

(c) If any provision of the plumbing code is inconsistent with the state statutes, the statute shall prevail, unless said provision is more stringent than and is not otherwise inconsistent with the purpose and intent of the state statute.  
(Code 1988, § 6-223; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-229. Suit to collect liens.**

If the city brings suit to collect liens or assessments to restrain, enjoin or otherwise prevent the violation of this article, the city is entitled to recover reasonable attorney's fees and court costs from the named defendant in the action.  
(Code 1988, § 6-224)

#### **Sec. 18-230. Permit fees.**

The plumbing inspector shall charge and collect for plumbing permits and fees arising under this article at the rates adopted and amended, from time to time established by ordinance or resolution of the city commission and on file in the building official's office.  
(Code 1988, § 6-225; Ord. No. 02-04, § 2, 3-28-02)

#### **Secs. 18-231—18-260. Reserved.**

### **ARTICLE V. ELECTRICAL STANDARDS\***

#### **Sec. 18-261. Electrical code adopted.**

The city hereby adopts the National Electrical Code as written by the National Fire Protection Association and as such may be amended, modified or updated from time to time and accepted by the state for the purpose of establishing rules and regulations for the installation, inspection, maintenance and repairs of electric wiring, apparatus or equipment for light, heat or power inside of or attached to buildings within the city limits or attached to the service company's lines (the "National Electric Code"). The National Electrical Code is adopted and incorporated herein as fully as if set out at length in this Section, save and except such portions as are deleted, modified,

\***Cross references**—Utilities, ch. 78; electric franchise, app. B, art. I.

added or amended in this article. One copy of the code is on file in the office of the building official.  
(Code 1988, § 6-251; Ord. No. 96-25, § I, 12-19-96; Ord. No. 00-12, § I, 1-27-00; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-262. Reserved.**

**Editor's note**—Ord. No. 02-04, § 2, adopted March 28, 2002, reserved in its entirety § 18-262. Formerly said section pertained to amendments to the electrical code. See the Code Comparative Table.

#### **Sec. 18-263. Permit fees.**

The electrical inspector shall charge and collect for electrical permits and fees arising under this article the rates adopted and amended, from time to time, by resolution or ordinance of the city commission and on file in the building official's office.  
(Code 1988, § 6-253; Ord. No. 02-04, § 2, 3-28-02)

#### **Secs. 18-264—18-290. Reserved.**

### **ARTICLE VI. GAS STANDARDS†**

#### **Sec. 18-291. Gas code adopted.**

There is adopted by the city for the purpose of regulating the installation, inspection, alteration and maintenance of all piping extending from the point of delivery of gas for use as a fuel and designed to convey or carry the gas to gas appliances and regulating the installation and maintenance of appliances designed to utilize such gas as a fuel within the corporate limits of the city and providing for the inspection of such piping and certain appliances, issuance of permits for the installation of the piping and certain appliances and the collection of inspection fees therefore and the licensing of persons engaging in the business of installing, repairing or maintaining such piping or certain appliances, and the providing of penalties for the violation of the regulations that certain code known as the Florida Building Code, Fuel Gas, published by and adopted by the State of Florida, Department of Community Affairs and as such maybe amended, modified or

†**Cross references**—Utilities, ch. 78; gas franchise, app. B, art. III.

updated by the Florida Building Commission from time to time (the "gas code"). The gas code is adopted and incorporated herein as fully as if set out at length in this section, save and except such portions as are deleted, modified, added or amended in this article. One copy is on file in the office of the building official.

(Code 1988, § 6-281; Ord. No. 97-82, § II, 1-8-98; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-292. Amendments to gas code.**

The gas code adopted in section 18-291 is amended in the following respect and/or by adding the following:

- (1) Fees and permit rates for gas permits and as otherwise arising under this article are adopted by ordinance or resolution of the city commission and are kept on file with the building official.
- (2) Fees under this section may be amended by the city commission by ordinance or resolution.

(Code 1988, § 6-282; Ord. No. 02-04, § 2, 3-28-02)

#### **Secs. 18-293—18-320. Reserved.**

### **ARTICLE VII. MECHANICAL STANDARDS\***

#### **Sec. 18-321. Mechanical code adopted.**

There is adopted by the city for the purpose of establishing rules and regulations for the installation, inspecting, maintenance and repairs of all mechanical installations within the city limits that certain code known as the Florida Building Code, Mechanical, published by and adopted by the State of Florida, Department of Community Affairs and as such may be amended, modified or updated by the Florida Building Commission from time to time (the "mechanical code"). The mechanical code is adopted and incorporated herein as fully as if set out at length in this section, save

and except such portions as are deleted, modified, added or amended in this article. One copy is on file in the office of the building official.

(Code 1988, § 6-311; Ord. No. 97-82, § III, 1-8-98; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-322. Amendments to mechanical code.**

The mechanical code adopted in section 18-321 is amended in the following respects and/or by adding the following:

- (1) Fees and permit rates arising under this article are identified by ordinance or resolution of the city commission and are on file in the building official's office.
- (2) Fees under this article may be amended from time to time by the city commission by ordinance or resolution.

(Code 1988, § 6-312; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-323. References to board and mechanical official; enforcing authority.**

(a) Any reference made in the mechanical code adopted in section 18-321 to the board shall refer to the city commission.

(b) Any reference made in the mechanical code adopted in section 18-321 to the mechanical official shall refer to the enforcing authority.

(c) The enforcing authority is the building official.

(Code 1988, § 6-313; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-324. Work without permit.**

If any mechanical work is commenced without a permit, the permit fee will be the sum of double the applicable permit fee or \$50.00, whichever is greater, plus the permit fee.

(Code 1988, § 6-315; Ord. No. 02-04, § 2, 3-28-02)

#### **Sec. 18-325. Amendment of fees.**

Any and all fees provided for in this article and in the code or schedules adopted in this article are adopted and may be amended by ordinance or resolution approved by the city commission.

(Code 1988, § 6-317)

\*Cross reference—Utilities, ch. 78.

**Secs. 18-326—18-355. Reserved.**

## **ARTICLE VIII. HOUSE NUMBERS\***

### **Sec. 18-356. Assignment.**

The director of planning is directed to assign numbers to all principal structures located within the city limits.

(Code 1988, § 6-341; Ord. No. 01-10, § I, 2-22-01; Ord. No. 02-04, § 2, 3-28-02)

### **Sec. 18-357. Display of assigned numbers.**

(a) The owner of each principal structure, upon receipt of an assigned street number, shall display on the principal structure the assigned street number in such a location that the assigned number is readily visible from the front street.

(b) The fire chief, upon request, is authorized to make exception as to the location of an assigned number so long as the excepted location is readily visible from the front street.

(Code 1988, § 6-342; Ord. No. 02-04, § 2, 3-28-02)

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\***Cross reference**—Streets and sidewalks, ch. 62.



## Chapter 19

### **FAIR HOUSING CODE**

- |             |   |
|-------------|---|
| Sec. 19-1.  | Title.  |
| Sec. 19-2.  | Declaration of policy.                        |
| Sec. 19-3.  | Definitions.                                  |
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| Sec. 19-6.  | Administrator authority and responsibilities. |
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| Sec. 19-11. | Untruthful complaints or testimony.           |
| Sec. 19-12. | Penalty.                                      |



**Sec. 19-1. Title.**

Chapter 19 of the Code of Winter Garden, Florida, is hereby created which shall be known as and may be cited as the "Fair Housing Code" of the City of Winter Garden, Florida.  
(Ord. No. 12-38, § 1, 9-13-12)

**Sec. 19-2. Declaration of policy.**

It is the policy of the City of Winter Garden in keeping with the laws of the United States of America and the spirit of the Constitution of the State of Florida, to promote through fair, orderly and lawful procedure the opportunity for each person so desiring to obtain housing of such person's choice in this jurisdiction without regard to race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age, and, to that end, to prohibit discrimination in housing by any person.  
(Ord. No. 12-38, § 2, 9-13-12)

**Sec. 19-3. Definitions.**

The terms as used herein shall be defined as follows:

*Administrator:* That person appointed by the city commission pursuant to section 19-6 hereof.

*Age:* Unless the context clearly indicates otherwise, the work age as used herein shall refer exclusively to persons who are 18 years of age or older.

*Discriminatory housing practice:* An act that is unlawful under section 19-4 hereof.

*Family:* One or more persons living together as a single housekeeping unit in a dwelling.

*Housing or housing accommodation:* Any building, structure, or portion thereof, mobile home or trailer, or other facility which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof, mobile home or trailer or other facility.

*Lending institution:* Any bank, insurance company, savings and loan association or any other

person or organization regularly engaged in the business of lending money, guaranteeing loans, or sources of credit information, including, but not limited to credit bureaus.

*Owner:* Any person, including, but not limited to a lessee, subleasee, assignee, manager, or agent, and also including the City of Winter Garden and its departments or other subunits, having the right of ownership or possession or the authority to sell or lease any housing accommodation.

*Person:* One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mortgage companies, joint stock companies, trusts, receivers, fiduciaries, unincorporated organizations, or public corporations, including, but not limited to the city or any department or subunit thereof.

*Real estate agent:* Any real estate broker, any real estate salesperson, or any other person, employee, agent, or otherwise, engaged in the management or operation of any real property.

*Real estate broker or salesperson:* A person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself or herself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of any of these.

*Real estate transaction:* Includes the sale, purchase, exchange, rental or leases of real property, and any contract pertaining thereto.

*Rent:* Includes a lease, sublease, assignment and/or rental, including any contract to do any of the foregoing, or otherwise granting for a consideration the right to occupy premises that are not owned by the occupant.

*Respondent:* Any person against whom a complaint is filed pursuant to this chapter.

**Sale:** Includes any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to, or a beneficial interest in, real property. (Ord. No. 12-38, § 3, 9-13-12)

#### Sec. 19-4. Unlawful housing practices.

(1) *Unlawful housing practices—Sale or rental and advertising in connection therewith.* Except as provided in section 19-5 hereof, it shall be unlawful and a discriminatory housing practice for an owner, or any other person engaging in a real estate transaction, or for a real estate broker, as defined in this chapter, because of race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age:

- (a) To refuse to engage in a real estate transaction with a person or to otherwise make unavailable or deny housing to any person.
- (b) To discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith.
- (c) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person.
- (d) To refuse to negotiate for a real estate transaction with a person.
- (e) To represent to a person that housing is not available for inspection, sale, rental or lease when, in fact, it is so available, or to fail to bring a property listing to such person's attention, or to refuse to permit him or her to inspect the housing.
- (f) To steer any person away from or to any housing.
- (g) To make, print, publish, circulate, post or mail, electronic or otherwise, or cause to be made, printed, published or circulated, any notice, statement, advertisement or sign, or to use a form of application or photograph for a real estate transaction or, except in connection with a written affirmative action plan, to make a record or oral or written inquiry in connection with a prospective real estate transaction,
- which indicates directly or indirectly an intent to make a limitation, specification, or discrimination with respect thereto.
- (h) To offer, solicit, accept, use or retain a listing of housing with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith.
- (i) To induce or attempt to induce any person to transfer an interest in any housing by representations regarding the existing or potential proximity of housing owned, used or occupied by any person protected by the terms of this chapter.
- (j) To make any misrepresentations concerning the listing for sale or rental, or the anticipated listing for sale or rental, or the sale or rental of any housing in any area in the City of Winter Garden for the purpose of inducing or attempting to induce any such listing or any of the above transactions.
- (k) To retaliate or discriminate in any manner against any person because of his or her opposing a practice declared unlawful by this chapter, or because he or she has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or conference under this chapter.
- (l) To aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by the provisions of this chapter, or to obstruct or prevent any person from complying with the provisions of this chapter, or any conciliation agreement entered into there under.
- (m) By canvassing to compel any unlawful practices prohibited by the provisions of this chapter.
- (n) Otherwise to deny to, or withhold, any housing accommodations from a person.
- (o) To promote, induce, influence or attempt to promote, induce or influence by the use of postal cards, letters, circulars, telephone, emails, facsimiles, visitation or