

## ***ARTICLE III. CODE ENFORCEMENT<sup>1</sup>***

### **Sec. 2-56. General.**

- (1) This article is adopted in accordance with the provisions of Florida Statutes ("F.S.") ch. 162, part I and the city hereby adopts F.S. ch. 162, part 1 by reference.
- (2) All statutory references include the current statutory provisions and, if amended by the Florida Legislature, any future statutory amendments.
- (3) The city hereby adopts an alternate code enforcement system as authorized by F.S. § 162.03(2).
- (4) The following words, terms, and phrases shall have the meanings ascribed to them in F.S. § 162.04:
  - a. Local governing body.
  - b. Code inspector.
  - c. Local governing body attorney.
  - d. Enforcement board.
  - e. Repeat violation.
- (5) Nothing contained in this article shall prohibit the city from enforcing the city Code by other means. It is intended that this article be an additional or supplemental means of obtaining compliance with this Code.
- (6) Lake County is authorized to provide animal control services and enforce the animal control provisions of the Lake County Code in the city. Chapter 4 of the Lake County Code, and each and every subsequent amendment, addition, and revision thereto, is approved and adopted by the city for the county to use and enforce within the city.

(Ord. No. 12-10, § 1(exh. A), 6-21-2012)

### **Sec. 2-57. Code enforcement board.**

- (1) *Organization.*
  - a. The city hereby establishes a local government code enforcement board pursuant to and consistent with F.S. ch. 162.
  - b. The city commission also hereby authorizes the use of a special magistrate with the same powers and duties of the code enforcement board if there are not enough board members present to have a quorum. references in this article to the code enforcement board shall include the special magistrate if the context permits.

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<sup>1</sup>Editor's note(s)—Ord. No. 12-10, § 1, adopted June 21, 2012, repealed the former Art. III, Div. 1 §§ 2-56—2-58, Div. 2 §§ 2-86—2-97, Div. 3 §§ 2-126—2-134, and enacted a new Art. III as set out herein. The former Art. III pertained to code enforcement and derived from the Code of 1959, §§ 2-4—2-15; Ord. No. 03-60, § 1, 8-7-2003; and Ord. No. 09-31, § 2, adopted 7-16-2009.

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- c. The city shall appoint an attorney to represent the code enforcement board.
  - d. The code enforcement board attorney shall act as the special magistrate in the event that there are not enough code enforcement board members present at a meeting to meet statutory quorum requirements.
  - e. No member of the code enforcement board shall have any interest, be it financial or otherwise, direct or indirect, or engage in any business transaction or professional activity, or incur any obligation which is in conflict with the proper discharge of his duties in the public interest in accordance with F.S. ch. 112.
  - f. No member shall appear before the city commission, or any commission, committee or board of the city, as agent, attorney or representative of any person, except when representing property he owns.
- (2) *Powers and jurisdiction.*
- a. The code enforcement board shall hear and decide violations of this Code and ordinances where a pending or recurring violation continues to exist.
  - b. The code enforcement board shall have all powers as provided in F.S. § 162.08.
- (3) *Meetings.*
- a. All meetings, regular or special, and all hearings, shall be open to the public in accordance with the provisions of F.S. § 286.011.
  - b. The code enforcement board shall hold an annual organizational meeting for the purpose of electing officers, adopting rules and procedures, and establishing regular meeting dates and times.

(Ord. No. 12-10, § 1(exh. A), 6-21-2012)

## **Sec. 2-58. Enforcement procedures.**

- (1) The code inspector shall initiate enforcement proceedings of the various codes in accordance with F.S. ch. 162.06.
- (2) Hearings shall be conducted in accordance with F.S. ch. 162.07.
- (3) The Code Enforcement Board may order the payment of fines and file liens against real or personal property in accordance with F.S. ch. 162.09.
- (4) An aggrieved party, including the local government, may appeal a final administrative order of the code enforcement board in accordance with F.S. § 162.11.
- (5) All notices shall be provided in accordance with F.S. ch. 162.12.

(Ord. No. 12-10, § 1(exh. A), 6-21-2012)

## **Secs. 2-59—2-160. Reserved.**