



CITY OF OKEECHOBEE

55 SE THIRD AVENUE
OKEECHOBEE, FL 34974

JANUARY 3, 2023

6:00 PM

LIST OF EXHIBITS

Mayor

Dowling R. Watford, Jr.

Council Members

Noel Chandler

Monica Clark

Bob Jarriel

David McAuley

Exhibit 1

Ordinance No. 1270 revised

Exhibit 2

Liaison Boards/Committees

Exhibit 3

Letter of support on behalf of Indian River State College

ORDINANCE NO. 1270

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA RELATING TO THE REGULATION OF FIREWORKS, AMENDING PART II THE CODE OF ORDINANCES OF THE CITY OF OKEECHOBEE AT CHAPTER 14 BUSINESSES BY SPECIFICALLY AMENDING SECTION 14-173 FIREWORKS; AMENDING AT CHAPTER 30, ENVIRONMENT, SPECIFICALLY AMENDING SECTION 30-43 PUBLIC NUISANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2020, the State of Florida enacted Florida Statutes Section 791.08 relating to the discharge of fireworks; and

WHEREAS, a number of local governments, including the City of Okeechobee ("City"), are updating their fireworks related ordinances in response the enactment of Florida Statutes Section 791.08; and

WHEREAS, the City Council finds that this Ordinance promotes the public health, safety and welfare of its citizens and inhabitants of the City, pursuant to Article VIII, Section 1(g), Florida Constitution.

NOW, THEREFORE, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City; that:

SECTION 1: RECITALS.

The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2: AMENDMENT TO CHAPTER 14 BUSINESSES

That Section 14-173 Fireworks of Part II of the City Code of Ordinances within Chapter 14 Businesses, Article IV Peddlers and Solicitors, Division 3 Miscellaneous Offenses is hereby amended to read as follows:

- (a) It shall be unlawful to sell or offer or expose for sale any ~~firecrackers, fireworks, toy pistols, or explosives for use in making noise or a display as defined in F.S. §791.01, or to shoot off, explode or use any firecrackers, toy pistols, or other explosives~~ fireworks, ~~sparklers~~, or other similar devices as defined in F.S. §791.01.
- (b) The shooting of fireworks, ~~sparklers, toy pistols, toy canes, toy guns,~~ or other similar devices are not permitted in the City ~~other than New Year's Eve, New Year's Day, and Independence Day,~~ in connection with a community wide celebration such as the Fourth of July is not prohibited provided permission has been obtained from the city council and arrangements made for the display so that traffic control, insurance and the safety of spectators has been provided ~~for.~~ However, this Section shall not prohibit public outdoor fireworks displays where the permission of the City Administrator has been obtained, and for which a permit has been obtained from the Police Department and Okeechobee County Fire and Rescue, all financial bond requirements established by the City have been satisfied, and other prescribed safety requirements have been met.

- (c) The shooting of private outdoor fireworks may occur on New Year's Eve, New Year's Day beginning at 1pm New Year's Eve and ending 1am New Year's Day and also between the hours of 11am to 11pm on New Year's Day, and Independence Day between the hours of 11am and 11pm. where the permission of the City Administrator has been obtained, and for which a permit has been obtained from the Police Department and Okeechobee County Fire and Rescue, all financial bond requirements established by the City have been satisfied, and other prescribed safety requirements have been met.
- (d) Provisions of this article may be enforced by the City as a code violation, or may be enforced by the Police Department as an offense, pursuant to F.S. § 162.22 or when a problem is caused. A problem may exist when fireworks are set off 25 feet or less from an adjoining single residence. A problem may occur when fireworks are being set off near vegetation or forested areas that could potentially cause an undue fire hazard.

SECTION 3: AMENDMENT TO CHAPTER 30 ENVIRONMENT

That paragraph (a) in Section 30-43 Public Nuisances of Part II of the City Code of Ordinances within Chapter 30 Environment, Article II Nuisances, is hereby amended to read as follows:

- (a) "Public nuisance" as defined in this section, means the unauthorized shooting of fireworks, existence of excessive accumulation of litter or untended vegetation, garbage, weeds, or other dead or living plant life; or places holding stagnant water, and all other objectionable, unsightly or unsanitary matter upon any lot, track of land within the city, whether uncovered or under shelter, to the extent and in the manner that such lot or parcel of land is, or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, including such condition causing or tending to cause disease, or by reason of such a condition, tends to impair the economic welfare of adjacent property; including abandoned or junk property as defined by this article; blighted structures and dangerous structures as defined in this article; unsightly, derelict or unsafe building or structure which may constitute a hazard to safety, health, welfare or sense of public aesthetics by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

SECTION 4: SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

SECTION 5: CONFLICT.

All sections or parts of sections of the City of Okeechobee Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

SECTION 6: INCLUSION IN THE CODE OF ORDINANCES

It is the intention of the City Council of the City of Okeechobee, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Okeechobee Code of Ordinances, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "Section" or other appropriate word.

SECTION 8: EFFECTIVE DATE

This Ordinance shall be effective upon final adoption on second reading.

INTRODUCED for First Reading and set for Final Public Hearing on this **20th** day of **December 2022**.

Dowling R. Watford Jr., Mayor

ATTEST:

Lane Gamiotea, CMC, City Clerk

PASSED AND ADOPTED after Second and Final Public Hearing this **17th** day of **January 2022**.

Dowling R Watford Jr., Mayor

ATTEST:

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney



MEMORANDUM

TO: Mayor and City Council

DATE: December 27, 2022

FROM: City Clerk Gamiotea *gg*

SUBJECT: Liaison Appointments

As part of the biannual reorganization of the City Council, kindly review and consider appointments to the following boards/committees:

1. Central Florida Regional Planning Council, voting member position, monthly meetings are held the second Wednesday, at 9:30 AM, at various locations in DeSoto, Hardee, Highlands, Okeechobee, or Polk Counties. There are also additional service opportunities on their subcommittees. More available at www.cfrpc.org.
Current Appointees, Regular: Chandler, Alternate: Jarriel
2. Treasure Coast Regional League of Cities, voting member position, monthly meetings are held the third Wednesday, generally at 10 AM, at various locations in Indian River, St. Lucie, Martin, or Okeechobee Counties. More available at www.tcrlc.com
Current Appointees, Regular: Jarriel, Alternate: Chandler
3. Treasure Coast Council of Local Governments, voting member position, monthly meetings are held the first Wednesday, at 10 AM, at the St. Lucie County Administration Annex in Ft. Pierce. More info available on their FB page.
Current Appointees, Regular: Watford, Alternate: Chandler
4. Okeechobee Healthy Start Coalition, Inc., one regular voting member position, meetings are usually every other month, currently held at various locations and times in Okeechobee.
Current Appointee: Clark
5. Okeechobee Tourist Development Council, two voting regular members, meetings are held at 9 AM, at the Historic Courthouse. 2023 schedule to date: Mar 21, May 9, Aug 8, and Nov 14. More available at www.co.okeechobee.fl.us/visit-okeechobee/explore.
Current Appointees: Clark and Keefe
6. Okeechobee Main Street, non-voting ex-officio member to the Board of Directors, monthly meetings are held the second Tuesday, at 5:30 PM, at their office.
Current appointee: Keefe
7. Okeechobee County Juvenile Justice Council, monthly meetings are held the third Friday, at Noon, at Beef O'Brady's restaurant, only the Mayor can be appointed.
Current appointee: Watford

8. Okeechobee Historical Society, one non-voting ex-officio member, monthly meetings are held the first Monday, at Noon, at the Historical Museum.
Current appointee: Watford
9. Battle of Okeechobee Re-enactment Committee, one non-voting ex-officio member.
Current appointee: Watford
10. Chamber of Commerce of Okeechobee County, non-voting ex-officio member.
Meetings are not currently notice since an elected official is not appointed.
Current appointee: Public Works Director Allen

Please advise if any of the meeting dates and times have changed from what is provided above, and if there are websites or social media pages where more information is provided about the board/committee.

Thank You!



CITY OF OKEECHOBEE
55 SE THIRD AVENUE
OKEECHOBEE, FL 34974

Phone: (863)763-3372
www.cityofokeechobee.com

Okeechobee City Council
Mayor Dowling R. Watford, Jr.
Noel Chandler
Monica Clark
Bob Jarriel
David McAuley

3 January, 2023

The Honorable Erin Grall
Florida Senate – Dist. 29
306 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

The Honorable Kaylee Tuck
Florida House of Representatives – Dist. 83
308 House Office Building
402 South Monroe Street
Tallahassee, FL 32399

REF: Letter of Support – Okeechobee School for Boys Public Land Conveyance

Dear Senator Grall and Representative Tuck:

The Mayor and the City Council of Okeechobee is pleased to provide this letter of support on behalf of Indian River State College (IRSC), the Okeechobee County Economic Development Corporation (OCEDC), and the Okeechobee Board of County Commissioners (BOCC) in their efforts to seek a public land transfer of the *Florida School for Boys* property to the IRSC District Board of Trustees.

The State of Florida opened the door to revitalization of this site's sister campus in Marianna, Florida, back in 2018. Today, that transition has created a prospering 'Endeavor Park' in Jackson County, home to economic growth, training opportunities, and more. The Okeechobee community respectfully asks for the same opportunity to inject new life into a site that is both a public eyesore and a historical blight.

The College and its committed partners have an innovative vision centrally focused on the establishment of an IRSC Data Park Campus. This endeavor will create hundreds of jobs, embolden economic growth, open the door to new hi-tech training programs, and establish necessary data infrastructure in the heartland of our great state. It also has the potential to infuse tens, if not hundreds, of millions in capital into the Okeechobee region through Public-Private Partnerships.

Please know this partnership led by IRSC has our expressed support, and we hope it will earn your full consideration moving forward.

Sincerely,

Mayor Dowling R. Watford, Jr.