



## ITEM SUMMARY

**MEETING DATE:** April 18, 2022

**FROM:** Kara Irwin-Ferris, AICP, Development & Neighborhood Services Director

**SUBJECT:** **Ordinance 2022-10** Amending City Code Chapter 2 “Administration, Article VIII Code Compliance”  
**Code Enforcement Revisions**

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### BACKGROUND

On September 22, 2021, the City’s attorney, Christy Goddeau, presented to City Council regarding the City’s Code compliance policy and changes proposed for an improved process. The City Council has requested the update at a previous meeting, as well as changes to the process for reducing liens placed on properties in city. The City Council wanted a 10% minimum lien reduction for properties that had been brought into compliance.

Currently, the city code regulates code enforcement under Chapter 2 Administration, Article III, Boards, Committees, Commissions, Division 2, Code Enforcement. Previously, the city had a Code Enforcement Board that was comprised of appointed residents to make determinations for all code enforcement issues. The board was disbanded and a Special Magistrate that had been previously enacted was responsible for all code violations moving forward. The Special Magistrate was included under Boards and Committees, which needed to be revised. The City Attorney has provided those changes in coordination with the changes requested by City Council to set a minimum reduction for liens.

The following changes are being proposed to the code:

1. The draft ordinance proposes to delete the entire code compliance provision from its current location (under city boards) and create a new article in Chapter 2 solely for code compliance.
  2. The draft ordinance sets forth some basic provisions and definitions (Division 1); the typical process under Chapter 162, Part 1, Florida Statutes (Division 2); and a new alternative citation process (Division 3).
  3. Under Division 2, the more efficient process of not having a second hearing (but allowing the violator to request a fine challenge hearing) is included.
  4. Under Division 3, the new alternative citation process is a much more streamlined version of the process and removes some of the oddities in the current citation process. The current violation and fines schedule has been re-adopted into this version.
  5. Finally, the proposed revisions allows for an amnesty period by resolution if the City Council desires to do that at any time; and, allows for a property improvement
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account to be set up to have funding for property improvements (by resolution as well).

The proposed changes will be effective upon adoption. In addition, staff shall also prepare a resolution that sets forth the administrative charges that may be assessed in each case and the fees to be charged for various services. The resolution will be adopted concurrent with this ordinance.

The City Council approved this petition on first reading April 4, 2022 by a vote of 5-0.

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### **ANALYSIS**

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This is a city-initiated code change as directed by City council. City staff initiated this code change after direction from the City Council on September 22, 2021.

Staff has concerns regarding adding the minimum lien reduction to 10%, which will have an impact on those that purchase properties to improve and bring into compliance after the accrual of liens on the property. In order to reduce the lien further, the City Council will have property owner's directly petitioning them for reductions and will have to make determinations regarding whether or not a reduction should be approved.

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### **FINANCIAL INFORMATION**

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N/A

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### **LEGAL**

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Ordinance 2022-10 was prepared in accordance with all applicable state statutes and City Code Requirements.

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### **STAFF RECOMMENDATION**

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*Approval of Ordinance 2022-10.*