

PROPOSED
ORDINANCE NO. 16-17

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 11-4-66 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, OBSTRUCTIONS OF PUBLIC RIGHTS-OF-WAY -- PROHIBITED; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 11-4-66 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 11-4-66. - Obstructions on public rights-of-way—Prohibited.

It shall be unlawful for any person to plan, place, maintain or have any tree, shrub or other obstruction upon or extending from private property into any street, ~~sidewalk~~, grass plot area, property, right-of-way, easement, or sidewalk where such sidewalk continues for the length of the block and there exists appropriate ingress, egress and cut outs as required by law; either dedicated or occurring by operation of law, belonging to the city, that interferes with the normal and safe passage of vehicles or pedestrians traveling within their designated portions of the public right-of-way.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk