.5.1 | Prohibited signs and signs without a permit. | Class I |
| 87-3.5.4 | Maintenance of signs. | Class I |
| 87-3.5.7 | Abandoned and unsafe signs. | Class I |
| 87-6.4 | Illegal Resort Dwellings. | Class IV |
| 87-6.5 | Commercial, recreational, and unlicensed vehicle parking. | Class I |
| 87-6.7 | Garage sales. | Class I |
| 87-6.9 | Dog friendly dining. | Class I |
| 88-1.6 | Construction site operations. | Class II |
| 88-2.2.1 | Construction without a permit. | CLASS III - Construction without a permit |
| 89-2.4 | Violation of turtle lighting standards. | Class IV |
| 88-3.2 | Responsibilities for residential properties (Property Maintenance). | Class II |
| 88-3.3 | Responsibilities for nonresidential properties (Property Maintenance). | Class II |
| 88-3.5 and 3.6 | Standards for securing buildings. Registration for boarding. | Class II |
| 88-3.7 | Temporary covering of non-residential windows and doors. | Class II |
| 88-4.1.2 | Contractors – unlawful acts. | Class IV -Unlicensed Contracting |
| 88-4.2 | Contractor registration. | Class II |
| 89-2.4.G | Prohibition of activities disruptive to marine turtles. | Class IV |
| 89-3.2 thru 3.4 | 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.**