

1 **DRAFT ORDINANCE 2022-07**
2 **TOWN OF LADY LAKE, FLORIDA**

3 **AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA; AMENDING**
4 **THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 94-**
5 **08); AMENDING CHAPTER 7, SITE DEVELOPMENT PLAN REGULATIONS; ADDING**
6 **SECTION 13, ENTITLED LIMITATION OF HOURS OF CONSTRUCTION; PROVIDING FOR**
7 **SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

8 **WHEREAS**, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan
9 (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes
10 and Chapter 9J-5, Florida Administrative Code; and

11 **WHEREAS**, on January 23, 1992, the Florida Department of Community Affairs determined
12 that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of
13 Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

14 **WHEREAS**, on August 15, 1994, the Town of Lady Lake adopted the Land Development Code
15 of the Town of Lady Lake, Florida in accordance with the Town of Lady Lake Comprehensive
16 Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

17 **WHEREAS**, on June 13, 2022, pursuant to the provisions of the Town of Lady Lake Land
18 Development Code, the Planning and Zoning Board of the Town of Lady Lake reviewed the
19 proposed amendment to the Land Development Code which is attached hereto as Exhibit "A"
20 and recommended to the Town Commission of the Town of Lady Lake that said amendment
21 be adopted; and

22 **WHEREAS**, the Town of Lady Lake has elected to amend Chapter 7, adding Section 13, of the
23 Land Development Regulations finding that limiting the hours in which construction can
24 occur within residential districts in the Town of Lady Lake is beneficial to provide a peaceful
25 environment for the residents of those communities.

26 **BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:**

27 **Section 1. Amendment.**

28 "The Land Development Code of the Town of Lady Lake, Florida," dated August 15, 1994 (the
29 "Land Development Code") is hereby amended as provided below:

30 Chapter 7 Land Development Regulations entitled "Site Development Plan Regulations" is
31 amended and restated in its entirety as set forth in Exhibit "A", attached hereto and
32 incorporated herein.

1 **Section 2. Severability.**

2 If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or
3 declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect
4 the remaining portions of this ordinance; and it shall be construed to have been the Town
5 Commission's intent to pass this Ordinance without such unconstitutional, invalid or
6 inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part
7 or parts, shall be deemed and held to be valid, as if such parts had not been included herein;
8 or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups
9 of persons, property, kind of property, circumstances or set of circumstances, such holding
10 shall not affect the applicability thereof to any other person, property or circumstances.

11 **Section 3. Conflicts.**

12 All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are
13 hereby repealed.

14 **Section 4. Codification.**

15 The provisions of this Ordinance shall be codified as and become part of the Codes of
16 Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-
17 lettered to accomplish such intention and the word "Ordinance", or similar words, may be
18 changed to "Section", "Article", or other appropriate word.

19 **Section 5. Effective Date.**

20 This ordinance shall become effective upon adoption.

21 PASSED AND ORDAINED by the Town Commission of the Town of Lady Lake,
22 Florida, this ___ day of _____ 2022.

23 Town of Lady Lake, Florida

24 _____
25 Jim Rietz, Mayor

26 Attest:

27 _____
28 Nancy Wilson, Town Clerk

29 Approved as to form:

1 _____

2 Derek Schroth, Town Attorney

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4 Passed on First Reading _____

5 Passed on Second and Final Reading _____

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EXHIBIT A

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Sec. 7-13. Limitation of Hours of Construction

Construction within Residential Districts. No person shall engage in construction, drilling, repair, alteration, or site demolition work between the hours of 8:00 p.m. and 7:00 a.m. of the following day. Work performed by a public service utility in the event of an emergency and/or work performed by a government agency for road construction performed in the overnight hours which is required by the operations plan of the project shall be exempt from this section. This prohibition does not apply to construction taking place in commercial or industrial zoning categories which do not directly abut residential zoning districts. Activities pertaining to the delivery and installation of concrete and other materials associated with residential slab installation are not subject to this prohibition, provided that the abutting property owners are given a 48-hour notice of such activity.

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