

ORDINANCE 2012 - _____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, OF SUMTER COUNTY, FLORIDA, SPECIFICALLY AMENDING CHAPTER 13 OF THE SUMTER COUNTY LAND DEVELOPMENT CODE, AMENDING SECTION 13-362 AND THE TABLE OF USES REFLECTED IN TABLE 13-362A, CONTAINED WITHIN SECTION 13-362(C)(1); PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Sumter County Board of County Commissioners previously established Table 13-136A (Table of Uses) within the Chapter 13 of the Sumter County Code of Ordinances, Division 5, Land Development Code, to promulgate rules and regulations for the Permitted, Special and Conditional Uses of land within Sumter County, Florida; and,

WHEREAS, the Sumter County Board of County Commissioners has determined that Table 13-136A of the Sumter County Land Development Code draws a distinction between the sale of produce produced on site, and the sale of horticultural products sold on site; and,

WHEREAS, the Sumter County Board of County Commissioners has determined that there is not a substantial distinction between the sale of produce produced on site and the sale of horticultural products produced on site; and,

WHEREAS, the Sumter County Board of County Commissioners has determined that it has a substantial interest in creating ordinances which consistently regulate land uses within Sumter County; and,

WHEREAS, the Sumter County Board of County Commissioners has determined that it is appropriate to amend its Land Development Code to address the sale of horticultural products produced on site in an effort to allow a land use which is consistent with the sale of produce produced on site; and,

WHEREAS, the Sumter County Board of County Commissioners, after the appropriate publication of notice of its intention to consider this Ordinance, has

determined that in consideration of the health, safety and welfare of its citizens, it is in the best interests of Sumter County, Florida to approve this Ordinance.

NOW THEREFORE BE IT ORDAINED by the Sumter County Board of County Commissioners, as follows:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the current Sumter County Code of Ordinances, through the amendment of Chapter 13 of its Land Development Code, specifically, Division 5, Land Uses, Section 13-132(C)(1), Table of Uses, Table 13-362A, Principal Uses, in order to more clearly define certain permissible land uses, for the reasons set forth in the above Whereas clauses, which are incorporated herein, *in haec verba*.

SECTION 2. AUTHORITY.

The Sumter County Board of County Commissioners is authorized, from time to time, to amend its Ordinances pursuant to the provisions of the Sumter County Code of Ordinances, and as otherwise authorized by applicable Florida Statutes.

SECTION 3. AMENDMENT OF CODE OF ORDINAINCES, CHAPTER 9.

The Sumter County Code of Ordinances is modified through the amendment of Chapter 13, Land Development Code, Division 5, Land Uses, Section 13-132(C)(1), Table of Uses, Table 13-362A, Principal Uses, as follows:

Sumter County Code of Ordinances, Chapter 13, Land Development Code, Division 5, Land Uses, Section 13-132(C)(1), Table of Uses, Table 13-362A:

Land Use Zones:

A10:	P
A10C:	P
AC:	P
RR5:	P
RR5C:	P
RR2.5:	P
RR2.5C:	P
RR1:	P

RR1C: P

SECTION 4. CODIFICATION.

It is the intention of the Sumter County Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Sumter County, Florida, with the exception of Sections 2, 4, 5 and 6. The word "Ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein, within Chapter 13 of the Land Development Code.

SECTION 5. CONFLICTS AND REPEALER.

This Ordinance shall be cumulative of all provisions of the Ordinances of Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY.

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

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption by the Sumter County Board of County Commissioners.

PASSED AND ADOPTED BY THE SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS, SUMTER COUNTY, FLORIDA, THIS ____ DAY OF MARCH, 2012.

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

GARRY BREEDEN, CHAIRMAN

ATTEST:

GLORIA HAYWARD,
SUMTER COUNTY CLERK OF COURT
BY: CONNIE WEBB, Deputy Clerk

Approved as to form for the reliance of
The Sumter County Board of County
Commissioners, only:

GEORGE ANGELIADIS, ESQ.,
THE HOGAN LAW FIRM, COUNTY ATTORNEY