

ORDINANCE NO. 2017-10

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AMENDING DIVISION 13, THE COMMERCE PARK INDUSTRIAL DISTRICT (CPID), SECTIONS 110-493 THROUGH 110-502; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES, CONFLICT, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the City of Clewiston has determined that it is necessary to amend the City of Clewiston Code of Ordinances to revise Chapter 110, Zoning Division 13, COMMERCE PARK INDUSTRIAL DISTRICT.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA that that:

SECTION 1. Sections 110-493 through 110-502 are amended as follows:

DIVISION 13. - CPID COMMERCE PARK INDUSTRIAL DISTRICT

Sec. 110-493. - Purpose

- (a) The purpose of the Commerce Park Industrial District (CPID) is to provide lands for business and industry which support the economic base of the city and contributes to its economic growth and self-sufficiency. The CPID uses shall include light industrial activities consisting of manufacturing and assembly processes, research and development, and similar uses which are of a nature not likely to be objectionable to neighboring properties. The CPID development standards provided herein are intended to result in new industry that is attractive in appearance for the benefit of the property, the city, and the owners and/or lessees of all lots within the CPID.
- (b) The Clewiston Commerce Park (the "park") is hereby zoned CPID Commerce Park Industrial District. The zoning map of the city is hereby amended by changing the zoning district designation from industrial district (I) to Commerce Park Industrial District (CPID) on those parcels, known as the Clewiston Commerce Park, specifically described as:

Being a parcel of land lying within Section 16, Township 43 South, Range 34 East. Begin at the intersection of the westerly right-of-way line of Olympia Street as described in Official Records book 157, page 161, of the Public Records of Hendry County, Florida, with the northerly right-of-way line of Clewiston Drainage District Canal No. 5 Maintenance Easement as laid out and now in use, as described in Official Records book 221, page 172, of the Public Records of Hendry County, Florida; thence south 89° 26' 55" west along the northerly right-of-way line of said Canal No. 5 Maintenance Easement a distance of 1,244.61 feet to an intersection with the easterly right-of-way line of Lopez Street Canal, as described in Official Records book 108, page 181, of the Public Records of Hendry County, Florida; thence north 00° 32' 34" west along said easterly right-of-way line a distance of 1,180.82 feet to an intersection with the westerly extension of the southerly right-of-way line of Bahama Street, as shown

on the General Plan of Clewiston, Florida, as described in plat book 2, pages 71 to 78, inclusive, of the Public Records of Hendry County, Florida; thence north 89° 26' 55" east along said southerly right-of-way line a distance of 1,244.76 feet to the westerly right-of-way line of said Olympia Street; thence south 00° 32' 09" east along the westerly right-of-way line of Olympia Street a distance of 1,180.82 feet to the point-of-beginning. (Containing 33.70 acres, more or less.) Parcel Identification Number: 3-34-43-16-A00-0011.0000 and Parcel Identification Number: 3-34-43-16-A00-0012.0000

- (c) The CPID designation and development standards contained herein shall apply to all lands within the park at the date of adoption of this division and to all future expansions of the park. The existing park is located in the southwest quadrant of the city bordered on the east by Olympia Street, on the west by the abandoned Clewiston Airport property, on the north by the South Central Florida Express Railroad, and on the south by vacant industrial lands. Phase I of the park contains 33.7 acres consisting of ten platted lots. At the date of adoption of this division, all lands of the park are vacant.

Sec. 110-494. - Land acquisition.

(a) ~~Determination. The city commission may establish a base adjust sale or lease price per acre for all city-owned parcels within the CPID. Pricing may be reviewed, and adjustments may be made as values increase. The city also reserves the right to place purchasers on lots that it feels are most suitable for each particular use and need. Furthermore, the city reserves the right to refuse the sale of properties at its sole discretion , as market value fluctuates. Economic incentives may be employed to attract desirable businesses. The city also reserves the right to place purchasers on lots that it feels are most suitable for each particular use and need. Furthermore, the city reserves the right to refuse the sale of properties at its sole discretion.~~

~~(b) Land purchase agreement. The city uses a standard purchase agreement prepared by the city attorney to sell city-owned property within the CPID. All purchase agreements must be accompanied by a deposit of ten percent of the requested sale price of the lots desired. Said deposit shall be held and applied to the purchase price if the sale is completed. In the event of a failure by the purchaser to follow through on the purchase of the property, the city shall retain the deposit. Additional conditions and/or terms of sale, or a deviation from the terms as stated herein, can from time to time be imposed as directed by the city commission.~~

(eb) Economic goals. ~~With each purchase request, the city commission will consider all known issues, such as signage, driveway access, parking, landscaping, lighting, loading areas, outdoor storage areas, refuse collection areas, nuisances, site plan review procedures, and construction time requirements. Additionally, and as a consideration for approval of such purchase, The city will place a measure of control to prevent land speculation within the park and to ensure properties are used for bona fide projects that locate or retain jobs and provide for new capital investment which meets the purpose of the CPID and the economic development goals, objectives, and policies of the city comprehensive plan. Limitations on use, preference for certain uses over other uses, construction and appearance standards, capital investment, number and quality of job created (our goal is greater than seven jobs per acre), and the development standards contained herein are designed toward these ends.~~

Sec. 110-495. - Permitted uses.

Permitted uses within the CPID include and comply with the following:

- (1) Light industrial and commercial operations, which produce:
 - a. Computer components;
 - b. Robotics;
 - c. Food processing and packaging (no animal process/meat packing);
 - d. Apparel-related products;
 - e. Finished wood products;
 - f. Furniture and fixtures;
 - g. Assembled paper products;
 - h. Formulation and packaging of drugs, cosmetics, soap;
 - i. Fabricated metal products;
 - j. Manufactured machinery;
 - k. Electrical equipment and components;
 - l. Optics;
 - m. Aerospace composites;
 - n. Integrated circuits;
 - o. Ceramics and glass products;
 - p. Consumer electronics;
 - q. Image recognition;
 - r. Medical devices, dental equipment and supplies; and
 - s. Restaurant, hotel and store supplies, fixtures and equipment.

(2) The following services and trade establishments, provided that they ~~do not offer only~~ provide limited retail services on the same premises, unless specifically allowed by special exception of the city commission.

- a. Bookbinding;
- b. Bakery;
- c. Blending of liquor;
- d. Cheese making;
- e. Carpet and rug cleaning;
- f. Diaper service;
- g. Drapery and window blind fabrication and service;
- h. Glass and mirror shop;
- i. Linen supply;
- j. Magazine wholesale agency;
- k. Pattern making;

- l. Printing, publishing, lithography, and engraving;
- m. Communication-information/data processing;
- n. Telecommunication;
- o. Exterminating;
- p. Janitorial;
- q. Plumbing, mechanical, or electrical shop;
- r. Shipping and parcel services;
- s. Manufacture of powder blends; and
- t. Call service centers.

~~Sec. 110-496. Prohibited uses.~~

~~Except as specifically permitted in this division, the following uses are expressly prohibited as either principal or accessory uses:~~

- ~~(1) Junkyards, wrecking yards, or recycling facilities;~~
- ~~(2) Mining, drilling for, or removing oil, gas, or other hydrocarbon substances;~~
- ~~(3) Refining of petroleum or of its products;~~
- ~~(4) Warehouses or garages. Warehousing uses may be allowed when used with a primary manufacturing assembly, office, or other use which keeps with the city's economic goals for the park;~~
- ~~(5) Dumping, disposal, incineration, or reduction of garbage, sewage, offal, dead animals, or other refuse;~~
- ~~(6) Uses prohibited by federal, state, or local law, including applicable City ordinance provisions and other uses deemed objectionable by the city commission;~~
- ~~(7) No use will be made of any lot or any portion thereof which would allow access to transportation or utility systems, through such lot to any property not controlled by the city without approval of the city;~~
- ~~(8) Non-taxable uses are prohibited unless approved by special exception of the city commission;~~
- ~~(9) Any other use when determined by the city commission as inconsistent with the comprehensive plan.~~

~~Sec. 110-497. Nuisances.~~

~~No nuisance shall be permitted to exist or operate upon any lot so as to be offensive or detrimental to any adjacent lot or property or to its occupants. A nuisance shall include, but not be limited to, any of the following conditions:~~

- ~~(1) Detrimental uses. Any use, excluding reasonable construction activity, of the lot that emits dust, sweepings, dirt, or cinders into the atmosphere, or discharges liquid, solid wastes, or other matter into any stream, river, or other waterway that, in the opinion of city, may adversely affect the health, safety, comfort of, or intended use of their property by persons within the area. No waste nor any substance or materials of any kind shall be discharged into any drainage way, canal, or public sewer serving the subject property or any part thereof in violation of any regulation of the city.~~

- ~~(2) Harmful atmospheric substances. The escape or discharge of any fumes, odors, gases, vapors, steam acids, or other substance into the atmosphere, which discharge, in the opinion of city, may be detrimental to the health, safety, or welfare of any person or may interfere with the comfort of persons within the area or may be harmful to property or vegetation.~~
- ~~(3) Radiation or discharge of intense glare or heat, or atomic, electromagnetic, microwave, ultrasonic, laser, or other radiation. Any operation producing intense glare or heat or such other radiation shall be performed only within an enclosed or screened area and then only in such manner that the glare, heat, or radiation emitted will not be discernible from any point exterior to the site or lot upon which the operation is conducted.~~
- ~~(4) Excessive noise. At no point outside of any lot shall be sound pressure level of any machine, device, or any combination of same, from any individual plant or operation, exceed the standards prescribed in this Code.~~
- ~~(5) Excessive emissions of smoke, steam, or particulate matter. Emission of dust, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation, or property, or which could soil or stain persons or property, at any point beyond the lot line of the commercial or industrial establishment creating that emission shall be prohibited. All such activities shall also comply with applicable federal and state regulations. Tests may be required by the city for the purpose of the abatement of fumes, gases, vapors, dusts, odors, etc., or any other nuisance which may be present and which may come under the jurisdiction of the planning and zoning department. Such tests shall be made by the tenant, and they shall be made in accordance with such procedures as may be accepted by a reputable and recognized authority such as; American Society of Testing Materials, U.S. Bureau of Mines, U. S. Public Health Service, the National Board of Fire Underwriters, or others. The choice of such authority shall rest entirely with the city.~~
- ~~(6) Ground vibration. Buildings and other structures shall be constructed and machinery and equipment installed and insulated on each lot so that the ground vibration inherently and recurrently generated is not perceptible without instruments at any point exterior to any lot.~~

Sec. 110-496, 497, reserved.

Sec. 110-498. - Development standards.

- (a) Lot size. No lot shall be less than 75 feet in width and not less than 20,000 square feet in area.
- (b) Height. No building shall exceed ~~50~~ 70 feet in height without alternative fire safety provisions made by the company and specifically allowed by special exception of the city commission. Smoke stacks, radio antennas, chimneys, and similar structures are excluded from this restriction.
- (c) Setbacks.
 - (1) Street side. All parcels shall have a minimum ~~street side front~~ yard setback of 20 feet and for each additional ten feet of building length exceeding 150 feet, an additional foot of setback shall be provided; the maximum street side setback need not exceed 30 feet. ~~Street side Front~~ yard setbacks shall be measured from ~~back of street curb~~ the property line.

- (2) Interior side yard. The minimum interior side yard shall be 15 feet, except that the interior side yard setback may be reduced to zero on one side of the lot provided that:
- a. The wall constructed at the zero setback shall be of maintenance-free masonry material.
 - b. The opposite side yard is increased to 30 feet. In the event that two contiguous property owners desire to construct buildings using zero side yard setbacks, utilizing a common driveway for ingress and egress to the rear of both properties, said opposite side yard may be reduced to 15 feet provided easements are obtained and recorded ensuring a 30 foot minimum separation between the two buildings for ingress and egress to the rear of the property. This 30 foot access way shall be maintained free of obstructions skyward and with no openings that would facilitate any loading or unloading, in any portion of the buildings which fronts on the easement.
- (3) Rear yard. There shall be a minimum rear yard setback of ten feet.
- (d) Off-street parking. Two parking spaces for each three employees, but in no event less than two spaces for each 1,000 square feet of gross floor area. Parking on any public street within the CPID is strictly prohibited.
 - (e) Landscaping. Landscaping shall be as set forth in article IV of chapter 102. ~~Additionally, all required setback areas, except where used for permitted parking, shall be landscaped. A required landscaped area shall not be crossed by more than the minimum of walkways and driveways necessary for access to the building. Each plot shall provide not less than 20 percent of its area in landscaped open space. All landscaping areas, including grassed areas, shall receive regular maintenance including trimming, minimum fertilization to protect wetlands, mowing, and replacement of diseased and/or dead plant materials. Irrigation systems are required and shall be underground, automatic, kept in good repair, and shall not discolor any wall, sign surface or other structure. Perimeter landscaping shall be maintained so as to avoid blight and preserve the beauty, quality, and value of the park, and to maintain a uniform and slightly appearance. The area between the building and the street shall be used for open landscaping and green areas to the greatest extent possible, taking into account necessary parking. All landscaping shall be completed prior to issuance of a certificate of occupancy with respect to the building constructed or erected on any lot and shall be subject to the approval of the community development director.~~
 - (f) Signage. Sign standards shall be as set forth in chapter 100.
 - (g) Fences and walls. All fences and walls shall be constructed of concrete, masonry, or metal. Metal fences shall be of the open-weave, chainlink type. Fences and walls shall not exceed ten feet in height. Fences and walls shall not be located within any setback area on a street with the exception that a double frontage plot shall be permitted to contain fences and walls in the rear or secondary required setback area when provided with a 25-foot planting area adjacent to the street landscaped in conformance with this division.
 - (h) Lighting. Adequate lighting shall be provided for all automobile parking areas, truck loading and unloading areas, and all pedestrian and vehicle access points. Lighting design should conform with IESNA RP-33-99 recommended practices, Lighting for exterior environments.
 - (i) Loading areas. Loading and unloading areas will be designed to permit the pickup and delivery of materials without impeding the public right-of-way. ~~Truck docks will be located at the side or rear yard of the building. On a through or corner lot, not truck docks will be permitted on any rear or side lot which has frontage along an adjacent roadway. Front yard docks or loading areas are not allowed.~~
 - (j) Outdoor storage areas. All industrial and manufacturing activities of a business will be carried on within the confines of the building. The storage of materials and finished product outside of a

building is permitting, so long as it does not constitute a nuisance or interfere with adjoining owners' reasonable use of their land. All outdoor storage shall be on a stabilized hard surfaced area, free of vegetation, visually screened from access streets, residential neighborhoods, and adjacent property with a complete opaque fence or wall (that is architecturally compatible to the building's finished materials) or landscaping as approved by the city. This requirement does not prohibit ~~Outdoor storage does not include~~ parking of company owned and operated motor vehicles and equipment. No storage shall be permitted between a frontage street and the building line. No waste materials, manufacturing process by-product, rubbish, or discarded matter of any kind shall be permitted to be stored in open areas ~~and~~ beyond ~~the~~ a time reasonably required to arrange removal. The use of Conex boxes and tractor-trailers that are well-maintained, painted, and show no rust are permitted. ~~, or~~ Other trucks or vehicles for storage is prohibited ~~and will be strictly enforced. The city reserves the right to inspect any property suspected to be in violation of this provision.~~

(k) Improvement standards. All developed property shall be landscaped, improved, and maintained in full conformity with all applicable requirements of the city land development code, and other state and federal standards.

(1) Buildings. ~~All structures erected within the CPID, with the exception of trim and minor architectural features, shall be constructed of ceramics, masonry, concrete, stucco or other materials of a similar nature, as approved by the city. All exterior walls, facades, and claddings fronting on any street shall be aesthetically pleasing, and if concrete block, shall be given a veneer of either stucco, plaster, ceramic, or similar covering approved by the city.~~ Metal buildings with facades or claddings constructed of ceramic, masonry, concrete, stucco, or similar material may be allowed ~~by special exception of the city commission with the approval of the technical review committee,~~ provided the façade or cladding is a minimum of four feet in height from the ground and covers all exterior walls of the building, except the rear wall. ~~All exterior walls, facades, and claddings fronting on any street shall be aesthetically pleasing, and if concrete block, shall be given a veneer of either stucco plaster, ceramic, or similar covering approved by the city.~~ All buildings and structures shall be kept properly; and protected from deterioration and shall not be permitted to become dilapidated. No building or structure, or part thereof, shall be erected, in whole or in part, that ~~in the professional opinion of the city community development director~~ is obnoxious, objectionable, a nuisance, or a hazard to adjoining properties, as they relate to sound, vibrations, odors, glare, radioactive materials, smoke and particulate matters. This determination will be made by the technical review committee.

(2) Stormwater. Each site shall be designed to accommodate a minimum of one-half inch of dry pretreatment to be detained on site prior to discharge into the master surface water management system.

(3) Access areas. All driveways, walkways, parking areas, storage, and loading areas of developed property shall be well-graded and surfaced with asphalt concrete, concrete, or other materials approved by the city. It is intended that driveways on boundary streets be minimized. Spacing on boundary streets shall be at least 75 feet apart (center spacing), at least 100 feet from any street intersection, and a maximum of 24 feet in width. Joint driveways may be developed to serve abutting parcels and are favorably encouraged.

(4) Property maintenance. Building, landscaping, and other improvements shall be continuously maintained yielding a well-kept appearance, especially along the perimeters of the property. The city shall from time to time inspect site and landscape maintenance, and if not satisfied with the level of maintenance on a site, shall notify the owner in writing. If, within 15 days from notification, maintenance has not been brought to acceptable standards in conformance with the following maintenance standards, the city may open a case on the matter before the special magistrate of violations of the City Code of Ordinances.

- (5) Waste. All trash and garbage shall be placed in designated containers, or within the tenant's contained service area which shall be screened ~~and~~ or properly landscaped. The size and number of containers shall be determined by the city. Yards and landscape areas will be kept free of trash, leaves, and dead landscaping materials. All tenants must use the city's designated disposal service.
- (6) Parking lots and sidewalks. All parking lots, sidewalks, and other hard surface areas shall be swept and cleaned regularly and cracks and damaged areas of sidewalks shall be repaired or replaced as required. Damaged or eroding areas of the asphalt parking surface shall be replaced as required and an overall resurfacing of the parking area will be done as necessary. Broken wheel stops and/or curbing shall be replaced as required; and drainage inlets, storm sewers, and any surface drainage facilities shall be maintained in good repair and clear of debris so as to ensure their proper function. Each tenant, grantee, or lessee shall provide adequate off-street motor vehicle and trailer storage for the tenant's, grantee's, or lessee's needs, but, in any event, no less than that required by subsection (d) of this section.

Sec. 110-499. - Development review.

- (a) Pre application and conference. The applicant shall file a pre-application ~~conference~~ with the city manager. The city will invite all of the necessary city representatives to provide review and input. The applicant shall provide a letter of intent ~~to purchase property~~ and summary of the proposed CPID development one week prior to the pre-application conference. Upon determination by the city manager and community development director that the application meets the purpose of the CPID and the economic development goals, objectives and policies of the city comprehensive plan, the city manager shall prepare a report to the commission indicating the nature, type of business, number of employees, land requirements and potential adverse affects the business may have on the community or surrounding properties. ~~an invitation will be extended for request for land purchase and submission of a formal development proposal for consideration by the city's technical review committee (TRC). The following must be provided for TRC consideration:~~

The commission will consider the report and any additional information the applicant provides and decide if the project will be considered for purchase or lease of city land and undertake a full review. If the applicant and city mutually agree to proceed with the project, the parties will determine how the city can assist in the application process and consider economic incentives, if any are available.

The application to the technical review committee shall contain:

- (1) ~~A letter of intent to purchase CPID property and summary of the proposed CPID development. All purchase agreements must be accompanied by a deposit, unless a special exception is granted by the city commission.~~
- (2)(1) A city development application for site plan review along with six sets of the site development plan shall be submitted to the planning department ~~along with designated purchase, processing and development fees.~~ The site development plan must include or reflect the following information.
 - a. Shall be drawn at a scale of not more than one inch equals 100 feet.
 - b. Vicinity sketch of adjacent properties.
 - c. Date site plan was prepared.
 - d. Name, address and professional seal of architect, landscape architect, engineer or professional surveyor who prepared the plan.
 - e. North arrow and legal description.

- f. Property lines, dimensions, and building setback distances from roof overhang or foundations to edge of public street rights-of-way or property lines and all structures, lot lines within 100 feet of the site.
 - g. Existing and proposed topographic elevations at two foot intervals on the site and to a distance of 50 feet outside the boundary lines of the site.
 - h. Direction of stormwater drainage and how stormwater runoff will be handled as well as a statement describing where stormwater will be ultimately discharged.
 - i. Location of existing and proposed buildings, their intended use, the length, width and height of each building, the square footage of each building and the specific types of material to be used in construction.
 - j. Location of abutting streets, rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and driveways within 100 feet on either side of the site including all driveway widths and curb radius.
 - k. Location and size of all water and sanitary sewer lines and storm drainage lines, catchbasins, and location of storm retention/detention ponds with a maximum depth in excess of two feet are permitted in the rear yard only and must be adequately fenced and screened.
 - l. Location and type of all sidewalks, bike paths, and other walkways.
 - m. Location, type and size of any walls, fences or other screening provisions.
 - n. Location of all proposed landscape materials, including size and type of plantings.
 - o. Location, size and height of all proposed accessory structures, if prior approval is received, transformers, dumpsters or trash removal areas or devices, and method of screening and signs. Rooftop or outdoor equipment should also be indicated including proposed method of screening where appropriate.
 - p. Proposed parking areas and access drives showing number and size of spaces and aisles, loading areas, and handicapped access ramps. Also note method of surfacing such areas.
 - q. Exterior lighting showing area of illumination and type of fixture as well a method of shielding from adjacent properties and roadways.
 - r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by this division or other state or federal agencies.
 - s. Architectural elevation drawing of the buildings including type and color of outer wall coverings and cross-section drawings of the site.
- (3)(2) A traffic impact statement on lots larger than two (2) acres, unless this requirement is waived by the technical review committee (prepared by professional engineer or duly qualified transportation planner) that identifies the number of net new external trips, identifies pass-by calculations, internal capture calculations, identifies the a.m. and p.m. peak hour trips on all adjacent roadway links, and which identifies the level of service (LOS) on all adjacent roadway links with and without the project.
- (4)(3) A narrative explanation as to how the proposed development complies with the city's comprehensive plan and objective of the CPID.
- (5)(4) Any other information deemed appropriate by the ~~city manager~~ city commission or staff.

- (b) Staff technical review.
- (1) The application shall be reviewed by the TRC for compliance with the submittal requirements. Upon a determination that sufficient information has been submitted to initiate the substantive review, a sufficiency letter shall be sent to the applicant by the city manager. If the determination is that the application does not include sufficient information, a letter shall be sent to the applicant identifying the deficiencies that need to be addressed. The staff shall conduct a sufficiency review of all additional information submitted in response to a sufficiency letter and either identify additional deficiencies, or provide the letter finding the application to be complete.
 - (2) Once the application is determined to be complete, the staff technical review committee shall conduct their substantive review. The application shall be reviewed for consistency with the CPID development standards, the comprehensive plan and this Code; written recommendations shall be provided to the applicant ~~not less than one week prior to the scheduled public hearing.~~
- (c) City commission action. The city commission shall ~~conduct a public hearing~~ and review the application in accordance with the requirements of articles II and III of this chapter and shall make findings of consistency with the comprehensive plan and this Code.

Sec. 110-500. ~~Required approvals~~ Effect of approval.

Approval of the proposed CPID development shall ~~require~~ be interpreted as including:

- (1) ~~Purchase or lease of the CPID property as at agreed upon price. and authority for t~~ The city attorney will provide the to execute sales or lease agreement and associated documents.
- (2) ~~Site plan approval and development authorization (preliminary and/or final) and to prepare the~~ preparation of any associated development agreements.

Secs. 110-501—110-502. - Reserved.

SECTION 2. INCLUSION IN THE CODE OF ORDINANCES. The provisions of this ordinance shall become and be made a part of the City Code of Ordinances and the sections of this ordinance may be renumbered and codified to accomplish this end.

SECTION 3. CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed. All ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in full force and effect.

SECTION 4. **SEVERABILITY.** If any part of this ordinance is declared invalid by a court of competent jurisdiction, such part or parts shall be severable, and the remaining part or parts shall continue to be in full force and effect.

SECTION 5. **EFFECTIVE DATE.** This ordinance shall take effect immediately upon its passage and approval consistent with all requirements of general law.

PASSED on first reading by the City Commission on May 15, 2017.

PASSED AND ADOPTED on second and final reading by the City Commission on June 19, 2017.

ATTEST:

CITY OF CLEWISTON, FLORIDA

Mary K. Combass, Interim City Clerk

Mali Gardner, Mayor

(MUNICIPAL SEAL)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Gary M. Brandenburg, City Attorney