

## REPEALED SECTIONS CHART

### REPEALED SECTION

### REASON

#### TITLE I - IN GENERAL

1-1-1(c)

Covered by Charter

1-1-7(15)

Provided by home rule and Florida Statutes

#### TITLE II - ADMINISTRATION

2-1-1

Duplicates F.S. section 166.021(1) and Fla. Const. Art. VIII, §2(b).

2-2-2

Addressed in Charter sec. 4.03(a)

2-2-3

Charter, Section 4.03(a) and Council rules and procedures cover this topic

2-2-4

Transferred to 2-1-4

2-2-6

Addressed in Charter sec. 4.03(c)

**REPEALED SECTION**

**REASON**

2-2-7

Transferred to 2-1-5

2-2-8

Transferred to 2-1-6

2-2-9

Council has suspended this section for many years and has increased its compensation through additional code amendment specifying the increase

2-4-1

The Charter places authority to establish departments and organize the City with the Mayor in Sec. 4.01(a)(1) and (15), and Sec. 5.04

2-4-2

The Charter places authority to establish departments and organize the City with the Mayor in Sec. 4.01(a)(1) and (15), and Sec. 5.04

2-4-3

Outdated – some departments no longer exist, have been renamed, or have been combined; the Charter places authority to establish departments and organize the City with the Mayor in Sec. 4.01(a)(1) and (15) and Sec. 5.04

2-4-4

Charter places authority for determining supervision and control of each department with the Mayor in Sec. 4.01(a)(15)

2-4-7

Transferred to 2-1-7

2-4-8

Transferred to 2-1-8

Art. II - Legal Department

2-4-21

Charter places authority for determining supervision and control of each department with the Mayor in Sec. 5.03 and 4.02 (a) (6)

2-4-51

The oath of office is mandatory under state statutes, F.S. section 876.05 through 876.10.

**REPEALED SECTION**

**REASON**

Ch. 2, Art. VI  
Sec. 2-4-81

Department of Housing and Community Development – The Charter places authority to establish departments and organize the City with the Mayor in Sec. 4.01(a)(1) and (15), and Sec. 5.04

2-5-1

Section is outdated and the referenced map is no longer used

2-5-2

Addressed in Charter Sec. 6.04(a) and (b).

2-5-3

Addressed in Charter Sec. 6.04(c)

2-5-4

Addressed in Charter Sec. 6.04(e)

2-5-5

The procedures for absentee and early voting are provided for in F.S. section 101.6105 through 101.662

**TITLE III -  
FINANCE**

3-1-6

The budget process and the establishment of the fiscal year are provided by state statute, F.S. 166.241 and Ch. 200

3-1-10

Special act

3-2-2

Unnecessary and not followed

3-2-3

Authority now derived from home rule power, Chapter 166, F.S.

3-2-4

Authority now derived from home rule power, Chapter 166, F.S.

3-2-5

Authority now derived from home rule power, Chapter 166, F.S.

**REPEALED SECTION**

**REASON**

|  |   |
|--|---|
| 3-2-6  | Authority now derived from home rule power, Chapter 166, F.S.   |
| 3-2-7  | Authority now derived from home rule power, Chapter 166, F.S.   |
| 3-2-8(c)   | This language was probably derived from the 1949 special act, but the city cannot, by ordinance, bind the state to an agreement. This concept does apply, however, through the prohibition on passing laws impairing the obligation of contracts. |
| 3-3-1  | Superseded by charter   |
| 3-3-16   | Day-to-day maintenance of general stock is responsibility of city administrator per charter   |
| 3-3-17   | Day-to-day maintenance of general stock is responsibility of city administrator per charter   |
| 3-3-18   | Day-to-day maintenance of general stock is responsibility of city administrator per charter   |
| 3-3-19   | Day-to-day maintenance of general stock is responsibility of city administrator per charter   |
| ART. III -<br>CONSULTANTS'<br>COMPETITIVE<br>NEGOTIATIONS<br>ACT - Sections<br>3-2-25 through 3-2-26 | The CCNA is provided by state statutes, F.S. Section 287.055  |

**REPEALED SECTION**

**REASON**

3-4-1

Home rule supersedes

3-4-132(4)

Enterprise zones have been abolished by Florida Statute

**TITLE IV -  
HEALTH & SANITATION**

4-2-1

Recommend repeal of most of the City's current animal regulations in favor of allowing Escambia County Animal Control to enforce the County's animal regulations in the city limits; the remaining city regulations that are unique to the city are continued, with the clarification that city officers will enforce them

4-2-2

Recommend repeal of most of the City's current animal regulations in favor of allowing Escambia County Animal Control to enforce the County's animal regulations in the city limits; the remaining city regulations that are unique to the city are continued, with the clarification that city officers will enforce them

4-2-9

Recommend repeal of most of the City's current animal regulations in favor of allowing Escambia County Animal Control to enforce the County's animal regulations in the city limits; the remaining city regulations that are unique to the city are continued, with the clarification that city officers will enforce them

4-2-21 through 4-2-41

Propose regulation by Escambia County

4-5-2

Home rule power

4-5-3

Covered by Florida Litter Law, F.S. 403.413

**REPEALED SECTION**

**REASON**

4-5-11

F.S. Section 316.520 covers this

4-5-16

See 4-5-17

**TITLE V -  
HUMAN RESOURCES**

5-2-24

Defer procedures to Human Relations Commission

5-2-25

Defer procedures to Human Relations Commission

**TITLE VI -  
PARKS & RECREATION**

6-4

Transferred to Escambia County

**TITLE VII -  
LICENSES AND BUSINESS  
REGULATIONS**

7-2-9(5)c.2-4

F.S. Section 205.063 exempts motor vehicles from local business taxes

7-3-71(i)

Expired

7-3-81(b)(vii)

Expired

7-3-115

Expired

**REPEALED SECTION**

**REASON**

7-5-1

The city no longer requires this

ART. I

Ch. 7-6  
sections 7-6-1  
through 7-6-8

Since 1986, the state regulates auctions and auctioneers through the Florida Board of Auctioneers, F.S. section 468.381, et seq.

ART. II

sections 7-6-21  
through 7-6-26

Since 1986, the state regulates auctions and auctioneers through the Florida Board of Auctioneers, F.S. section 468.381, et seq.

7-7-46

Violates First Amendment

Ch. 7-8

sections 7-8-1  
through 7-8-6

Pawnbrokers and secondhand dealers are now comprehensively regulated by state statutes, F.S. Ch. 538 and 539, providing for state and local law enforcement.

7-9-36 through 7-9-39

Florida law now regulates charitable solicitation, F.S. Ch. 496.

**TITLE XIII -  
OFFENSES**

8-1-16(b)(9)(ii)

Outdated

Ch. 8-2

sections 8-2-1  
through 8-2-8

Recommend repeal all of Chapter 8-2. F.S. section 775.13 requires felons to register with the sheriffs of the state and F.S. section 775.21 regulates the activities of sexual predators.

**REPEALED SECTION**

**REASON**

**TITLE IX -  
PERSONNEL**

|                   |  |
|-------------------|--|
| 9-2-2             | Superseded by charter  |
| 9-3-2(c)          | Superseded by charter  |
| 9-3-4(b)(4)b.     | Transferred to personnel manual  |
| 9-3-4(b)(5) - (8) | Transferred to personnel manual  |
| 9-3-5             | Transferred to personnel manual  |
| 9-3-21(2)         | Incorporated in budget   |
| 9-3-21(3)         | There is no more classified service since repeal of the Civil Service Act. |
| 9-3-21(4)         | This provision has not been used since 2009                                |
| 9-3-21(5)         | Transferred to Mayor's employment policy                                   |
| 9-3-22            | Transferred to Mayor's employment policy                                   |
| 9-3-23            | Transferred to mayor's employment policy                                   |
| 9-3-24            | Annual pay adjustments have not occurred since 2008                        |
| 9-3-25            | Transferred to mayor's employment policy                                   |
| 9-3-26            | Transferred to mayor's employment policy                                   |



**REPEALED SECTION**

**REASON**

|  |  |
|--|--|
| 9-3-27(2)  | Transferred to mayor's employment policy                                       |
| 9-3-27(3)  | Transferred to mayor's employment policy                                       |
| 9-3-29   | Transferred to Mayor's employment policy                                       |
| 9-3-30   | Transferred to Mayor's employment policy                                       |
| 9-3-31   | Transferred to Mayor's employment policy                                       |
| 9-3-32   | Transferred to Mayor's employment policy                                       |
| 9-3-33   | Transferred to Mayor's employment policy                                       |
| 9-3-34   | Transferred to Mayor's employment policy                                       |
| 9-3-35   | State and federal statutes prevail   |
| 9-3-36   | Transferred to Mayor's employment policy                                       |
| 9-3-40   | Repealed by Ordinance 08-16, Sec 1 on March 17, 2016                           |
| Ch. 9, Art. III -<br>Longevity<br>Compensation       | Longevity pay terminated in 2009   |
| Ch. 9, Art. IV<br>section 9-3-76 -<br>section 9-3-77 | Firefighter education compensation provided in collective bargaining agreement |
| 9-3-78   | Fire education incentive board was repealed by Ordinance No. 26-16, 8/11/16    |

**REPEALED SECTION**

**REASON**

|   |  |
|---|--|
| 9-3-79  | Transferred to collective bargaining agreement.                                    |
| 9-3-80  | Transferred to collective bargaining agreement..                                   |
| 9-3-81  | Transferred to collective bargaining agreement.                                    |
| 9-3-82  | Transferred to collective bargaining agreement.                                    |
| Art. I - In General   |  |
| 9-5-1   | No longer applicable   |
| 9-5-2   | No longer applicable   |
| 9-5-46  | All benefits are now paid from pension plan funds                                  |
| 9-8-1   | Superseded by provisions of the General Pension Plan and City participation in FRS |
| 9-8-2   | Superseded by provisions of the General Pension Plan and City participation in FRS |
| 9-8-3   | Superseded by provisions of the General Pension Plan and City participation in FRS |
| 9-8-4   | Superseded by provisions of the General Pension Plan and City participation in FRS |
| Ch. 9-10 - State-Mandated Pension Benefits sections 9-10-1 through 9-10-9 | All provisions were incorporated into the Fire Pension Special Act in 2015         |
| 9-11-2(a) and (b)   | Outdated   |

**REPEALED SECTION**

**REASON**

**TITLE X -  
PUBLIC ENTERPRISES  
AND UTILITIES**

|                        |  |
|------------------------|--|
| 10-1-1                 | Superseded by home rule powers and state statutes, Ch. 366, Florida Statutes |
| 10-1-2                 | Superseded by Florida Statutes   |
| 10-1-3                 | Public records law supersedes  |
| 10-1-4                 | Superseded by Communications Services regulation, Ch. 202, Florida Statutes  |
| 10-2-6(e)              | FAA controls   |
| 10-2-7(a)              | FAA controls   |
| 10-2-7(e)              | FAA controls   |
| 10-2-8 (1) through (8) | FAA regulates flight operations  |
| 10-2-9                 | FAA regulates  |
| 10-2-12(d)             | The authority is in section 10-2-4   |
| 10-2-12(i)             | Airport follows FAA rules on this subject                                    |
| 10-2-27(7)             | Controlled by state and federal regulations                                  |
| 10-3-1                 | Outdated   |

**REPEALED SECTION**

**REASON**

- 10-3-19 Copies are available at numerous locations and are maintained electronically
- 10-5-1 Regulated by federal and state legislation
- 10-5-2 Regulated by federal and state legislation

**TITLE XI -  
TRAFFIC**

- 11-2-3(a) Controlled by mayor's authority under charter
- 11-2-5 Public Records laws control
- 11-2-89 Topic covered by Sec. 4-6-1 and F.S. section 705.101
- 11-3-5 Preempted by state and federal law, F.S. section 351.03, et seq.
- 11-4-17 Outdated
- 11-4-41 Under Florida case law, the city is responsible for its sidewalks
- 11-4-44(b) Under Florida case law, the city is responsible for its sidewalks
- 11-4-45 Under Florida case law, the city is responsible for its sidewalks
- 11-4-46 Under Florida case law, the city is responsible for its sidewalks
- 11-4-47 Under Florida case law, the city is responsible for its sidewalks
- 11-4-48 Under Florida case law, the city is responsible for its sidewalks

**REPEALED SECTION**

**REASON**

|         |   |
|---------|---|
| 11-4-49 | Under Florida case law, the city is responsible for its sidewalks |
| 11-4-50 | Under Florida case law, the city is responsible for its sidewalks |
| 11-4-51 | Under Florida case law, the city is responsible for its sidewalks |
| 11-4-52 | Under Florida case law, the city is responsible for its sidewalks |
| 11-4-53 | Under Florida case law, the city is responsible for its sidewalks |
| 11-4-54 | Under Florida case law, the city is responsible for its sidewalks |
| 11-4-55 | Under Florida case law, the city is responsible for its sidewalks |

**TITLE XII -  
LAND DEVELOPMENT  
CODE**

|                 |                                    |
|-----------------|------------------------------------|
| 12-1-7(B)(1)    | Obsolete and exempt from state law |
| 12-1-7(D)(1)(2) | Obsolete and exempt from state law |
| 12-2-3(B)(i)    | Prohibited per sec. 4-2-8          |
| 12-2-4(B)(m)    | Prohibited per sec. 4-2-8          |
| 12-2-5(B)(2)(h) | Deleted per sec. 4-2-8             |
| 12-2-5(C)(2)(h) | Deleted per sec. 4-2-8             |
| 12-2-6(B)(h)    | Deleted per sec. 4-2-8             |

**REPEALED SECTION**

**REASON**

|                      |                             |
|----------------------|-----------------------------|
| 12-2-12(A)(4)(a)4.b. | Conform to current law      |
| 12-2-12(C)(4)(a)4.b. | Conform to current law      |
| 12-2-12(C)(5)(d)3.   | Conform to current law      |
| 12-2-24(F)(2)(d)     | Reed v. Town of Gilbert     |
| 12-2-81(A)(3)(h-m)   | Redundant                   |
| 12-12-3(F)(4)(d)     | Deleting outdated procedure |
| 12-12-3(F)(5)(i)     | Outdated procedure          |

**TITLE XIII -  
CODE ENFORCEMENT**

|               |                           |
|---------------|---------------------------|
| 13-1-7(g)     | State law covers this     |
| 13-1-3        | No longer necessary       |
| 13-2-2(c)(11) | Unnecessary               |
| 13-2-2(o)     | Covered by subsection (p) |

**REPEALED SECTION**

**REASON**

**BUILDING CONSTRUCTION  
AND FIRE CODES**

|   |  |
|---|--|
| 14-1-41(b)                                    | Defer to Escambia County regulation - City no longer permits construction trades |
| 14-1-41(i) - (l)                              | Defer to Escambia County regulation - City no longer permits construction trades |
| 14-1-72                                       | Covered by F.S. section 489.119(5)(c)  |
| ART. V<br>Sections 14-1-91<br>through 14-1-93 | Defer to State law   |
| 14-1-139                                      | Covered in section 14-1-122  |
| 14-1-164                                      | This section is in section 12-2-40   |
| 14-1-165                                      | Inspections recommended repeal   |
| 14-1-166(f)                                   | Inspection recommended repeal  |
| 14-1-167                                      | Regulated by Escambia County   |
| 14-1-196                                      | Regulated by Escambia County   |
| 14-2-21                                       | Provided by state law  |