



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 6, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance #21-06, Amending Section 10-36 of the City of Belle Isle Code

Background: The City Council read this ordinance for the first time at the June 1, 2021 Council Meeting. The City Council approved the language for changing Section 10-36 of the BIMC and directed the ordinance be read for the first time. The BIMC Section 10-36 states: (a) The enforcement officer shall have the right to enter upon private property for the purposes of inspecting for code violations as enumerated in sections 10-31(a), 10-31(b), 10-31(c) and 10-32, and for posting code violation notices.

This part of the code is problematic for the City as many residents question why the Code Enforcement Officer just doesn't go on the property where there is a code violation. This is outdated language and frequently is a source of frustration for the person reporting the violation and for the Code Enforcement Officer. In order for the Code Enforcement Officer to enter property to investigate a complaint, the City must first seek an inspection warrant signed by a judge. Good cause must be shown for the judge to sign a warrant.

The City Attorney's Office drafted the ordinance that follows the Florida Statutes

Staff Recommendation: Adopt the ordinance.

Suggested Motion: **I move that we adopt Ordinance #21-06.**

Alternatives: None

Fiscal Impact: N/A

Attachments: Ordinance #21-06