

medical providers from providing emergency medical services within the jurisdictional boundaries of the city when responding to a call for assistance under a mutual aid agreement or emergency management plan.

(Ord. No. 21-39, § 2, 11-11-21)

### **Sec. 34-71. Administration; delegation.**

The fire chief is the official responsible for the oversight and administration of the provisions of this article III of chapter 34. Whenever a provision appears requiring the fire chief, the fire department, or some other officer or employee to do some act or perform some duty, such provision will be construed as authorizing the fire chief or other officer to designate, delegate, or authorize qualified subordinates to perform such act or duty unless the terms of the provision or section specify otherwise.

(Ord. No. 21-39, § 2, 11-11-21)

### **Sec. 34-72. Medical director.**

The city is authorized to employ or contract with a medical director pursuant to F.S. § 401.265. If so employed or contracted, the medical director will supervise and assume direct responsibility for the medical performance of emergency medical technicians and paramedics operating on behalf of the fire department and its emergency medical response system. At the city's discretion, the medical director may be the same individual as the medical director that is employed by or contracted by Orange County or another local government agency presently having a medical director.

(Ord. No. 21-39, § 2, 11-11-21)

### **Sec. 34-73. Standby non-emergency services.**

(a) As the primary and sole agency responsible for fire suppression, fire prevention, and emergency medical response and transport within the corporate limits of the city, the fire department is also designated the primary and sole provider of standby non-emergency services at public and private events or gatherings conducted

or held within the jurisdictional boundaries of the city, subject to the exception set forth in subsection (d) *infra*.

(b) The fire chief is authorized to enter into and negotiate contracts with private or public entities to provide standby non-emergency services at events and gatherings conducted, hosted, or otherwise organized by such entities. Compensation to the city for standby non-emergency services will be assessed and paid on the basis of rates and charges established by resolution of the city commission.

(c) Requests for non-emergency stand-by services must be made via written application to the fire chief in a form satisfactory to the fire chief. Upon receipt of an application for such services, the fire chief will evaluate the application and determine whether the city will be able to or desires to provide such services for such event or gathering.

(d) If the fire chief determines that the city will not provide standby non-emergency services at an event or gathering occurring within the jurisdictional boundaries of the city, then the fire chief may (i) authorize the mobilization of other qualified personnel from nearby or neighboring jurisdictions to provide standby non-emergency services to such event or (ii) otherwise allow the requesting entity to hire or contract with other qualified providers as defined in section 34-69 of this code to provide non-emergency standby services.

(Ord. No. 21-39, § 2, 11-11-21)

### **Sec. 34-74. Medical services fees.**

The city commission is authorized to adopt a schedule of fees for emergency medical response and transport services and standby non-emergency services provided by the fire department and/or its contractors. Such schedule of fees may be adopted by resolution and include one or more clauses to provide for the automatic adjustment of fees on an annual or other periodic basis.

(Ord. No. 21-39, § 2, 11-11-21)



Chapters 35—37

**RESERVED**



## Chapter 38

# **ENVIRONMENT\***

### **Article I. In General**

Secs. 38-1—38-25. Reserved.

### **Article II. Weeds, Wild Growth, Unsightly Conditions**

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Secs. 38-56—38-58. Reserved.  
Sec. 38-59. Scattering of refuse.  
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#### Division 3. Lot Cleaning

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Sec. 38-94. Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, recreational, commercial, open space, or industrial, or planned development zoned use.  
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Sec. 38-96. Compost bins.  
Sec. 38-97. Responsibility for non-compliance.  
Sec. 38-98. Enforcement; abatement of nuisance.  
Sec. 38-99. Appeals.  
Sec. 38-100. Liens; assessment.  
Sec. 38-101. Opposing, obstructing or resisting code inspector.  
Sec. 38-102. No liability for reasonable, good-faith trespass by code inspector.  
Sec. 38-103. Exemption.  
Secs. 38-104—38-120. Reserved.

### **Article III. Littering**

Sec. 38-121. Distribution of commercial handbills on streets.  
Sec. 38-122. Definitions.  
Sec. 38-123. Declaration of policy.

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\***Cross references**—Animals, ch. 14; buildings and building regulations, ch. 18; dilapidated, dangerous, decayed structures and appurtenances, § 18-151 et seq.; solid waste, ch. 58; utilities, ch. 78; floods, ch. 90; natural resource protection, ch. 94; stormwater management, ch. 106; subdivisions, ch. 110; vegetation, ch. 114; zoning, ch. 118.

## WINTER GARDEN CODE

- Sec. 38-124. Distribution of handbills on private property generally.
- Sec. 38-125. Exemptions.
- Sec. 38-126. Variances.
- Sec. 38-127. Enforcement.
- Sec. 38-129—150. Reserved.

### **Article IV. Noise**

- Sec. 38-151. Scope.
- Sec. 38-152. Purpose.
- Sec. 38-153. Terminology, standards and definitions.
- Sec. 38-154. Findings of fact.
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### **Article V. Drug, Prostitution, Criminal Street Gangs and Stolen Property Related Public Nuisances**

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## ARTICLE I. IN GENERAL

### Secs. 38-1—38-25. Reserved.

## ARTICLE II. WEEDS, WILD GROWTH, UNSIGHTLY CONDITIONS\*

### DIVISION 1. GENERALLY

#### Sec. 38-26. City health officer designated.

The city manager is designated the city health officer. He shall be responsible to the city commission for the administration and enforcement of this article. He is authorized and privileged to enter the premises of all persons at reasonable times to inspect such premises and enforce this article.

(Code 1988, § 11-1)

**Cross reference**—Officers and employees generally, § 2-101 et seq.

#### Sec. 38-27. Authority of city officers and employees.

Such city officers or employees who may be authorized by the city manager shall have the right and authority to enter into or upon any building, land or premises at all reasonable times for the purpose of ascertaining whether the condition of any such building, land or premises or any condition therein or thereon constitutes or is likely to constitute a fire hazard or a hazard to the health, safety or welfare of the occupants or the public because of the existence or accumulation of weeds, debris, waste, rubbish, flammable material, insanitary condition or other condition in, upon or about such building, land or premises. The city is authorized to provide for the removal or correction of any such condition which may be found to exist.

(Code 1988, § 6-154)

#### Sec. 38-28. Responsibility of property owners.

It shall be the responsibility of the owner of each lot, tract or parcel of land within the city to reasonably regulate and effectively control exces-

**\*Cross reference**—Vegetation, ch. 114.

sive growths and accumulations of trash, weeds, garbage, refuse, waste, litter, lawn trimmings, and vegetation, as enumerated in division 2 of this article, on the property and on the portion of the adjoining unpaved public right-of-ways between the boundary line of each such owner's property and the street. It shall also be the duty of the owner to drain, regrade or fill any lot, tract or parcel which shall be unwholesome or unsanitary, which has stagnant water thereon, or which is in such other condition as to be susceptible to producing disease.

(Code 1988, § 11-2; Ord. No. 11-21, § 1, 10-13-11)

#### Sec. 38-29. Abatement of nuisances required.

Where the existence of conditions, as prohibited or regulated by this article, threatens or tends to threaten the health and welfare of the inhabitants of the city, the condition shall constitute a public nuisance and shall be abated as provided in this article.

(Code 1988, § 11-3)

**Charter reference**—Power to abate nuisances, § 8(21).

### Secs. 38-30—38-55. Reserved.

### DIVISION 2. PUBLIC NUISANCES

#### Secs. 38-56—38-58. Reserved.

**Editor's note**—Ord. No. 08-06, § 2, adopted January 10, 2008, repealed §§ 38-56—38-58, which pertained to conditions; storing of refuse; unauthorized accumulation and derived from §§ 11-35—11-37 of the 1988 Code.

#### Sec. 38-59. Scattering of refuse.

No person shall cast, place, sweep, or deposit anywhere within the city any trash, weeds, garbage, refuse, waste, litter, vegetation, lawn trimmings or debris in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or paved or unpaved right-of-way or other public place or into any occupied premises within the city.

(Code 1988, § 11-38; Ord. No. 11-21, § 1, 10-13-11)

#### Sec. 38-60. Duty to keep property clean.

It shall be unlawful for the owner, agent, custodian, lessee or occupant of any residential,

professional office, commercial or industrial lot, or tract, or parcel of land, whether improved or unimproved, to fail to keep such property, including the paved and unpaved right-of-ways located between the property boundary line and the street, clean or to permit any trash, weeds, garbage, refuse, waste, litter, unkept vegetation, lawn trimmings, or debris, or any offensive matter of any kind to accumulate in and upon such property or rights-of-ways.

(Code 1988, § 11-39; Ord. No. 11-21, § 1, 10-13-11)

**Sec. 38-61. Discharging foul water or depositing decaying matter.**

No person shall discharge on any street, alley, sidewalk, parkway, paved or unpaved right-of-way, or other public place, or on his own property or the property of another any foul or fetid water or fluid substance, nor shall any person throw thereon any decaying flesh or vegetable or other offensive, noxious or noisome matter.

(Code 1988, § 11-40; Ord. No. 11-21, § 1, 10-13-11)

**Sec. 38-62. Mosquito breeding places.**

(a) It shall be unlawful for any person to have, keep, maintain, cause or permit within the city any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as effectually to prevent such breeding.

(b) Collections of water in which mosquitoes breed or are likely to breed are those contained in ditches, ponds, pools, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, urns, cans, boxes, bottles, tubs, buckets, defective house gutters or similar water containers.

(c) The natural presence of mosquito larvae in standing or running water shall be evidence that mosquitoes are breeding there.

(d) Collections of water in which mosquitoes breed or are likely to breed shall be treated by such one or more of the following methods as shall be approved by the city health officer:

(1) Screening with wire netting of at least 16 meshes to the inch each way or any other material which will effectually prevent the ingress or egress of mosquitoes.

- (2) Complete emptying unscreened containers every seven days, together with their thorough drying or cleaning.
  - (3) Using a larvicide approved and applied under the direction of the city health officer.
  - (4) Covering completely the surface of the water with kerosene, petroleum or paraffin oil once every seven days.
  - (5) Cleaning and keeping sufficiently free of vegetable growth and other obstructions, and stocking with mosquito-destroying fish.
  - (6) Filling or draining to the satisfaction of the city health officer.
  - (7) Proper disposal, by removal or destruction, of tin cans, tin boxes, broken or empty bottles and similar articles likely to hold water.
- (e) For the purpose of this section, the person responsible for the condition of any premises as defined by subsection (b) of this section is the owner or the person using or occupying the premises or, if no person is using or occupying the premises, the person who by law is entitled to the immediate possession of the premises or, if the premises are used or occupied by two or more tenants of a common landlord or from grounds appurtenant to a house occupied by two or more tenants of a common landlord, the landlord. Each tenant, however, is responsible for that part of the premises which he occupies to the exclusion of the other tenants. If the premises are occupied by a tenant under a yearly or monthly tenancy or under a lease for not more than a year or under any lease whereby the lessor is expressly or impliedly obligated to keep the premises in repair, and the collection of standing or flowing water in which mosquitoes breed or are likely to breed is owing to the disrepair of the building or to any natural quality of the premises or to any condition that exists at the time when the tenant entered into possession or to anything done on the premises by the landlord during the existence of the tenancy or lease, the landlord is the person responsible. Any person who has caused to exist, on any premises of which he is not the owner, landlord, occupant, or tenant, any collection of water