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**ORDINANCE NO. 1501**

**AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA; AMENDING SECTION 154.09, DEFINITIONS, AMENDING THE DEFINITION OF PAIN MANAGEMENT CLINICS TO APPLY TO ONLY MEDICAL OFFICES/FACILITIES WHICH ARE REQUIRED TO REGISTER WITH THE FLORIDA DEPARTMENT OF HEALTH, PER SECTION 458.3265 OR 459.0137, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; CODIFICATION, CONFLICTS; PROVIDING FOR EFFECTIVE DATE**

13       **WHEREAS**, on December 20, 2012, the City Commission adopted Ordinance No.  
14 1475 which established location, separation and other requirements for pain  
15 management clinics; and

16       **WHEREAS**, the Florida Statutes requires certain pain management clinics to  
17 register with the State Department of Health; and

18       **WHEREAS**, the Florida Statutes also has established criteria by which certain pain  
19 management clinics may be exempted from the registration requirement; and

20       **WHEREAS**, it is the intent of the City Commission to exempt certain pain  
21 management clinics that do not have to register with the state from the requirements in  
22 City Code Section 154.65 and Section 154.66; and

23       **WHEREAS**, the City's adopted pain management regulations do not clearly  
24 identify the circumstances under which certain pain management clinics are to be  
25 exempted from the adopted regulations; and

26       **WHEREAS**, the City Commission of the City of Lake Mary, Florida, hereby finds  
27 this Ordinance to be in the best interest of the public health, safety, and welfare of the  
citizens of Lake Mary and consistent with the City's Comprehensive Plan.

1 IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

2 **Section 1. Recitals.** The foregoing recitals are hereby fully incorporated  
3 herein by reference as legislative finding of the City Commission of Lake Mary.

4 **Section 2. Section 154.09 Definitions.** The proposed revision to the City of  
5 Lake Mary Code of Ordinances related to pain management clinics is hereby contained in  
6 Attachment "A".

7 **Section 3. Severability.** If any portion of this Ordinance is for any reason held  
8 or declared to be unconstitutional, inoperative or void, such holding shall not affect the  
9 remaining portions of the Ordinance. If this Ordinance or any provisions thereof shall be  
10 held to be inapplicable to any person, property, or circumstances, such holding shall not  
11 affect its applicability to any other person, property or circumstances.

12 **Section 4. Conflicts.** All ordinances or resolutions or parts of ordinances or  
13 resolutions in conflict herein are hereby repealed to the extent of any conflict.

14 **Section 5. Codification.** It is the intention of the City Commission that the  
15 provisions of this Ordinance shall become and be made part of the Code of Ordinances  
16 of the City of Lake Mary, Florida and the word "ordinance" may be changed to "section",  
17 "article", or other appropriate word or phrase and the sections of this Ordinance may be  
18 renumbered or re-lettered to accomplish such intention.

19 **Section 6. Effective date.** This Ordinance shall take effect immediately upon  
20 passage and adoption.

1 PASSED AND ADOPTED this, 19<sup>th</sup> day of December 2013.

2 FIRST READING: December 5, 2013

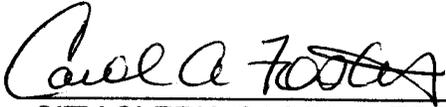
3 SECOND READING: December 19, 2013

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CITY OF LAKE MARY, FLORIDA

  
MAYOR, DAVID J. MEALOR

11 ATTEST:

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15 CITY CLERK, CAROL A. FOSTER

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17 For the use and reliance of the City  
18 Of Lake Mary only. Approved as to  
19 Form and legal sufficiency.

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22 CATHERINE REISCHMANN, CITY ATTORNEY

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**ATTACHMENT "A"**  
**PROPOSED REVISION**  
**TO THE CITY'S CODE OF ORDINANCES**

Proposed additions = underlined  
Proposed deletions = ~~strikethrough~~  
Omitted text = \*\*\*

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**Section 154.09 – Definitions**

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**"Pain Management Clinics."** A pain management clinic shall mean ~~as described~~ any medical office/facility that is required to register with the Florida Department of Health, under in Sections 458.3265 or 459.0137, Florida Statutes, as may be amended from time to time.

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