

**TEMPLE TERRACE CODE  
CHAPTER 1 – GENERAL PROVISIONS**

**Section 1.100                    HOW CODE DESIGNATED AND CITED.**

The ordinances embraced in the following chapters and sections shall constitute and be designated the “*Code of Ordinances, City of Temple Terrace, Florida*” and may be so cited.

**Section 1.105                    RULES OF CONSTRUCTION.**

In the construction of this Code, and of all ordinances, the following rules shall be observed, unless the context clearly indicates otherwise:

**City.** The words “the City” or “this City” shall be construed as if the words “**of Temple Terrace**” followed the word City, and shall extend to and include its several officers, agents and employees.

**County.** The words “the County” or “this County” shall mean the **County of Hillsborough**.

**State.** The words “the State” or “this State” shall be construed to mean the **State of Florida**.

**City Council.** Whenever the words “City Council” are used, they shall be construed to mean the **City Council of the City of Temple Terrace**.

**Other city officials or officers.** Whenever reference is made to officials, boards, commissions, departments, etc., by title only, i.e., “City Clerk,” “Chief of Police,” etc., they shall be deemed to refer to the officials, boards, commissions and departments of the City of Temple Terrace.

**Computation of time.** Whenever a notice is required to be given or an act to be done, a certain length of time before any proceedings shall be had, the day on which such notice is given or such act is done shall be counted in computing the time, but the day on which such proceeding is to be had shall not be counted.

**Gender.** A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

**Interpretation.** In the interpretation and application of any provision of this Code, it shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and the general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than the general provisions imposed by the Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

**Number.** A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing.

**Oath.** The word “**oath**” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”

**Owner.** The word “**owner**,” applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or tenant by the entirety, of the whole or of part of such building or land.

**Person.** The word “**person**” shall extend and be applied to associations, clubs, societies, firms, partnership and bodies politic and corporate as well as to individuals.

**Personal property** includes every species of property **except** real property.

**Time.** Words used in the present or past tense include the future as well as the present or past. (*Ord. No. 649, 3-1-88*)

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**Section 1.110 CATCHLINES OF SECTIONS.**

The catchlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted.

**Section 1.115 EFFECT OF REPEAL OF ORDINANCES.**

The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.

The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

**Section 1.120 SEVERABILITY OF PARTS OF CODE.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**Section 1.125 AUTHORITY OF CITY TO ACQUIRE PUBLIC UTILITY.**

The City shall have the power to acquire by purchase, gift, devise, condemnation or otherwise, any public utility located within its territorial limits. (*Ord. No. 433, 4-6-82*)

**Section 1.130 CODIFICATION OF ORDINANCES.**

The City is further empowered to appoint some person or persons to arrange and codify the ordinances of the City and to publish codification in an appropriate volume or volumes which shall become the laws of the City upon its adoption by ordinance. In the exercise of the power herein conferred, the adoption of the ordinance adopting the codification shall make the same binding as the law of the City. (*Ord. No. 433, 4-6-82*)

**Section 1.135 AMENDMENTS TO CODE; EFFECT OF NEW ORDINANCES; AMENDATORY LANGUAGE.**

All ordinances passed subsequent to this Code of Ordinances which amend, repeal or in any way affect this Code of Ordinances, may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section or subsection or any portion thereof, such repealed portions may be excluded from said Code by omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this Code of Ordinances and subsequent ordinances numbered or omitted are re-adopted as a new Code of Ordinances by the City Council.

Amendments to any provisions of this Code should be made by amending such provisions by specific reference to the section number of this Code in the following language: "that section . . . of the Code of Ordinances, City of Temple Terrace, Florida, is hereby amended to read as follows: . . ." The new provisions shall then be set out in full as desired.

In the event a new section, not heretofore existing in the Code, is to be added, the following language shall be used: "that the Code of Ordinances, City of Temple Terrace, Florida, is hereby amended by adding a section to be numbered. . ., which said section reads as follows: . . ." The section shall then be set out in full as desired.

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All sections, articles, chapters or provisions desired to be repealed should be specifically repealed by section, article or chapter number, as the case may be.

**Section 1.140                    ALTERING CODE.**

It shall be unlawful for any person, firm or corporation in the City to change or amend by additions or deletions, any part or portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Temple Terrace to be misrepresented thereby.

**Section 1.145                    GENERAL PENALTY; CONTINUING VIOLATIONS.**

In addition to and cumulative with any other penalty provided by law or by this Code for violation of an ordinance of the City of Temple Terrace, each such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding six (6) months or by both such fine and imprisonment. Each day any such violation shall continue, shall constitute a separate offense.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any ordinance of the City of Temple Terrace shall be deemed a public nuisance and may be abated by the City, as provided by law. Each day that such condition continues shall be regarded as a new and separate offense. (*Ord. No. 392, 8-28-79*)

**Section 1.150                    ENFORCEMENT, ABATEMENT COST ASSESSED; COSTS AND INTEREST THEREON CONSTITUTE LIEN.**

The City of Temple Terrace shall be entitled to be reimbursed for its attorney's fees and costs incurred in any legal action, litigation, administrative proceedings, or similar activity, to enforce any city ordinance or to abate a public nuisance. All of the city's costs, including demolition costs, and fees, including attorney's fees, shall be charged to the ordinance violator or the perpetrator of the nuisance and, if not paid within thirty (30) days from the date of invoice, shall become a lien upon any property within the city limits owned by the person committing the nuisance or the ordinance violation and shall bear interest at the rate of twelve (12) percent per annum from the date when same became due and payable. (*Ord. No. 474, 5-17-83*)

**Section 1.155                    RIGHT OF ENTRY.**

Whenever any officer or employee of the city is required or authorized by any State Statute, the provisions of this Code, or any ordinance or resolution, or rules and regulations or orders issued thereunder, in order to carry out his duties thereunder, to enter any premises or vehicle for the purpose of making an inspection thereof or of anything therein contained or for the purpose of carrying out his duties, such officer or employee shall have the right to enter any such premises or vehicle at any reasonable time in pursuance of such duties; provided, that such entry and inspection shall be made in a lawful manner.

**Section 1.160                    REFUNDS OF AMOUNTS PAID FOR PERMITS ISSUED BY CITY DEPARTMENTS – PROCEDURE GENERALLY.**

No person shall be entitled to any refund of the amount paid for any permit issued by any department of the City unless such refund is applied for in writing within six months from the date of issuance of such permit, or within the extended time thereof if the same has been extended under an applicable ordinance.

**Section 1.165                    SAME – SERVICE CHARGE.**

The City department which issues a permit for which a refund is claimed pursuant to the preceding section shall, before making any such refund, retain and deduct therefrom a sum equal to ten (10) percent of the amount originally paid for the permit, which sum shall constitute a service charge and shall be paid into the City treasury.

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**Section 1.170 CORPORATE BOUNDARIES.**

The corporate limits of the City of Temple Terrace in Hillsborough County, Florida, are hereby fixed, defined and established so as to include the following lands and territory in said County of Hillsborough, in the State of Florida, to wit:

Beginning at the southeast corner of the southwest  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of said Section 22, thence north on the west  $\frac{1}{4}$  -  $\frac{1}{4}$  line of said Sections 22 and 15 to the northwest corner of the northeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of said Section 15, said point also being the southwest corner of the southeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of Section 10; thence, continuing along the west  $\frac{1}{4}$  -  $\frac{1}{4}$  line of said Section 10, 50 feet to the north right-of-way line of Fowler Avenue; thence, east along the said north right-of-way line of Fowler Avenue, to the southwest corner of Lot 22 of W.E. Hamner's 56<sup>th</sup> Street Estates; thence, north along the west line of said Lot 22 to a point on the south line of Lot 23 of said W.E. Hamner's 56<sup>th</sup> Street Estates; thence, westerly, northerly, easterly, and southerly around the boundary of said Lot 23 to the southeast corner thereof; thence, easterly, crossing 58<sup>th</sup> Street, and along the north line of Lot 59 of said W.E. Hamner's 56<sup>th</sup> Street Estates to the northeast corner of said Lot 59; thence, southerly to the southeast corner of said Lot 59, said point also being in the north right-of-way line of Fowler Avenue; thence, easterly along said north right-of-way line to the east right-of-way line of 60<sup>th</sup> Street; thence, northerly along said east right-of-way line of 60<sup>th</sup> Street to a point on the easterly extension of the north right-of-way line of 122<sup>nd</sup> Avenue, said point also being on the west boundary of Raintree Village, Phases II, III and IV; thence westerly along the easterly extension of the north right-of-way line of 122<sup>nd</sup> Avenue and the boundary of said Raintree Village, Phases II, III and IV to a point on the west boundary thereof; thence, northerly along the west boundary of said Raintree Village, Phase II, III and IV, to the southeast corner of Lot 3, Block 5, of Raintree Terrace Subdivision; thence, westerly and northerly along the boundary of said Raintree Terrace Subdivision to the northwest corner of Lot 74 thereof, said point also being the southwest corner of Lot 74 of W.E. Hamner's 56<sup>th</sup> Street Estates; thence, along the west line of said Lot 74 and the west line of Lot 75 of said W.E. Hamner's 56<sup>th</sup> Street Estates to the northwest corner of said Lot 75; thence, easterly along the north line of Lot 75 of said W.E. Hamner's 56<sup>th</sup> Street Estates to the northeast corner of said Lot 75, said point also being in the west boundary of the northeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 10; thence, north along the west boundary of said northeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 10 and the west boundary of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 10 to the northwest corner of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 10; thence, east along the north boundary of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 10 to the southwest corner of Raintree Terrace Addition; thence, northerly, easterly and southerly along the boundary of said Raintree Terrace Addition to the southeast corner thereof, said point also being the northwest corner of Raintree Oaks; thence, easterly along the north boundary of said Raintree Oaks, and continuing easterly along the north boundary of Brightwater Subdivision and the easterly projection of said north boundary to a point on the easterly water line of the Hillsborough River; thence, following the meanderings of the Hillsborough River, northeasterly to the south right-of-way line of Fletcher Avenue; thence, easterly along said south right-of-way line, to a point on the east line of Section 11, said point being 100 feet south of the northeast corner of Section 11; thence, southerly along the east line of Section 11 to the northwest corner of the south  $\frac{1}{2}$  of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 12; thence, easterly approximately 1,323 feet; thence, southerly approximately 673 feet; thence, westerly approximately 1,321 feet to the east line of Section 11; thence, southerly along the east line of Section 11 to a point approximately 325 feet north of the Hillsborough River; thence, westerly approximately 100 feet; thence, southerly approximately 325 feet to a point on the northerly water line of the Hillsborough River; thence, westerly along the waters of the Hillsborough River to the west line of the east 120 feet of the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 11; thence, northerly along said west line, to a point 66 feet south of the north line of the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 11; thence, westerly to the west line of the east 360 feet of the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 11; thence, southerly to the waters of the Hillsborough River; thence, westerly along the waters of the Hillsborough River to the west line of the east 540 feet of the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 11; thence, northerly to a point 66 feet south of the north line of the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 11; thence, westerly to the west line of the east 900 feet of the southwest  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 11; thence, southerly to the waters of the Hillsborough River; thence, northwesterly and westerly along the waters of the Hillsborough River to a point on the northeasterly projection of the northwest property line of Lot 1, Block K-1 of Temple Terrace Estates; thence,

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southwesterly, crossing the Hillsborough River, to the northwest corner of said Lot 1, Block K-1 of Temple Terrace Estates, said point also being on the southerly water line of the Hillsborough River; thence, northerly, westerly, and southwesterly along the meanderings of the Hillsborough River to the southeast corner of Lot 1 of Brightwater Subdivision, said point also being on the north right-of-way line of Brightwater Boulevard; thence, westerly along the south line of Lot 1 and the north right-of-way line of Brightwater Boulevard, to a point on the northerly projection of the east line of Raintree Manor Homes Condominiums, Phase IV-A; thence, southerly along the east line of Raintree Manor Homes Condominiums, Phase IV-A and the northerly projection thereof, and along the east line of Raintree Manor Homes Condominiums, Phase II-B, to the southeast corner thereof, said point also being in the north right-of-way line of Fowler Avenue; thence, easterly along said right-of-way line to the southwest corner of Lot 24, Block K-3, Temple Terrace Estates; thence, along the west and north lines of said Lot 24, and along the north line of Lot 23, Block K-3, and along the north and east lines of Lot 22, Block K-3 of said Temple Terrace Estates, to the southeast corner of said Lot 22, also being in the north right-of-way line of Fowler Avenue; thence, easterly along said right-of-way line to the southwest corner of Lot 17, Block K-4, of Temple Terrace Estates; thence, along the west and north lines of said Lot 17, and the north and east line of Lot 16, Block K-4 of Temple Terrace Estates to the southeast corner of said Lot 16, also being the north right-of-way line of Fowler Avenue; thence, easterly along said right-of-way line to the southwest corner of Lot 16, Block K-5 of Temple Terrace Estates; thence, northerly along the west line of said Lot 16, Block K-5 (also being the east line of Oban Avenue) to a point 12 feet north of the southwest corner of Lot 17 Block K-5; thence, easterly and 12 feet north of and parallel to the south line of said Lot 17, Block K-5, to the east line thereof; thence, south to the southeast corner of said Lot 17, Block K-5, also being the northwest corner of Lot 14, Block K-5, Temple Terrace Estates; thence easterly along the said north line of Lot 14 and the north line of Lot 13, Block K-5, and southerly along the easterly line of said Lot 13, to the southeast corner thereof, also being in the north right-of-way line of Fowler Avenue; thence, easterly to the southwest corner of Lot 15, Block K-6, Temple Terrace Estates; thence, northerly along the west line of Lot 15, Block K-6, and along the west line of Lot 16, Block K-6, to a point 30 feet north of the southwest corner of said Lot 16, Block K-6; thence, easterly, and 30 feet north of and parallel to the south line of Lot 16, Block K-6 and to the south line of Lot 11 Block K-6, to the east line of said Lot 11, Block K-6, also being in the west right-of-way of Sycamore Place; thence, southerly along the east line of Lot 11, Block K-6, and along the east line of Lot 12, Block K-6, to the southeast corner thereof, said point being in the north right-of-way line of Fowler Avenue; thence, easterly along the said right-of-way line to a point 25 feet east of the west line of the southwest  $\frac{1}{4}$  of Section 12; thence, northerly to a point 200 feet north of the south line of the southwest  $\frac{1}{4}$  of Section 12; thence, easterly 160 feet; thence, southerly 100 feet to the northerly right-of-way line of Fowler Avenue; thence, easterly along said right-of-way line to the west line of Lot 16 of Susan Sanders Subdivision, said Lot 16 also being known as Parcel "A," River Forest Reserve; thence along the west line of said Parcel "A," River Forest Reserve, to the northwest corner thereof; thence, southwesterly and westerly along the south line of River Forest Reserve to the southwest corner thereof, said point also being thirteen feet (13) east of the west line of Section 12, and said point also being in the east right-of-way line of McDonald Place as maintained by Hillsborough County; thence, northerly along said east right-of-way line, 569 feet to the beginning of a curve concave to the west; thence, northerly along said curve and said right-of-way, 101.33 feet to a point on the west line of the southwest  $\frac{1}{4}$  of Section 12; thence, northerly along said right-of-way line and west line, 60.39 feet to a point on the east right-of-way line of McDonald Place as shown on the plat of Temple Terrace Estates, Block I-4, Plat Book 17, Pages 33-35; thence, northerly and northwesterly along said right-of-way line to the southwest corner of Lot 1, Block I-4, Temple Terrace Estates; thence, northeasterly along the north line of said Lot 1 and the northeasterly projection thereof, to the waters of the Hillsborough River; thence, southeasterly along said waters, to the southeast corner of Lot 2, Susan Sanders Subdivision; thence, southwesterly and northwesterly along the southerly and westerly lines of said Lot 2 to the northwest corner thereof, also being on the southerly line of Lot 1 of Susan Sanders Subdivision; thence, southwesterly along the southerly line of Lot 1 to a point on the easterly line of Parcel "A," River Forest Reserve, also being on the west right-of-way line of Gail Drive; thence, southeasterly and southerly along the northeasterly and easterly lines of said Parcel "A," to the northerly right-of-way line of Fowler Avenue; thence, easterly along the said right-of-way line to the easterly low water line of the Hillsborough River; thence, northwesterly along the meanderings of the easterly low water line of the Hillsborough River to the intersection of Cow House Creek; thence, northeasterly, southeasterly, easterly, northerly and easterly along the centerline of Cow House Creek to the west right-of-way line of Morris Bridge Road; thence, southerly, southwesterly and westerly along said west and north right-of-way line of Morris Bridge Road, to a point on the east line of the southwest  $\frac{1}{4}$  of Section 12;

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thence, southerly along said east line of the southwest ¼ of Section 12 to the Quarter Corner between Sections 12 and 13, also being in the centerline of Fowler Avenue; thence, southerly along the east line of the northwest ¼ of Section 13 to the southeast corner of the northeast ¼ of the northwest ¼ of Section 13; thence, westerly along the said ¼ - ¼ line and the westerly projection thereof, to the westerly low water line of the Hillsborough River; thence, southerly along the westerly low water line of the Hillsborough River to the east line of the northeast ¼ of Section 23; thence, southerly along the east line of said northeast ¼ of Section 23, said line also being the west line of River Run Unit 1, to the north right-of-way line of 78<sup>th</sup> Street; thence westerly approximately 100 feet to the northwest corner of said 78<sup>th</sup> Street; thence, southerly approximately 1,492 feet to the north right-of-way line of Temple Terrace Highway; thence, westerly along the north right-of-way line of Temple Terrace Highway to the east line of the northwest ¼ of Section 23; thence, southerly along the east line of said northwest ¼ of Section 23 and continuing along the east line of the southwest ¼ of Section 23 to the southeast corner of said southwest ¼ of Section 23; thence, westerly along the south line of Section 23 to the westerly low water line of the Hillsborough River; thence, southeasterly along the meanderings of the said westerly low water line of the Hillsborough River to a point on the south line of the northeast ¼ of the northwest ¼ of Section 26; thence, easterly approximately 700 feet to the southwest corner of the northwest ¼ of the northeast ¼ of Section 26; thence, northerly approximately 335 feet to a point on the south line of Temple Park Unit No. 8; thence, easterly along said south line of Temple Park Unit No. 8, to the southwest corner of Gently Oaks; thence, northerly and easterly along the westerly and northerly line of Gently Oaks to the northeast corner thereof, also being in the west line of Orange River Estates, Unit I-A; thence, northerly along the west line of Unit I-A and continuing along the west line of Orange River Estates, Unit I, to the northwest corner thereof; thence, easterly along the north line of Orange River Estates Unit I to the northeast corner thereof, also being in the west right-of-way line of 78<sup>th</sup> Street; thence, southerly along the west right-of-way line of 78<sup>th</sup> Street to the southeast corner of Lot 27, Orange River Estates Unit II-A; thence, easterly along the easterly projection of the south line of said Lot 27, to the east line of Section 26, also being in the centerline of 78<sup>th</sup> Street; thence, southerly along the east line of Section 26 and the centerline of 78<sup>th</sup> Street to a point on the centerline of Harney Road; thence, southwestwardly along the centerline of Harney Road to a point on the south line of the northeast ¼ of the northeast ¼ of Section 26; thence, westerly along said south line and the westerly projection thereof, approximately 1,403 feet; thence, southerly approximately 250 feet; thence, westerly approximately 1,150 feet to the westerly low water line of the Hillsborough River; thence, following the meanderings of the westerly and northerly low water line of the Hillsborough River through Sections 26, 27 and 22 to the west line of the northeast ¼ of the northwest ¼ of Section 27; thence, northerly along the west line of the northeast ¼ of the northwest ¼ of Section 27 to the point of beginning.

The municipal government as provided in Chapter 31320, Laws of Florida, 1955, as subsequently amended by the several municipal ordinances enacted, shall govern the administrative affairs of the territory composing the City of Temple Terrace, Florida. (*Ord. No. 433, 4-6-82; Ord. No. 599, 10-21-86; Ord. No. 644, 1-19-88; Ord. No. 783, 9-3-91; Ord. No. 826, 2-16-93*)

**Section 1.175                    EMERGENCY APPROPRIATION.**

In case of disaster or other circumstances creating an emergency, the Council may, at any time in any budget year, make an emergency appropriation for the purpose of repairing damages caused by such disaster or meeting such public emergency to the end that the public health, safety or welfare will be protected. (*Ord. No. 433, 4-6-82*)

**Section 1.180                    INDEMNIFICATION IN CONTRACTS.**

Unless required by Florida law or Federal law, no contract entered into on behalf of the City shall contain any provision by which the City agrees to indemnify, or to obtain insurance for the benefit of, any other party to the contract. The prohibition set forth in this section shall not apply to contracts by and between the City and State and Federal governmental entities.

To the extent permitted by Florida law and Federal law, this prohibition shall be applied both prospectively and retrospectively (to existing contracts containing any provision whereby the City has purported to indemnify any other party). (*Ord. No. 1196, 1-2-07; Ord. No. 1216, 1-15-08*)

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