



On Tue, Oct 25, 2022 at 4:53 PM Kenneth Derick, M.S, C.B.O, P.E. <kderick@universalengineering.com> wrote:

Good afternoon Bob,

Today Chief Houston and I went to the residence at 3904 Arajo Ct and found an uninhabitable residence. We placed "UNSAFE CONDITIONS" stickers on the entrance doors that prevents anyone from being in the house for any reason other than to repair the issues.

The building envelope is compromised causing the debris and garbage (seen through windows) to rot and cause a health problem.

We saw the electricity to the residence was cut and there is no meter, and I did not observe any gas lines (their stove was electric).

I understand from the Chief that this process has been going on for an extended time period she has had no luck getting the owner to do anything to repair the house, or even discuss it with her.

I recommend the City provide the owner notice that they have 30 days, minimum, from the time you notify them, in order to prevent condemnation of this structure. This lets them know they need start corrections right away. In civil matters like this the City wants to show they have tried everything to resolve the issue within reason, been patient, and provided a path to prevent condemnation. Their path to prevent condemnation is to remove all garbage and filth, place a blue tarp over the roof hole and pull at least one repair permit as a sign they are at least starting the required repairs within the prescribed time period. If they fail to do this by the time you provide them, we will return and condemn the structure and the City can proceed as they should.

Feel free to contact me after the City has discussed their plan, and I will be glad to assist all involved to reach resolution.

Kind regards,

Ken

R. Kenneth Derick, M.S., CBO, P.E.

Susan Manchester

From: Susan Manchester
Sent: Wednesday, October 26, 2022 3:48 PM
To: CobiPermits
Subject: FW: 3904 Arajo Ct - 20-23-30-1646-01-050 - moving to condemn

FYI....

Susan Manchester

Permit Administration for the City of Belle Isle
Building Inspections and Code Compliance Department

3532 Maggie Blvd
Orlando, FL 32811
p 407-423-0504 Ext 23309



From: Bob Francis <bfrancis@belleislefl.gov>
Sent: Wednesday, October 26, 2022 8:38 AM
To: Kenneth Derick, M.S, C.B.O, P.E. <kderick@universalengineering.com>
Cc: LHouston@BelleIslePolice.org; Susan Manchester <SManchester@universalengineering.com>; David M. Olivieri, CBO, CFM <DOlivieri@universalengineering.com>
Subject: Re: 3904 Arajo Ct - 20-23-30-1646-01-050

Thanks Ken - We have an ordinance coming before the Council in November to strengthen and clarify the procedures for condemnation. Once that is passed we will be able to move forward rapidly with getting this property fixed or in our possession.

Sincerely,

Bob

Bob Francis, ICMA-CM
City Manager
City of Belle Isle, FL

1600 Nela Ave.
Belle Isle, FL 32809
(407) 851-7730 (O)
(407) 450-6272 (C)











thereto, the *building official* shall issue a *permit* therefor as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the building official shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

105.3.1.1 If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the *Florida Building Code* on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

105.3.1.2 No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, *Florida Statutes*:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes*, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the existing fire sprinkler system.
3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-, two-, three-, or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, *Florida Statutes*, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying

with the above require design documents that are to be sealed by a professional engineer.

Example 1: When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower, this is considered to be an 18-ton system.

Note: It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than \$5,000.
5. Electrical documents. See *Florida Statutes* 471.003(2)(h).
6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, *Florida Statutes*.

Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, *Florida Statutes*.

[A] 105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.3.3 An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public

Lizel Stone 407 765 0588

Lizel Bruffler 904 318 9257
Sherman

Doreen Davis 407 247 8884
& Paul Davis

[Click Here To Apply Homestead Exemption Online](#)

Print Date: 10/20/2022 System Refresh Date: 10/19/2022

3904 Arajo Ct 20-23-30-1646-01-050

Name(s): Stovall Lizer
Physical Street Address: 3904 Arajo Ct
Property Use: 0103 - Single Fam Class III
Mailing Address On File: 3904 Arajo Ct
Postal City and Zip: Orlando, FL 32812
Municipality: Belle Isle
[Incorrect Mailing Address?](#)



3904 ARAJO CT, ORLANDO, FL 32812 9/28/2019 3:40 PM

[Upload Photos](#)

[View 2022 Property Record Card](#)

i PROPERTY FEATURES

\$ VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

Historical Value and Tax Benefits

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	%	Assessed Value	%
2022	\$105,000	\$231,341	\$2,500	\$338,841	10.9%	\$153,616	3.0%
2021	\$100,000	\$203,063	\$2,500	\$305,563	12.6%	\$149,142	1.4%
2020	\$75,000	\$193,777	\$2,500	\$271,277	20.8%	\$147,083	2.3%
2019	\$75,000	\$147,154	\$2,500	\$224,654	N/A	\$143,776	N/A

Tax Year Benefits	Original Homestead	Additional Hx	Other Exemptions	SOH CAP	Tax Savings
2022	\$25,000	\$25,000	\$0	\$185,225	\$3,668
2021	\$25,000	\$25,000	\$0	\$156,421	\$3,254
2020	\$25,000	\$25,000	\$0	\$124,194	\$2,739
2019	\$25,000	\$25,000	\$0	\$80,878	\$2,044

2022 Taxable Value and Certified Taxes

Tax Year

	2021	2020	2019
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Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	%	Taxes	Tax Breakdown
Public Schools: By State Law (Rle)	\$153,616	\$25,000	\$128,616	3.2140	-7.9%	\$413.37	22%
Public Schools: By Local Board	\$153,616	\$25,000	\$128,616	3.2480	0.0%	\$417.74	23%
General County	\$153,616	\$50,000	\$103,616	4.4347	0.0%	\$459.51	25%
City Of Belle Isle	\$153,616	\$50,000	\$103,616	4.4018	0.0%	\$456.10	25%
Library - Operating Budget	\$153,616	\$50,000	\$103,616	0.3748	0.0%	\$38.84	2%
St Johns Water Management District	\$153,616	\$50,000	\$103,616	0.1974	-9.8%	\$20.45	1%
Lake Conway Mstu	\$153,616	\$50,000	\$103,616	0.4107	0.0%	\$42.56	2%
Totals				16.2814		\$1,848.57	

Non-Ad Valorem Assessments

6/10/21 CSO Rabeau posted a Notice of Violation at 3904 Arajo that the residence was a public nuisance per Belle Isle City Code. The notice gave the property owner 3 days to correct the problem. There was **no action** taken by the property owner.

9/29/21 Chief Houston posted an NOV at the residence for same violation and same condition. Email sent to Code Enforcement Winters and Rabeau

Lizer Armstead is the owner of 3904 Arajo. The house is abandoned. and has numerous code violations which have been posted. Next door neighbor has not seen her for over 6 months. Lizer's friend, Delores Davis 407.650.0588 and 407.247.8884, at 4228 Arajo, has been bringing in the mail from Lizer's house and trying to keep the grass mowed but has not spoken to her in 6 months. Delores is 68 years old.

I talked to Ralph Armstead 407.486.4718 who is Lizer's cousin and an attorney who lives on Pam Circle. He is also on CCA school board. He will try to find Lizer and help us get things moving with this nuisance residence.

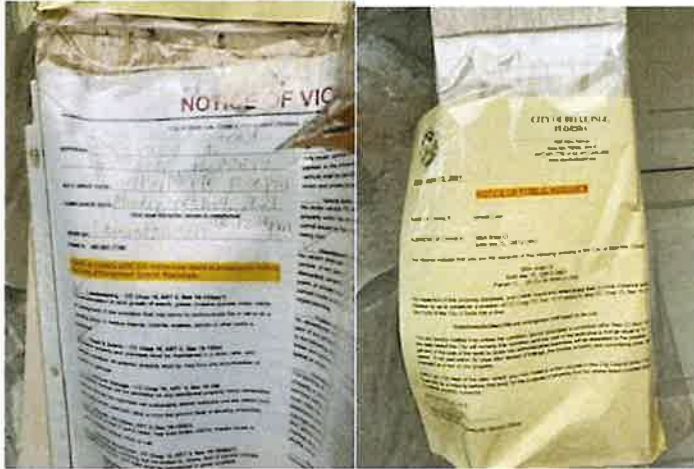
10/4/21 Phone call from Delores who said she has been trying to get in touch with Lizer and no response. She did get in touch with Sherman who sent money to have the place cleaned up. A yard service reportedly cleaned up some of the debris in the back and in the front of the house but still overgrowth, vines climbing up house, debris left at curb.

10/5/21 Deputy Chief Grimm spoke to Sherman. He told her he sent the money to help clean the place up.

10/5/21 at approximately 1055 hours Deputy Chief Grimm called and texted Lizer. I received a phone call from Lizer at approximately 1720 hours on the same date. Lizer advised she went to help take care of her niece in New York. Lizer told me her niece was hit by a vehicle and needed help with recovery. Lizer stated the niece was expecting a significant settlement and would move back with her to Florida and help fix up the house. I explained the urgency of getting the house back in order, and the city was willing to work with her. She advised she was going to start getting work done on the property. I have not had any other contact with Lizer or Sherman since this date.

11/3/21 I talked to Sherman Armstead. 904.318.9257 . Sherman said he sent Delores \$500 to clean the place up. He said he has a ton of stuff of his in the house and he would take care of it if she would let him. He said he tries to contact Lizer. I left a message for Lizer at 407.765.0588. No response.

Photos from 11/4/21



11/8/21 I talked to Sherman Armstead today. He said he has not been able to contact Lizer. She will not return texts or phone messages. Sherman said he did not want to take responsibility for anything and spend a bunch of money and then Lizer say she wanted it to stay how it is.

11/8/21 I left a message for Lizer to call me to discuss the condition of her house and texted. Her voice mail was no longer full. No response.

11/9/21 Certified letter sent to Lizer Stovall with NOV, Photos, and copies of Code.

ARTICLE V. - RESIDENTIAL MINIMUM MAINTENANCE CODE

The purpose of this article is to protect the comfort, health, safety and general welfare of the citizens of the city by establishing minimum property and building maintenance standards for all residential properties and to provide for the abatement of nuisances affecting the general public.

Sec. 10-152. - Exterior property areas.

(a) Junk and garbage. The property owner or the occupant shall maintain all exterior property and premises in a clean, safe, and sanitary condition. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. In duplexes, triplexes, and multifamily dwelling units, the property owner or occupant shall keep that portion of the exterior property, which said person owns or occupies in a clean and sanitary condition. The owner of any dwelling unit that is not owner occupied, such as rental units, must supply covered containers for rubbish and the owner shall be responsible for the removal of the rubbish.

(1) Abandoned property and junk including, but not limited to, inoperable and partially dismantled vehicles shall be prohibited in accordance with chapter 30, article II of this Code.

(2) Refrigerators and similar appliances shall not be discarded unless the doors have been removed. (b) Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation. (c) Grading and drainage. All areas shall be graded and maintained to prevent erosion or accumulation of standing water, except for approved retention basins. (d) Storm drainage. Drainage from roofs and paved areas, yards and courts, and other open areas on any property must not discharge in a manner that negatively impacts or burdens another property or creates a nuisance. (e) Sidewalks and driveways. All paved surfaces, including sidewalks, walkways, driveways, driveway aprons, and parking spaces, whether located in the right-of-way or private property, shall be kept in a proper state of repair and free of hazardous conditions, such as, but not limited to, cracks or uneven surfaces that create a tripping hazard. (f) Accessory structures. All accessory structures shall comply with the building code in effect at the time of construction and be kept in good repair. (g) Property defacement. No person shall damage, mutilate or deface any exterior surface of any structure by placing graffiti. It is the responsibility of the property owner to restore the affected surface to a state of good repair and remove or cover the graffiti. (h) Maintenance of fences. All fences shall be kept in good repair; free of holes, breaks, and loose or rotting material. Fences shall be structurally sound and shall not be supported by means other than the structural support incorporated into the fence. (1) Chain-link fences must be kept rust and corrosion free.

(2) Vinyl and wood fences shall be kept free of mildew, mold and other similar growths. (i) Prohibited use of fences. The hanging of clothes or similar items on fences shall be prohibited. (j) Decorative and freestanding walls. Decorative and freestanding walls shall be kept in good repair; free of holes, breaks, and loose or rotting material. Walls shall be structurally sound and shall not be supported by means other than the structural support incorporated into the wall. (1) Walls must be painted, stained, treated or finished in a uniform manner. Walls constructed with decorative masonry material are exempt from being painted or finished. Plain concrete block walls do not qualify for this exemption. (2) Walls with a stucco or similar finish shall be kept free of cracks and holes in the finish. Repairs shall be done in such a way as to appear inconspicuous.

Sec. 10-153. - Grass, landscaping and lot maintenance.

(a) The following conditions are prohibited on any property zoned or used for residential purposes: (1) The accumulation of rank growth of weeds, grass, invasive species, trees, plants or undergrowth in the condition that may serve to communicate fire or serve as a breeding place or harbor insects, rodents, snakes, vermin or other pests; (2) Any property upon which over one-third of the

vegetative area exceeds 12 inches in height above the ground. The height of vegetative matter shall be measured with a ruler or tape measure from grade level; and(3)Any real property within the city with an area greater than 25 acres which is currently agriculture exempt at the tax assessor's office or platted conservation areas are not required to comply with vegetation height limits contained herein.

Sec. 10-154. - Exterior structures.

(a)General. The exterior of all structures, including accessory structures, shall be maintained in good repair, structurally sound and sanitary.(b)Exterior surfaces.(1)All exterior surfaces, including, but not limited to, doors, door and window frames, porches, trim, fences, and walls shall be maintained in good condition.

(2)Wood surfaces shall be protected by painting or other protective treatment. Stockade style wood fences are excluded from this requirement.

(3)Peeling, flaking, and chipping paint must be removed and the surface repainted.

(4)All siding and masonry joints shall be weather resistant and watertight.

(5)All metal surfaces subject to rust or corrosion shall be coated and all surfaces with rust or corrosion shall be stabilized and coated to prevent future rust and corrosion. Surfaces that are designed for stabilization by oxidation are exempt from this requirement.

(6)Structural members shall be free of deterioration and must be capable of safely supporting the appropriate loads.

(7)Foundation walls shall be plumb and free from open cracks and breaks. Said walls shall be in the condition to prevent the entry of pests and rodents.(

8)Exterior walls shall be free of holes, breaks, and loose or rotting material. Said walls shall be weatherproof and properly coated or treated to prevent deterioration.

(9)All roofs and flashing shall be in good repair with no defects that admit water.

(10)Roof drainage shall be such as to prevent dampness and deterioration in any interior portion of the structure.

(11)Roof drains, gutters and downspouts shall be maintained in good repair and free of obstruction.

(12)Roof water may not be discharged onto a public sidewalk or right-of-way, and may not create a public nuisance.(c)Decorative features. All decorative features including, but not limited to, cornices, trim, wall facings, and shutters shall be in good repair and properly anchored to the structure.(d)Exterior structures. All exterior stairways, decks, porches, balconies, and similar features shall be structurally sound.(e)Chimneys. All chimneys shall be safe and structurally sound.(f)Handrails. All handrails and guardrails shall be securely fastened and capable of supporting normal loads.(g)Windows, skylights and doorframes.

(1)All windows, skylights and doorframes shall be kept in good condition and must be weathertight.(2)All windows and glazing materials shall be free of cracks and holes.(3)All windows that are not fixed in a permanent position must open easily and be held in position by the window hardware.(h)Shuttering or boarding of windows for hurricanes or similar weather-related events. The

temporary shuttering or boarding of windows to provide protection from hurricanes or similar weather related events is allowed.

This subsection shall in no way prohibit the use at any time of permanently attached storm shutters, such as, but not limited to, rolling shutters, accordion-style shutters, colonial-style shutters, Bahamas-style shutters and/or storm panels that affix to permanently mounted frames.

(i)Screens. Screens for windows and other outside openings required for ventilation of habitable rooms shall be tightly fitted. Said screens shall not have any holes or tears.(j)Exterior doors. All exterior doors, door assemblies and hardware must be in good working condition.(1)Locks on any exterior door must be in working condition and tightly secure the door.(2)All exit doors shall be readily accessible to the side from which egress is to be made without the need for keys, special knowledge or effort.



City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809
407.851.7730 | FAX: 407.240.2222

CITY OF BELLE ISLE, FLORIDA
Petitioner,

Date: January 12, 2023

VS.

Case #: CE2022-0090

STOVALL LIZER
3904 ARAJO COURT
BELLE ISLE, FL 328122801
Respondents,

DOC # 20230173161

03/29/2023 08:14 AM Page 1 of 2

Rec Fee: \$18.50

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: SIMPLIFILE LC

RE: Code Violation at 3904 Arajo Court, Orlando, FL 32812-1033
Parcel I.D.: 20-23-30-1646-01-050

ORDER IMPOSING FINE / LIEN

THIS CAUSE came for a public hearing before the Code Enforcement Special Magistrate of the City of Belle Isle on **January 12, 2023**, after due notice to the Respondent(s), at which time the Special Magistrate, having heard testimony under oath, received evidence, and considered stipulations, thereupon issues its Administrative Order, Findings of Fact, Conclusions of Law and Notice of Hearing on Compliance and imposition of fines as follows,

Findings of Fact

- The Respondent(s), STOVALL LIZER, the owner(s) in charge of the property described as 3904 Arajo Court, Orlando, Florida, 32812, recorded in the Public Records of Orange County, Florida, Parcel 20-23-30-1646-01-050.
- An Affidavit of Non-Compliance dated **August 5, 2022**, has been filed by the City of Belle Isle Code Enforcement Officer, which Affidavit certifies under oath that the required corrective action(s) to achieve compliance by the Respondent(s) have not been taken by the required dates of **August 5, 2022**, to remedy the violations of the Code of Ordinances of the City of Belle Isle Section 10-31 Public Nuisance and Section 10-153 Tall Grass Violation.
- Numerous photographs were introduced into evidence, showing that the property is unsecured, open to the environment and elements, and is overflowing with trash and debris, rendering it as a public nuisance.

Conclusion of Law

The Respondent(s), STOVALL LIZER, by reason of the foregoing, are in violation of the Code of Ordinances of the City of Belle Isle, Section 10-31 Public Nuisance - Definitions (a) Property maintenance, (B) Structure maintenance (c) Serious and immediate threats and Sections 10-153 Tall Grass Violation, in that the Respondent(s) has failed to remedy the violation (s) and are subject to the provisions of the Code of Ordinances of the City of Belle Isle.

Order

Find the Respondent(s) guilty of violating city code section(s): 10-31 and 10-153 and Order to:

- The property is in violation of being a Public Nuisance
- The property has been left open and not maintained.

Order

Find the Respondent(s) guilty of violating city code section(s): 10-31 and 10-153 and Order to:

- The property is in violation of being a Public Nuisance
- The property has been left open and not maintained.
- The structure is in danger to the community and those around it; the defect made available to the homeowner as far back as 2021 has not been cured.
- BASED ON THE FOREGOING PREMISES, AND BY THE AUTHORITY OF SECTION 162.09, FLORIDA STATUTES, IT IS HEREBY ORDERED that the Respondent(s) **Garden Asset Management** pay to the City of Belle Isle a fine in the amount of **\$50.00** per day attached to the property until the property is brought into compliance, beginning July 7, 2022. There are outstanding fines of approximately \$5,000.00.
- THIS ORDER SHALL BE RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND SUCH RECORDATION, PURSUANT TO FLORIDA STATUTES SECTION 162.08 AND 162.09, SHALL CONSTITUTE A LIEN AGAINST THE RESPONDENT(S) NON-HOMESTEAD REAL PROPERTY WHICH IS THE SUBJECT OF THIS ORDER AND ANY REAL OR PERSONAL PROPERTY FOUND WITHIN THE STATE OF FLORIDA. ANY CHALLENGE TO THE FINE/LIEN SHALL BE LIMITED TO THE ISSUE OF COMPLIANCE BY THE DESIGNATED DATE AND NOT RE-HEARING THE VIOLATION.

By: *Lindsay N. Greene*
 Lindsay N. Greene
 City of Belle Isle Code Enforcement Special Magistrate

Dated: Jan. 30, 2023

AFFIDAVIT OF SERVICE:

I HEREBY CERTIFY; THAT A TRUE AND CORRECT copy of the foregoing document has been furnished to Respondent(s) by mail to

5021 St. Marie Avenue, Orlando FL 32812, this 30 day of January 2023, by Matthew Rabeau, City of Belle Isle Code

Enforcement Officer.

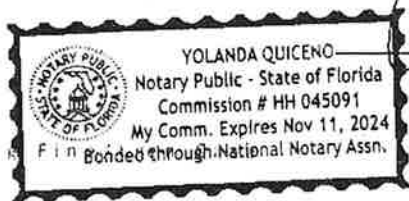
Matthew Rabeau
 Matthew Rabeau, Code Enforcement Officer
 My signature validates proper service per FS 162.12

Per FS 162.12(c) and (d), valid service includes: Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or in the case of commercial premises, leaving the notice with the manager or other person in charge.

STATE OF FLORIDA
COUNTY OF ORANGE

PERSONALLY APPEARED before me, the above-signed authority Matthew Rabeau, who is personally known to me, acknowledged that he/she did execute the forgoing Statement and did not take an oath. SWORN TO AND

SUBSCRIBED BEFORE ME THIS 30th DAY OF January, 2023.
Yolanda Quiceno
 Notary Public, State of Florida





CITY OF BELLE ISLE
CODE ENFORCEMENT DIVISION
1600 NELA AVENUE
BELLE ISLE, FL 32809

P: 407-240-2473
WWW.BELLEISLEFL.GOV

NOTICE OF CONDEMNATION

DATE ISSUED:

BELLE ISLE CODE ENFORCEMENT CASE#:

RESPONDENT(S)/ OWNER(S)
NAME:

LIZER STOVALL

POTENTIAL MAILING
ADDRESS:

**3904 Arajo Ct.
Belle Isle, FL 32812-2801**

OR

**2801 E COLONIAL DR
ORLANDO, FL 32803-5001**

**DATE OF MAILING
AUGUST 5, 2024**

RE:

CITY OF BELLE ISLE NOTICE OF CONDEMNATION

SUBJECT PROPERTY LEGAL
DESCRIPTION:

**Lot 105, CONWAY EAST, according to the plat thereof as
recorded in Plat Book 4, Pages 122 and 123, Public Records of
Orange County, Florida**

SUBJECT PROPERTY
STREET ADDRESS AND
TAX PARCEL ID # :

**3904 Arajo Ct.,
Belle Isle FL 32812
20-23-30-1646-01-050**

**Being the same property as described in the Quit Claim Deed recorded
at Official Records Book 4028, Page 4666, Public Records of Orange
County, Florida.**

DEAR RESPONDENT(S)/PROPERTY OWNER(S):

YOU ARE HEREBY NOTIFIED THAT AN INSPECTION OF YOUR PROPERTY HAS REVEALED CAUSE TO CONDEMN THE STRUCTURES LOCATED THEREON AS SET FORTH IN ARTICLE VII, SECTION 10 OF THE CODE OF ORDINANCES OF THE CITY OF BELLE ISLE. VIOLATIONS OF THE FOLLOWING SECTIONS(S) OF THE BELLE ISLE CODE OF ORDINANCES APPLY AS TO YOUR PROPERTY:

VIOLATION(S):

SEC. 10 - ARTICLE VII. - DILAPIDATED, DANGEROUS, DECAYED STRUCTURES AND APPURTENANCES

SEC. 10-192. - STANDARD CODE ADOPTED.

THERE IS ADOPTED BY THE CITY FOR THE PURPOSES OF ESTABLISHING RULES AND REGULATIONS PERTAINING TO OR IN ANY WAY RELATED TO ANY AND ALL BUILDINGS, STRUCTURES, ELECTRICAL, GAS, MECHANICAL, OR PLUMBING SYSTEMS WHICH ARE UNSAFE, UNSANITARY, OR DO NOT PROVIDE ADEQUATE EGRESS, OR WHICH CONSTITUTE A FIRE HAZARD, OR ARE OTHERWISE DANGEROUS TO HUMAN LIFE, OR WHICH IN RELATION TO EXISTING USE, CONSTITUTE A HAZARD TO SAFETY OR HEALTH, ARE CONSIDERED UNSAFE BUILDINGS OR UNSAFE SERVICE SYSTEMS THE STANDARD UNSAFE BUILDING ABATEMENT CODE AS PUBLISHED BY SBCCI, AND AS SUCH MAY BE AMENDED, MODIFIED OR UPDATED BY SBCCI (THE "ABATEMENT CODE"). THE ABATEMENT CODE IS ADOPTED AND FULLY INCORPORATED HEREIN AS IF FULLY SET OUT AT LENGTH IN THIS SECTION, SAVE AND EXCEPT SUCH PORTIONS AS ARE DELETED, ADDED, MODIFIED, OR AMENDED IN THIS ARTICLE. ONE COPY OF THE ABATEMENT CODE IS ON FILE IN THE OFFICE OF THE BUILDING OFFICIAL. ALL SUCH UNSAFE BUILDINGS, STRUCTURES, OR SERVICE SYSTEMS ARE HEREBY DECLARED ILLEGAL AND SHALL BE ABATED BY REPAIR AND REHABILITATION OR BY DEMOLITION IN ACCORDANCE WITH THE PROVISIONS OF THE ABATEMENT CODE OR OTHER PROVISIONS OF THE BUILDING AND PROPERTY MAINTENANCE REGULATIONS OF THE CITY. ALL REPAIRS SHALL BE PERFORMED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE.

AN UNSAFE STRUCTURE OR PREMISES, OR ABANDONED IMPROVEMENT OR STRUCTURE, SHALL MEAN AND INCLUDE ANY BUILDING, STRUCTURE OR PROPERTY THAT HAS ANY OF THE FOLLOWING CONDITIONS, SUCH THAT THE LIFE, HEALTH, PROPERTY OR SAFETY OF THE GENERAL PUBLIC OR THE OCCUPANTS ARE ENDANGERED, SPECIFICALLY INCLUDING ANY ELECTRICAL, MECHANICAL, PLUMBING, OR GAS SYSTEM, IN WHOLE OR IN PART, THAT HAS NOT BEEN MAINTAINED IN A SAFE AND SANITARY CONDITION OR VIOLATES A CITY CODE OR ORDINANCE OR ANY STATE OR FEDERAL LAW OR REGULATION:

- (1) ANY MEANS OF EGRESS OR PORTION THEREOF THAT IS NOT OF ADEQUATE SIZE, OR IS INSUFFICIENT IN QUANTITY OR REMOTENESS, OR IS NOT ARRANGED OR MAINTAINED TO PROVIDE A SAFE PATH OF TRAVEL TO A PUBLIC WAY OR OTHER SAFE AREAS IN CASE OF FIRE OR OTHER EMERGENCIES AS DETERMINED BY ANY AUTHORITY HAVING JURISDICTION.
- (2) ANY MEANS OF EGRESS OR PORTION THEREOF, SUCH AS BUT NOT LIMITED TO FIRE DOORS, CLOSING DEVICES, OR FIRE-RESISTIVE RATINGS, THAT ARE IN DISREPAIR OR IN A DILAPIDATED, NONWORKING OR COMPROMISED CONDITION.
- (3) THE STRESS IN ANY MATERIAL OR MEMBER, OR PORTION THEREOF, THAT IS INCAPABLE OF SUSTAINING THE LOADS TO BE IMPOSED UPON IT.
- (4) A BUILDING OR STRUCTURE, OR PORTION THEREOF, THAT HAS BEEN DAMAGED TO THE EXTENT THAT THE STRUCTURAL INTEGRITY OF THE BUILDING OR STRUCTURE IS LESS THAN IT WAS PRIOR TO THE DAMAGE
- (5) ANY EXTERIOR APPENDAGE OR PORTION OF A BUILDING OR STRUCTURE THAT IS NOT SECURELY FASTENED, ATTACHED, OR ANCHORED SUCH THAT IT IS CAPABLE OF RESISTING WIND, SEISMIC OR SIMILAR LOADS.
- (6) ANY BUILDING OR STRUCTURE, OR PORTION THEREOF, THAT IS MANIFESTLY UNSAFE FOR ANY REASON OR IS UNSANITARY FOR THE PURPOSE FOR WHICH IT IS, WAS, OR WILL BE INTENDED TO BE USED.
- (7) ANY BUILDING OR STRUCTURE, OR PORTION THEREOF, THAT, AS A RESULT OF DECAY, DETERIORATION, DILAPIDATION, OR OTHER REASON, IS LIKELY TO FULLY OR PARTIALLY COLLAPSE.
- (8) ANY BUILDING, STRUCTURE, PROPERTY, OR PORTION THEREOF THAT HAS BEEN CONSTRUCTED OR MAINTAINED IN VIOLATION OF A SPECIFIC REQUIREMENT OF THE STANDARD CODE(S).
- (9) ANY BUILDING, STRUCTURE, PROPERTY, OR PORTION THEREOF THAT IS IN SUCH A CONDITION AS TO CONSTITUTE A PUBLIC NUISANCE.
- (10) ANY BUILDING, STRUCTURE, OR PROPERTY, OR PORTION THEREOF, THAT IS UNSAFE, UNSANITARY, OR NOT PROVIDED WITH ADEQUATE EGRESS OR CONSTITUTES A FIRE HAZARD OR IS OTHERWISE DANGEROUS TO HUMAN LIFE.
- (11) ANY BUILDING, STRUCTURE, OR IMPROVEMENT, OR PORTION THEREOF, THAT COMMENCED OR WAS CONSTRUCTED UNDER A PERMIT THAT HAS EXPIRED FOR MORE THAN 180 DAYS.

SEC. 10-200. - PUBLIC NUISANCES.

WHEN NUISANCE CONDITIONS OR HAZARDS DEGENERATE OR CUMULATIVELY IMPACT ON STRUCTURES, DWELLINGS, OR OTHER BUILDINGS REGULATED BY THIS CODE, TO THE EXTENT THAT REPAIR, REMOVAL, SECURING, OR DEMOLITION IS NECESSARY FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE, THEN THE BUILDING OFFICIAL OR HIS DESIGNEE IS AUTHORIZED TO ORDER THE PROPERTY OWNER OR CITY AGENTS TO REPAIR, REMOVE, SECURE, VACATE OR DEMOLISH SUCH STRUCTURES ACCORDING TO PROCEDURES OUTLINED IN THE ABATEMENT CODE OR AS OTHERWISE PROVIDED FOR IN THE CODE. THESE POWERS ARE HEREBY DECLARED TO BE REMEDIAL AND ESSENTIAL FOR THE PUBLIC INTEREST, AND IT IS INTENDED THAT SUCH POWERS BE LIBERALLY CONSTRUED TO EFFECTUATE THE PURPOSES STATED HEREIN.

SEC. 10-196. - CONDITIONS CONSTITUTING HAZARDS—NOTICE.

WHEN THERE MAY BE FOUND TO EXIST ANY CONDITION OF ANY BUILDING, LAND, OR PREMISES OR ANY CONDITION IN, UPON, OR ABOUT ANY BUILDING, LAND, OR PREMISES WHICH CONSTITUTES OR IS LIKELY TO CONSTITUTE A FIRE HAZARD OR A HAZARD TO THE HEALTH, SAFETY, OR WELFARE OF THE OCCUPANTS OR THE PUBLIC, (I.E., A PUBLIC NUISANCE) THE BUILDING OFFICIAL OR SUCH OTHER AUTHORIZED CITY OFFICER, EMPLOYEE OR CONSULTANT AUTHORIZED AND EMPOWERED SHALL FILE WITH THE BUILDING OFFICIAL A NOTICE WHICH SHALL CONTAIN:

- (1) A DESCRIPTION OF THE LAND, BUILDING, STRUCTURE, OR PREMISES IN CONNECTION WITH WHICH ANY SUCH CONDITION HAS BEEN FOUND TO EXIST, WHICH SHALL INCLUDE, TO THE EXTENT PRACTICABLE, A DESCRIPTION BY METES AND BOUNDS OR BY LOT NUMBER OF SUCH LAND.
- (2) THE NAMES OF THE OCCUPANTS OF THE PROPERTY, IF ANY, AND THE NAMES, PLACES OF RESIDENCE, LEGAL DISABILITIES, IF ANY, AND INTEREST OF OWNERS, IF KNOWN, OR IF ANY OF SUCH FACTS ARE UNKNOWN, IT SHALL BE SO STATED.
- (3) THE CONDITION FOUND TO EXIST, WHICH CONSTITUTES A FIRE HAZARD OR A HAZARD TO THE HEALTH, SAFETY, OR WELFARE OF THE OCCUPANTS OR THE PUBLIC.
- (4) THE MATTERS AND THINGS REQUIRED TO BE DONE TO EFFECT THE REMOVAL OR CORRECTION OF SUCH CONDITION OR STRUCTURE; THE REMOVAL OF ANY WEEDS, DEBRIS, WASTE, RUBBISH, OR FLAMMABLE MATERIAL; OR THE ACCOMPLISHMENT OF OTHER CORRECTIVE PROCEDURES... .

REASONS FOR CONDEMNATION: THE BUILDING IS DILAPIDATED, DECAYED, AND CREATES A HAZARD TO THE SURROUNDING PROPERTIES.

THE CITY COUNCIL OF THE CITY OF BELLE ISLE WILL CONDUCT A PUBLIC HEARING ON THIS MATTER AT 6:30 P.M. ON **TUESDAY, OCTOBER 15, 2024 IN COUNCIL CHAMBERS AT BELLE ISLE CITY HALL LOCATED AT 1600 NELA AVENUE, BELLE ISLE, FLORIDA 32809.**

PURSUANT TO SECTION 10-198 OF THE CODE OF ORDINANCES OF THE CITY OF BELLE ISLE, YOU ARE ENTITLED TO A HEARING ON THE REQUEST FOR CONDEMNATION OF THE STRUCTURE TO BE HELD ON THE DATE STATED ABOVE. THE CITY COUNCIL SHALL HEAR THE CAUSES AND MAY SUSTAIN, REJECT OR MODIFY THE ACTION AND RECOMMENDATIONS OF THE OFFICER OR EMPLOYEE MAKING AND FILING THE NOTICE WITH RESPECT TO THE DILAPIDATED AND HAZARDOUS CONDITION AND SHALL ORDER THE REMOVAL, DESTRUCTION, OTHER DISPOSITION OR REPAIR OF ANY SUCH STRUCTURE OR SHALL ORDER SUCH OTHER MATTERS OR THINGS TO BE DONE AS MAY BE NECESSARY TO REMOVE OR CORRECT SUCH DILAPIDATED AND HAZARDOUS CONDITION, AND SHALL ORDER THAT SUCH BE DONE WITHIN SUCH TIME AS THE CITY COUNCIL MAY DETERMINE. IF THE CITY COUNCIL ORDERS THE CONDEMNATION OF THE STRUCTURE, YOU ARE LIABLE FOR THE EXPENSES INCURRED BY THE CITY IN DEMOLISHING AND REMOVING THE STRUCTURE FROM THE PROPERTY AND A LIEN FOR SUCH EXPENSES WILL BE PLACED AGAINST THE PROPERTY.

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THE CITY COUNCIL OF THE CITY OF BELLE ISLE, ON TUESDAY,

OCTOBER 15, 2024 IN COUNCIL CHAMBERS AT BELLE ISLE CITY HALL LOCATED AT 1600 NELA AVENUE, BELLE ISLE, FLORIDA 32809.

You have the right to be represented by an attorney and to respond and present evidence and witnesses at the scheduled hearing. You may also have other rights as are set forth in the City of Belle Isle Code of Ordinances. Any person appealing a decision made by the City Commission of the City of Belle Isle must ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is made. The City of Belle Isle does not provide this record.

SINCERELY,

DANIEL W. LANGLEY
CITY ATTORNEY

**NOTICE OF CONDEMNATION
CITY OF BELLE ISLE, FLORIDA**

Pursuant to Chapter 10, Art. VII. of the Belle Isle Code of Ordinances, notice is hereby given to all persons having any interest or right, whether as owners, lienholders, or otherwise, in such real estate as described herein, that the City of Belle Isle City Council will hold a public hearing on **Tuesday, October 15, 2024 at 6:30 p.m.**, or as soon thereafter as possible in the City Council Chambers at City Hall, located at 1600 Nela Avenue, Belle Isle, Florida 32809, to determine whether an order of condemnation of the structure made by the city building inspector should be confirmed in all respects regarding the following property:

Street Address:	3904 Arajo Ct., Belle Isle FL 32812
Tax Parcel Identification No.:	20-23-30-1646-01-050
Legal Description:	Lot 105, CONWAY EAST, according to the plat thereof as recorded in Plat Book 4, Pages 122 and 123, Public Records of Orange County, Florida
Record Fee Owner (Per Orange County Tax Collector)	LIZER STOVALL

YOU ARE FURTHER NOTIFIED THAT AN INSPECTION OF THE AFORESAID PROPERTY HAS REVEALED CAUSE TO CONDEMN THE STRUCTURE(S) LOCATED THEREON AS SET FORTH IN SEC. 10 - ARTICLE VII. - DILAPIDATED, DANGEROUS, DECAYED STRUCTURES AND APPURTENANCES, BELLE ISLE CODE OF ORDINANCES. All persons having any interest or right in the above-described property must appear before the Belle Isle City Council at the public hearing to show cause, if any, why the order of condemnation made by the city building inspector should not be confirmed in all respects. Failure to protest the order of condemnation or to appear and show cause why the order of condemnation should not be confirmed shall result in all persons having any right or interest in the above-referenced being forever foreclosed and barred of claiming any damage because of the destruction of the property described in the condemnation order. Any expenses incurred by the City of Belle Isle in demolishing the structure will be imposed against the property owner and constitute a lien against the subject property. For more information or to review the file, please contact Yolanda Quiceno with the City of Belle Isle, 1600 Nela Avenue, Belle Isle, Florida 32809; telephone number 407-851-7730.

Any persons with disabilities needing special accommodations should submit a written request to the City Clerk, 1600 Nela Avenue, Belle Isle, Florida 32809 or phone 407-851-7730 at least 48 hours prior to each meeting. Any person wishing to appeal a decision of the Belle Isle City Council must ensure that a verbatim record of the proceedings is made.

ARTICLE VII. DILAPIDATED, DANGEROUS, DECAYED STRUCTURES AND APPURTENANCES

Sec. 10-190. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned improvements or structures mean any work which has been commenced or completed on a site with a permit which has been expired for more than 180 days.

Approved means approved by the city manager or other authority having jurisdiction.

Building means any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. The term "building" shall be construed as if followed by the words "or part thereof."

Building official means the officer or other designated authority charged with the administration and enforcement of building construction regulations within the city or their duly authorized representatives.

Condemned structure means one or more of the following:

- (1) Any structure which has been declared an unsafe structure by the building official and proper notice has been served by the city as required by law, and the owner has failed to file an appeal within the time provided by law.
- (2) Any structure which has been declared an unsafe structure by the building official and proper notice has been served by the city as required by law, and an owner has filed an appeal within the time provided for by law, and the appeal was denied.
- (3) any structure which has been declared unsafe structure by the building official, proper notice has been served by the city as required by law. An owner has prevailed in a duly filed appeal, and the owner has failed to take action (s) required to abate the conditions as set forth by the board or entity that affirmed the appeal.

Owner means any person having a legal or equitable interest in the property.

Structure means that which is built or constructed and shall be construed to include the term "building."

Violation, major, means any violation which, if not corrected, would cause the structure to be condemned.

Violation, minor, means any violation of this Code, the adopted standard codes, or any state or federal law or regulation, specifically including, but not limited to, no water, no electric, or minor fire damage, which is not classed as a major violation.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-191. Enforcement; records.

The provisions of this article shall be enforced by the city manager. The city manager shall cause to be kept a record of the enforcement of this article. These records shall be public records.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-192. Standard Code adopted.

There is adopted by the city for the purposes of establishing rules and regulations pertaining to or in any way related to any and all buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or unsafe service systems the Standard Unsafe Building Abatement Code as published by SBCCI, and as such may be amended, modified or updated by SBCCI (the "abatement code"). The abatement code is adopted and fully incorporated herein as if fully set out at length in this section, save and except such portions as are deleted, added, modified, or amended in this article. One copy of the abatement code is on file in the office of the building official. All such unsafe buildings, structures, or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the abatement code or other provisions of the building and property maintenance regulations of the city. All repairs shall be performed in accordance with the Florida Building Code.

An unsafe structure or premises, or abandoned improvement or structure, shall mean and include any building, structure or property that has any of the following conditions, such that the life, health, property or safety of the general public or the occupants are endangered, specifically including any electrical, mechanical, plumbing, or gas system, in whole or in part, that has not been maintained in a safe and sanitary condition or violates a City Code or ordinance or any state or federal law or regulation:

- (1) Any means of egress or portion thereof that is not of adequate size, or is insufficient in quantity or remoteness, or is not arranged or maintained to provide a safe path of travel to a public way or other safe areas in case of fire or other emergencies as determined by any authority having jurisdiction.
- (2) Any means of egress or portion thereof, such as but not limited to fire doors, closing devices, or fire-resistive ratings, that are in disrepair or in a dilapidated, nonworking or compromised condition.
- (3) The stress in any material or member, or portion thereof, that is incapable of sustaining the loads to be imposed upon it.
- (4) A building or structure, or portion thereof, that has been damaged to the extent that the structural integrity of the building or structure is less than it was prior to the damage.
- (5) Any exterior appendage or portion of a building or structure that is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic or similar loads.
- (6) Any building or structure, or portion thereof, that is manifestly unsafe for any reason or is unsanitary for the purpose for which it is, was, or will be intended to be used.
- (7) Any building or structure, or portion thereof, that, as a result of decay, deterioration, dilapidation, or other reason, is likely to fully or partially collapse.
- (8) Any building, structure, property, or portion thereof that has been constructed or maintained in violation of a specific requirement of the standard Code(s).
- (9) Any building, structure, property, or portion thereof that is in such a condition as to constitute a public nuisance.
- (10) Any building, structure, or property, or portion thereof, that is unsafe, unsanitary, or not provided with adequate egress or constitutes a fire hazard or is otherwise dangerous to human life.
- (11) Any building, structure, or improvement, or portion thereof, that commenced or was constructed under a permit that has expired for more than 180 days.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-193. Condemnation—Authority.

The city shall have the authority and power to condemn and remove or cause to be removed all decayed, unsightly, dangerous, and unlawful buildings, ruins, awnings, porches, or structures within the corporate limits of the city.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-194. Same—Notice.

- (a) When there exists any unsightly, dangerous and unlawful building, structure, or appurtenances of a building or when such may be constructed in violation of city ordinances, the building official or such other officer, employee, or consultant who may be authorized by the city manager shall condemn the building, structure, appurtenances of a building.
- (b) Such officer shall file with the building official notice of such condemnation, which notice shall contain the following:
 - (1) The description of the building or structure condemned, together with the description by metes and bounds or by lot number of the property upon which such building or structure is located.
 - (2) The names of the occupants of the property and the names, places of residence, legal disabilities, if any, and interests of owners, if known, or if any of these facts are unknown shall be so stated.
 - (3) The reason for condemning the building or structure.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-195. Same—Service of notice.

- (a) A copy of the notice shall be served upon the occupant of any unsightly and unlawful building or other structure and on the owner thereof, if known and residing in the city, together with a summons to appear before the city commission in not less than five or more than 30 days. The notice shall be served by the chief of police or any city police officer or by any other officer or employee who may be authorized by the city manager. However, if such persons reside in the state and beyond the limits of the city, such notice and summons shall be served by the sheriff of the county in which the person resides, in accordance with the rules governing service of process in the circuit court.
- (b) If the owners reside beyond the limits of the state, upon application by the city attorney, the building official shall make an order of publication of notice to all persons having any interest or right, whether as owners, lienholders, or otherwise, in such real estate, which notice shall be addressed to all whom it may concern, requiring them on a day certain, to be fixed in such order, not less than 30 or more than 50 days from the date of the first publication, to appear before the city commission to show cause, if any, why the order of condemnation made by the city building inspector should not be confirmed in all respects. Such notice shall be published for four consecutive weeks prior to the date fixed for such hearing, and a copy of the notice shall likewise be posted in a conspicuous place on the premises during the time of the advertisement of notice. If such order of publication shall be made and no appearance entered or protest is made to the confirmation of the order of condemnation, the owners of the property shall be forever foreclosed and barred from claiming any damage because of the destruction of the property described in the condemnation order.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-196. Conditions constituting hazards—Notice.

When there may be found to exist any condition of any building, land, or premises or any condition in, upon, or about any building, land, or premises which constitutes or is likely to constitute a fire hazard or a hazard to the health, safety, or welfare of the occupants or the public, (i.e., a public nuisance) the building official or such other authorized city officer, employee or consultant authorized and empowered shall file with the building official a notice which shall contain:

- (1) A description of the land, building, structure, or premises in connection with which any such condition has been found to exist, which shall include, to the extent practicable, a description by metes and bounds or by lot number of such land.
- (2) The names of the occupants of the property, if any, and the names, places of residence, legal disabilities, if any, and interest of owners, if known, or if any of such facts are unknown, it shall be so stated.
- (3) The condition found to exist, which constitutes a fire hazard or a hazard to the health, safety, or welfare of the occupants or the public.
- (4) The matters and things required to be done to effect the removal or correction of such condition or structure; the removal of any weeds, debris, waste, rubbish, or flammable material; or the accomplishment of other corrective procedures.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-197. Same—Service of notice.

- (a) A copy of the notice shall be served upon the occupant of such land, building, or premises and upon the owner thereof, if known and residing in the city, together with a summons to appear before the city commission at any regular or special meeting thereof not less than five or more than 30 days from the date of service of the notice. The notice and summons shall be served by the chief of police or any city police officer or by any other officer, employee, or consultant who may be authorized by the city manager. However, if such person resides in the state and beyond the limits of the city, such notice and summons shall be served by the sheriff of the county in which the person resides in accordance with the rules governing service of process in the circuit court. If the occupant of such building cannot be found in the city, it shall be sufficient service upon such occupant to post a copy of such notice and summons in some conspicuous place upon such building or other structure.
- (b) If the place of residence of the owner of such property cannot be determined or is found to be beyond the limits of the state, the city clerk shall make an order of publication of notice to all persons having any interest or right, whether as owners, lienholders, or otherwise, in such real estate. The notice shall be addressed to the owner by name if known, and to all whom it may concern, requiring them on a day certain, to be fixed in such order, not less than 30 or more than 50 days from the date of the first publication of such notice, to appear before the city commission to show cause if any, why the notice made and filed with the city clerk by the officer, employee or consultant making and filing the notice with respect to a hazardous condition found to exist and the matters and things set forth in the notice as being required to be done to remove or remedy such condition should not be confirmed in all respects. The notice shall be published once a week for four consecutive weeks prior to the date fixed for such hearing. A copy of the notice shall be likewise posted in a conspicuous place on the premises during the time of the publication of the notice.
- (c) If such order or publication shall be made and no appearance is entered or protest made to the confirmation of the notice filed with the city clerk with respect to such hazardous condition, the owner of the property and all persons having any interest or right therein, whether as lienholders or otherwise, shall be forever

foreclosed and barred from claiming any damage because of the destruction or other disposition of the property described in the notice.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-198. Hearing; decision.

At the time fixed for the hearing required under this division, either in the summons or the order of publication, as the case may be, the city commission shall hear the cause and may sustain, reject or modify the action and recommendations of the officer, employee or consultant making and filing the notice with respect to the hazardous condition and shall order the removal, destruction, other disposition or repair of any such building or shall order such other matters or things to be done as may be necessary to remove or correct such hazardous condition, and shall order that such be done within such time as the city commission may determine.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-199. Enforcement of decision; costs.

Under this division, if any building or other structure is not removed or repaired as required in the order of the city commission or in the other matters and things required in the order for the removal or correction of such hazardous condition, the work may be done and performed by the city, and the costs and expenses thereof shall be a lien upon the property, which lien may be enforced by suit at law or proceeding in chancery.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-200. Public nuisances.

When nuisance conditions or hazards degenerate or cumulatively impact on structures, dwellings, or other buildings regulated by this Code, to the extent that repair, removal, securing, or demolition is necessary for the public health, safety, and welfare, then the building official or his designee is authorized to order the property owner or city agents to repair, remove, secure, vacate or demolish such structures according to procedures outlined in the abatement code or as otherwise provided for in the Code. These powers are hereby declared to be remedial and essential for the public interest, and it is intended that such powers be liberally construed to effectuate the purposes stated herein.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-201. Vacant buildings.

No vacant building may be boarded up for a period of time exceeding 60 days unless granted a waiver by the building official. "Exterior walls", and all boards used to enclose the building must be neatly fitted within window and door openings and must be painted to blend in with the rest of the building.

(Ord. No. 22-10 , § 2, 11-15-2022)

Sec. 10-202. Requirements not covered by Code.

Any requirements necessary for the strength, stability, or proper operation of an existing or proposed building, structure, electrical, gas, mechanical, or plumbing system, or for the public safety, health, and general welfare not specifically covered by this Code, shall be determined by the building official.

(Ord. No. 22-10 , § 2, 11-15-2022)

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(Supp. No. 12)