

ORDINANCE NO. 388

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING SECTION 9-22 OF CHAPTER 9, ARTICLE II, PROHIBITING CERTAIN NUISANCES BY CREATING A NEW SUBSECTION 17; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Section 1. The Code of Ordinances of the Town of Jupiter Island is hereby amended at Chapter 9, Nuisances, Article II, Sanitary Nuisances, Section 9-22, to read as follows:

Sec. 9-22. Certain nuisances prohibited.

The maintaining, using, placing, depositing, leaving, or permitting to be or remain on any public or private property of any of the following items, conditions, or actions are hereby declared to be and constitute a nuisance; provided this enumeration shall not be construed as a designation of all nuisances:

- (1) Any unreasonable growth or accumulation of weeds or vines and any unreasonable growth of vegetation including bushes and trees within three feet of any hard surfaced road in the town.
- (2) Any unreasonable or dense growth or accumulation of weeds, wild growth, or grass in excess of 12 inches in height from the ground; dead, dying, decayed or fallen trees or limbs which can be observed from public rights-of-way or from adjoining or abutting improved properties.
- (3) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat, or other animal matter, fruit, vegetables, offal, bricks, concrete, scrap lumber, or other refuse of any nature.
- (4) Any condition which provides harborage for rats, mice, snakes, or other vermin.
- (5) Any building or other structure which is in such a dilapidated condition that is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinary dangerous fire hazard in the vicinity where it is located.
- (6) All unnecessary or unauthorized noises and annoying vibrations, including animal noises.
- (7) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances, or other causes which give rise to the emission or generation of such odors and stenches.
- (8) The carcasses of animals or fowl not disposed of within a reasonable time after death.
- (9) The pollution of any public well or cistern, stream, lake, canal, or body of water by sewage, dead animals, commercial wastes, or other substances.
- (10) Any building, structure, or other place or location where any activity which is in violation of local, state, or federal law is conducted, performed or maintained.

- (11) Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- (12) Dense smoke, noxious or lethal fumes, lethal gas, soot, or cinders, in unreasonable quantities.
- (13) Any condition constituting a fire hazard.
- (14) Any worn-out, scrapped, partially dismantled, nonoperative, unusable, or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items of junk. Failure of any vehicle, or parts thereof, to have a valid license plate or other registration certificate specifically attached to the vehicle or part thereof, shall be prima facie evidence that such property is worn out, scrapped, nonoperative, unusable or discarded.
- (15) Failure of any person who has cleared land pursuant to a land clearing permit to resod, replant or periodically sprinkle the cleared area to prevent creation of windblown dust or dirt.
- (16) A seawall or bulkhead which falls into a state of disrepair or ruin so as to allow erosion to land adjacent thereto.
- (17) Grass clippings, vegetative material and/or vegetative debris washed, swept, or blown onto or into stormwater drains, ditches, conveyances, water bodies, wetlands, sidewalks, neighboring properties, or roadways.

Section 2. Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability.

If any court of competent jurisdiction holds any word, part, section, paragraph or provision hereof to be unlawful or unconstitutional, such ruling or finding shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect.

Section 4. Codification.

This ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Jupiter Island.

Section 5. Effective Date.

This Ordinance shall become effective immediately upon passage.

(continued next page)

PASSED UPON FIRST READING THE 18 DAY OF SEPTEMBER, 2023.

PASSED AND ADOPTED UPON SECOND READING THE FOLLOWING PUBLIC HEARING THE 31st DAY OF October, 2023.

(SEAL)

TOWN OF JUPITER ISLAND, FLORIDA

Therese D. Townsend

Mayor

[Signature]

Vice Mayor

[Signature]

Commissioner

[Signature]

Commissioner

[Signature]

Commissioner

ATTEST:

[Signature]

Clerk

