



City of North Port

ORDINANCE NO. 2021-05

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REORGANIZING CHAPTER 46 OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA, BY MOVING AND RENUMBERING SECTION 46-89, ENTITLED "CURFEW FOR UNDERAGE PERSONS AND PARENTAL RESPONSIBILITY," TO APPEAR AS A NEW SECTION 46-19; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Sections 877.20 through 877.24 provide a curfew framework for minors that only applies in a municipality where the governing body has adopted an ordinance incorporating these statutory provisions by reference; and

WHEREAS, Section 46-89 of the Code of the City of North Port, Florida ("City Code") incorporates these statutory provisions into the City Code; and

WHEREAS, the City Commission desires to reorganize Chapter 46 of the City Code by moving Section 46-89 and renumbering it as a new Section 46-19; and

WHEREAS, the City Commission finds that the proposed amendments serve the public health, safety, and welfare of the citizen of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

1.01 The recitals outlined above are incorporated by reference herein as findings of fact.

SECTION 2 – CODE REORGANIZATION

2.01 Section 46-89, entitled "Curfew for underage persons and parental responsibility," of the Code of the City of North Port, Florida is hereby moved to Chapter 46, Article II, Division 1 and shall be renumbered as Section 46-19.

SECTION 3 – CONFLICTS

3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance or provisions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 4 – SEVERABILITY

4.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations shall not appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance shall take effect immediately after adoption by the City Commission of the City of North Port, Florida.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on the 12th day of January 2021.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session this 9th day of February 2021.

CITY OF NORTH PORT, FLORIDA

GISELE "JILL" E. LUKE
MAYOR

ATTEST

HEATHER TAYLOR, CMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON
CITY ATTORNEY