

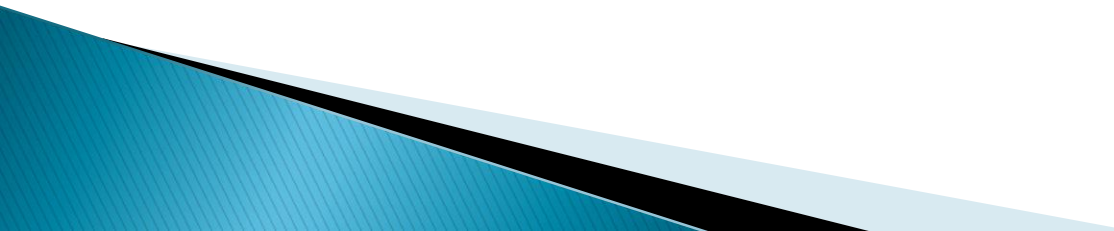
# Code Enforcement Overview

May 3, 2016



# PURPOSE

Code enforcement exists to promote, protect and improve the safety, health and welfare of our citizens. This is accomplished by providing equitable and effective enforcement of city codes.



# Code Enforcement Goal

**VOLUNTARY  
COMPLIANCE**



# Enforcement

- ▶ Enforces codes/ordinances approved by the City Council.
- ▶ Does not enforce HOA by-laws/rules.
- ▶ All city ordinances can be found in [www.municode.com](http://www.municode.com)

# Florida Statute 162

- ▶ Code Enforcement follows the procedures/process outlined in F.S. 162
  - Reasonable Amount of Time
  - Hearing Procedures
  - Service
  - Fine Schedule

# Methods

The following are methods used by code enforcement:

- Proactive enforcement
- Face-to-face contact
- Telephone Calls
- Walk-in
- Email
- Public Works
- Police Department
- Orange County
  - Code enforcement, property appraiser, comptroller, tax office, DEP, Health Department, etc
- Internet sites
  - Google, whitepages.com, yellowpages.com
  - Craigs list
  - Ebay
  - Real estate websites (realtor.com, Zillow, Trulia, etc)
  - Rental websites (rent.com, VRBO, airbnb, etc)

# Plain View

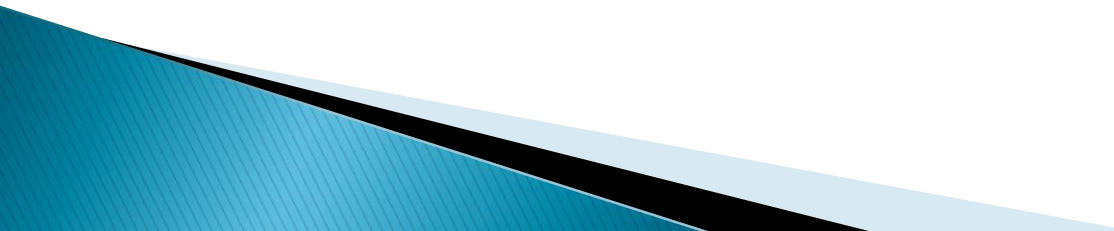
## If I Can't See It, I Can't Cite It

Code Enforcement can only cite what can be seen in plain view.

- No climbing, ladders, chairs, boxes, entering private property.
- Can only cite what can be seen from sidewalk, street, driveway. Unobstructed viewing from a neighbor's property (with their permission) is allowed.
- Pictures provided by neighbors is allowed and can be used to issued Notices of Violation.

# Violation Process

## Compliance

- Courtesy NOV issued, compliance timeframe (24 hours – 7 days).
  - Compliance met – case closed
  - Notice of Violation issued with 5–30 days for compliance.
  - Compliance met – Case Closed.
- 



# Courtesy Notices of Violation

## Courtesy Notice of Violation



DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

(Please include address and/or unit number if applicable)

### Chapter 10, ART V, Sec. 10-153 Grass, Landscaping, Lot Maintenance

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 is prohibited on any property zoned or used for residential purposes.

City of Belle Isle  
Code Enforcement  
1600 Nela Avenue  
Belle Isle, FL 32809  
407-851-7730

Your cooperation is appreciated

## Courtesy Notice of Violation



DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_

(To avoid further action please report any meter failures within 7 days of receiving this notice)

### WATERING Chapter 32, ART II, Sec. 32-31 (c)

Watering permitted only on designated days per St. Johns River Water Management.

#### Daylight Savings Time:

Odd Number Addresses - Wednesday & Saturday  
Even Number Addresses - Thursday & Sunday

#### Eastern Standard Time:

Odd Number Addresses - Saturday only  
Even Number Addresses - Sunday only

City of Belle Isle  
Code Enforcement  
1600 Nela Avenue  
Belle Isle, FL 32809  
407-851-7730

Your cooperation is appreciated

City of Belle Isle  
Courtesy Notice of Violation  
Code Enforcement  
1600 Nela Ave., Belle Isle FL 32809

ADDRESS \_\_\_\_\_

Vehicle parked on yard: \_\_\_\_\_  
**Immediately & Permanently remove vehicle from yard.** (Vehicle must be on a prepared surface)

Recreational unit: \_\_\_\_\_  
(Recreational Vehicle, utility trailer, watercraft unit)  
(Must be screened from view or in an enclosed garage)  
**Immediately & Permanently remove from property.**

Commercial vehicle: \_\_\_\_\_  
**Immediately & Permanently remove from property or store in an enclosed garage.**

Vehicle posted for sale: \_\_\_\_\_  
(Must apply/obtain a vehicle for sale permit)  
**After the fact fee applied, must pay \$ \_\_\_\_\_**

Vehicle parked on right of way: \_\_\_\_\_  
**Immediately & Permanently remove from ROW**  
(Parking Citation may be issued for this violation)

Abandoned or discarded, inoperative, dismantled, wrecked motor vehicle and/or Expired Registration.  
**Immediately & Permanently remove vehicle or store in enclosed garage.**

OTHER: \_\_\_\_\_

Code Enforcer: \_\_\_\_\_

Date: \_\_\_\_\_

Call City Hall @ (407) 851-7730 for Violation Inspection.  
If Violation is not corrected you will be taken before  
Code Enforcement Board and/or Citation Issued.

# Notice of Violation



## NOTICE OF VIOLATION

City of Belle Isle, Code Enforcement Division, 1600 Annis Avenue, Belle Isle, FL 32809

ADDRESS: \_\_\_\_\_

N.O.V. ISSUE DATE: \_\_\_\_\_

COMPLIANCE DATE: \_\_\_\_\_  
(And must thereafter remain in compliance)

ISSUED BY: \_\_\_\_\_  
Phone #: 807.861.7780

**Failure to comply with this notice may result in prosecution before the Code Enforcement Special Magistrate.**

**Landscaping** – CC Chap 10, ART V, Sec 10-158(a)(1)  
The accumulation of limb growth or weeds, grass, invasive species, trees, plants or undergrowth is the condition that may occur in some public area or space as a breeding place or harbor for insects, rodents, snakes, lizards or other pests or parasites.

**Trash & Debris** – CC Chap 10, ART V, Sec 10-152(a)  
All exterior property and premises must be maintained in a neat, safe and sanitary condition. All exterior property shall be free from any accumulation or buildup of garbage.

**Outdoor Storage** – CC Chap 10, ART V, Sec 10-158  
No outdoor storage will be permitted on any residential property. Items considered outdoor storage are objects or items commonly stored outdoors and are visible from any public street, sidewalk, alley or from the ground level of abutting property.

**Fences** – CC Chap 10, ART V, Sec 10-152(b)  
Fences shall be kept in good repair free from holes, cracks, breaks, loose or missing material, missing, mold or rust.

**Exterior Structures** – CC Chap 10, ART V, Sec 10-154(b)(1)  
All exterior structures including, but not limited to, doors, floors & window frames, porches, terraces, fences, and walls shall be maintained in good condition.

- Swimming Pools** – CC Chap 10, ART V, Sec 10-156 – swimming pools, spas and hot tubs shall be maintained in a clean and safe condition, in good repair, and shall be kept free of accumulation of debris, algae growth and rust.
- Enclosures** – LDC Chap 50, ART IV, Sec 50-107(d)(2) – Enclosure requirements – every dog shall be confined by a barrier fence at least one foot in height. A screen enclosure pursuant to subsection (a)(5) of this section may be substituted for the barrier fence.

**Stormwater** – CC Chap 10, ART IV, Sec 10-112(f)  
Pouring of saw filings, leaves, branches, site construction material, direct dumping of soil that obstruct storm water flow is prohibited.

**Building Permits** – LDC Chap 54, ART I, Sec 54-8  
Building permits shall be required for all construction work within the city and released from city prior to commencing work.

**Tree Removal** – LDC Chap 48, ART III, Sec 48-63(d)  
No tree shall be removed from any developed property and no land clearing for development shall occur in the city without the owner first obtaining a permit from the city. All commercial tree removal services must be registered with the city under a contracting work.

**Boat Docks** – LDC Chap 48, ART IV, Sec 48-31(e)  
Dock maintenance & repair – The owner of property on which a dock is located is responsible for maintaining a dock in safe and usable condition.

**Vehicle Parking** – CC Chap 30, ART III, Sec 30-75  
Any motor vehicle when parked in the front yard of a residential property shall be parked on the driveway or on a surface specifically designated for parking. No vehicle shall be permitted to be parked on the right-of-way between the edge of the street and private roadway lines within residential areas.

**Vehicle Sales** – CC Chap 30, ART III, Sec 30-78  
For motor vehicles for sale, all vehicles shall be parked in any residential property within the city for the purpose of displaying the vehicle for sale without a permit issued by the city. A city issued "for sale" sign shall be displayed on vehicle being sold.

**Abandoned/Inoperable/Junked Vehicles** – CC Chap 30, ART II, Sec 30-31  
No person shall park, store, leave, or permit the parking, storing or leaving of any vehicle of any type which is in an abandoned, wrecked, dismantled, partially dismantled, severely rusted, inoperative, derelict, or junked condition upon any public or private property within the city unless enclosed within a building or parked inside a garage. No vehicle can be parked or stored without valid registration tag.

**Trailers, RV's, Watercraft** – CC Chap 30, ART III, Div 2, Sec 30-133  
No residential vehicle or utility trailer shall be parked, stored or kept in the front yard of any property. Watercraft may be stored in front of property and are subject to the following restrictions: not to exceed 25 feet in length, must be on a watercraft trailer and parked on a registered surface consisting of concrete, pavement, asphalt, gravel or mulch. Only 1 watercraft and trailer may be kept in the front yard.

**Commercial Vehicles** – CC Chap 30, ART III, Div 2, Sec 30-102  
No parking of commercial vehicles or construction equipment on private or public property is prohibited within the city, except in the case of deliveries or labor services being performed, or in public utility vehicle that is kept by an employee of such utility for emergency purposes; this includes vehicles moving gas, water, sewer, telephone and cable, electricity. A commercial vehicle is defined as having a gross weight exceeding 15,000 lbs, length greater than 21 feet, height exceeding 20 feet, gross weight more than 10,000 lbs, external load or equipment racks, vehicles marked and used for transporting passengers such as tour vans, limousines or charter vans.

**Occupational License** – CC Chap 28, ART IV, Sec 28-91  
Occupational license is required to operate a business within the city limits.

**Numbering of Buildings** – CC Chap 6, ART II, Sec 6-21  
No buildings within the city shall have address number affixed to building or structure visible from the street.

**Rents Registrations** – CC Chap 7, Sec 7-26  
An annual license is required for the rental of a building that is required for any owner of residential property to rent or lease, or offer to rent or lease, any residential dwelling in the city.

**Portable Storage Units (PODS)** – LDC Chap 50, ART IV, Sec 50-102(e)  
A permit is required for the placement of a portable storage unit on residential property within 72 hours of placement.

**Watering** – CC Chap 32, ART II, Sec 32-33(c)  
Watering permits shall only be issued for the City of Belle Isle River Water Management. Watering Permits Times:  
- Odd Number Addresses – Tues & Sat/Even Number Addresses – Thurs & Sunday  
Eastern Standard Time  
- Odd Number Addresses – 5-tuesday only/Even Number addresses – Sunday only

**OTHER/DETAILS**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Violation Process

## Non-Compliance

- Courtesy NOV issued, compliance timeframe (24 hours - 7 days).
  - Property inspected on compliance due date.
  - Compliance not met - Pictures taken and Notice of Violation issued with 5-30 days for compliance.
  - Property Inspection on compliance due date.
  - Compliance Not Met - Pictures taken, Pre-Notice of Hearing Letter sent with 5 days for compliance.
  - Property Inspected.
  - Property not in compliance after Pre-NOH - Pictures taken and a hearing is scheduled before the Special Magistrate.
  - Affidavit of Non-Compliance filled out and notarized.
  - Notice of Hearing prepared and delivered (post property, post at city hall, certified mail, first class mail) 10 days before hearing.
  - Affidavit of Posting/Mailing filled out and notarized.
  - Inspect property and take pictures morning of hearing
  - Hearing - if found guilty 7 days from issuance of final orders is given to correct, if not corrected then fines start.
  - Violation corrected - affidavit of compliance filled out, signed and notarized, case closed.
  - Violation Not Corrected - affidavit of non compliance and affidavit to impose fines are filled out, signed and notarized.
  - Fines paid - case is closed and affidavit of compliance is filled out, signed and notarized.
  - Fines not paid and property not in compliance 20 days after final order issued then Order to Impose Fines/Liens is prepared and sent to Special Magistrate for signature. Lien information is sent to Orange County Comptrollers office for recording (\$53.00 recording fee). Affidavit of service signed, and notarized.
  - Fines will run daily until paid and lien is released by the city.
  - Fines run for 20 years. City can only foreclose on non-homestead properties.
- ▶ Properties in compliance can still be brought before the Special Magistrate. If found guilty by the Special Magistrate no fines will be imposed but if the same violations happens again at the same property within 5 years the violation will be treated as a repeat and is subject to fines of up to \$500 and no reasonable time to correct the violation has to be given.

# Notice of Non-Compliance

Today's Date \_\_\_\_\_

**FINAL NOTICE**  
**NOTICE OF NON-COMPLIANCE**

//

ADDRESS: \_\_\_\_\_

On \_\_\_\_\_ you were given a Notice of Violation of one or more code violation existing on this property. The time period given to resolve the violation(s) has expired and property is not in compliance.

Violation(s) not in compliance by \_\_\_\_\_, 20\_\_\_\_, will be scheduled to appear before the City of Belle Isle Code Enforcement Special Magistrate. A case brought before the Special Magistrate and found guilty will be charged an administrative fee of \$100.00. In addition to administrative costs, and in accordance with Florida State Statute 162.09(2)(a), fines can be imposed (first violations up to \$250.00 per day-per violation. Repeat violations up to \$500.00 per day-per violation. Violations found to be irreparable or irreversible can be fined up to \$5,000.00). Unpaid fines and/or administrative fees can result in a lien being placed on the property.

**VIOLATIONS:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

You: **VOLUNTARY COMPLIANCE** is very much appreciated in resolving this matter to avoid a hearing before the Code Enforcement Special Magistrate.

City of Belle Isle  
Code Enforcement Division  
1600 Nela Avenue  
Belle Isle, FL 32809  
407-851-7730

# Pre-Notice of Hearing



## CITY OF BELLE ISLE, FLORIDA

1600 Nela Avenue  
Belle Isle, Florida 32809  
(407) 851-7730 • FAX (407) 240-2222  
www.cityofbelleislefl.org

### **FINAL NOTICE**

Date:

Property Owner:

Re: Code violation at \_\_\_\_\_, Belle Isle, FL 32812-1068

Parcel ID:

Dear Property/Business Owner:

You have been cited for one or more violations for the above address. To date, these issues have not been resolved. This matter is being prepared for the next meeting of the City of Belle Code Enforcement Special Magistrate hearing scheduled for \_\_\_\_\_ at 10:00 a.m. in city council chambers.

Notice of this meeting will be sent by certified mail, delivered by the Belle Police Department or posted on your property prior to the meeting. Being found in violation by the Special Magistrate may result in a fine of up to \$250.00 per day, per violation.

**Violations must be corrected by Friday, \_\_\_\_\_ to avoid a hearing.**

**If the violations you have been cited for are corrected, please inform us immediately.**

#### **VIOLATION(S):**

**CC Chap 10, ART V, Sec 10-152(a) Trash and Debris. All exterior property and premises must be maintained in a clean, safe and sanitary condition. All exterior property shall be free from any accumulation or rubbish or garbage.**

**CC Chap 10, ART V, Sec 10-158 No outdoor storage will be permitted on any residential property. Items considered outdoor storage materials not customarily stored outdoors and are visible from any public street, sidewalk, alley or from the ground level of abutting properties.**

**CC Chap 10, ART V, Sec 10-154(b)(1)- All exterior surfaces, including, but not limited to, doors, door & window frames, porches, trim, fences, and walls shall be maintained in good condition.**

#### **Date Notice of Violation Issued :**

Sincerely,

Robyn Winters  
Code Enforcement Officer  
City of Belle Isle  
1600 Nela Avenue  
Belle Isle, FL 32809  
407-851-7730

# Notice of Hearing

## STATEMENT OF VIOLATION – NOTICE OF HEARING CODE ENFORCEMENT SPECIAL MAGISTRATE

### Certified Receipt:

City of Belle Isle, Florida  
Petitioner

Case:  
Date:  
Parcel ID#:

Property Owner(s)  
Respondent(s)

To:

Re: Code Violation at \_\_\_\_\_, Belle Isle, FL 32812-2819

**YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE, CITY OF BELLE ISLE, FLORIDA, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ am. This hearing will be held at the City of Belle Isle Commission Chambers, 1600 Nela Drive, Belle Isle, FL 32809.**

The purpose of this hearing is for the Code Enforcement Special Magistrate to issue "Findings of Fact" and "Conclusions of Law" relating to violations of the Code of Ordinances. You have been cited with violating the following provisions of:

**CC Chap 30, ART. III, Div 2, Sec 30-133 – No recreational vehicle or utility trailer shall be parked, stored or kept in the front yard of any property.**

**CC Chap 30, ART. III, Sec 30-73 – Any motor vehicle when parked in the front yard of a residential property shall be parked on the driveway or on a surface specifically prepared for parking, pursuant to the requirements for such a surface as described in subsection 30-133(d)(4). CC Chap 30, Sec 30-133(d)(4) Accepted prepared surface materials are: concrete, asphalt or concrete pavers. The prepared surface should cover the entire area under the vehicle.**

The following facts give rise to this alleged violation:  
Utility trailer and van both parked on grass in front yard.

The proposed remedy for this is:  
Move utility trailer to side of house or remove from property. Van needs to be removed from grass in front yard and parked on driveway.

A Notice of Violation was posted at this property on \_\_\_\_\_ with a compliance date of \_\_\_\_\_. Upon inspection of the property on \_\_\_\_\_ and \_\_\_\_\_ the violations have not been corrected.

Should the Special Magistrate find that you are in violation and you do not comply with their determination the Special Magistrate may impose a fine of up to \$750 per day, per violation, until the violation is corrected. Additionally, the cost of repairs, if any, may be assessed against you if the violation is not corrected on time or is a repeat violation. A repeat violation is punishable by a fine not to exceed \$500.00 per violation, per day. Administrative cost also may be assessed against you. If the Code Enforcement Special Magistrate believes that the violation is irreparable or irreversible, the fine may increase to \$5,000.00 per violation. Unpaid fines will result in a LIEN being recorded against any non-exempt real or personal property owned by the violator (F.S. 162.09).

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 which are set forth in the City of Belle Isle Code of Ordinances. Any person appealing a decision made by the Code Enforcement Special Magistrate, with respect to any matter considered at such hearing, 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. Anyone requiring accommodations in order to participate under the American with Disabilities Act should contact the A.D.A. Coordinator at (407) 851-7730 five days prior to the meeting.

Code Enforcement Officer for the City of Belle Isle

PERSONALLY APPEARED before me, the above signed authority \_\_\_\_\_ who is personally known to me, and acknowledged that he/she did execute the foregoing statement, and did not take an oath.

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

Notary Public, State of Florida

AFFIDAVIT OF SERVICE: Service was made on \_\_\_\_\_ (Resident Name)

(Age & Relationship to Respondent: \_\_\_\_\_), at \_\_\_\_\_ AM/PM,

\_\_\_\_\_, 2012, by \_\_\_\_\_ of the Belle Isle Police Department

Officer Name

Officer Signature

My signature verifies 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.

PERSONALLY APPEARED before me, the above signed authority \_\_\_\_\_ who is personally known to me, and acknowledged that he/she did execute the foregoing Statement, and did not take an oath.

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

Notary Public, State of Florida

# Special Magistrate

3 pieces of information that are ***REQUIRED*** to be presented to the Special Magistrate at every hearing:

- Ordinance
- Proof of Service
- Evidence

# Fine Schedule

Fines can be imposed on properties not brought into compliance and found guilty at a hearing before the Special Magistrate.

## Fine Schedule:

- Up to \$250.00 per violation, per day for first offense – reasonable time given to correct violation
- Up to \$500.00 per violation per day for repeat offense – reasonable time not given.
- Up to \$5,000.00 for irreparable/irreversible or poses a serious public safety threat.
- Plus a \$100.00 administrative fee whether guilty or not





04/17/2013 09:21



04/03/2012 13:26





04.13.2015 14:26

SOLE TEMPLER  
DOTT ALL MEX  
E43P-0004  
EPLINEX  
Omor





04/26/2016 08:36



04/26/2016 08:36



02.06.2015 10:21





01.29.2015 12:07



11/12/2015 10:32



03/01/2013 10:11



04.14.2015 08:16



04.09.2015 12:00



04.09.2015 11:10



04.09.2015 11:17



02/07/2012 09:44





10.17.2014 09:21



12.11.2013 14:08



07/19/2013 09:18







11/06/2015 10:43



11/06/2015 10:42



11/06/2015 10:52