

CITY OF LAKE CITY, FLORIDA
ORDINANCE NUMBER 2025-2340

1 **AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, CONCERNING**
2 **CODE ENFORCEMENT AND FORGIVENESS OF CODE ENFORCEMENT**
3 **LIENS AMENDING THE DEFINITION OF “VIOLATOR” IN CHAPTER 2,**
4 **ARTICLE X, SECTION 2-413 OF THE CITY OF LAKE CITY, FLORIDA CODE**
5 **OF ORDINANCES; PROVIDING FOR LIEN FORGIVENESS AND**
6 **FORGIVENESS OF FINES AND LIENS ASSOCIATED WITH CODE**
7 **ENFORCEMENT PROCEEDINGS BY AMENDING CHAPTER 2, ARTICLE**
8 **XI OF THE CITY OF LAKE CITY, FLORIDA CODE OF ORDINANCES;**
9 **PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND**
10 **SCRIVENOR’S ERRORS; PROVIDING FOR CONFLICTS, AND PROVIDING**
11 **AN EFFECTIVE DATE.**

12 **WHEREAS,** Article X of the Code of the City of Lake, Florida (hereinafter the “Code”) titled “Code
13 Enforcement Board” and Chapter 162, Part I, Florida Statutes, provide a process for equitable,
14 expeditious, effective, and inexpensive enforcement of the City’s ordinances; and

15 **WHEREAS,** the Article X of the Code provides a definition for “violator”; and

16 **WHEREAS,** the present definition of “violator” is applicable to “any” person violating the Code,
17 rather than “a” person violating the Code; and

18 **WHEREAS,** it is prudent to amend the present definition of “violator” such that it is applicable to
19 “a” person violating the Code; and

20 **WHEREAS,** the Code provides for the ability to assess fines and record liens on the real properties
21 of violators of the Code; and

22 **WHEREAS,** the City Council recognizes the need to assess fines and record liens against those
23 property owners who violate the ordinances of the City from time to time; and

24 **WHEREAS,** the City Council also recognizes the need to temper the effects of the assessment of
25 fines and the effects of liens against violators and their properties and finds the need to create a
26 code enforcement lien forgiveness program; and

27 **WHEREAS,** the City Council desires to further assist the community and finds the creation of a
28 code enforcement lien forgiveness program is in the best interests of the City and its citizens;
29 now, therefore,

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA:

SECTION 1. AMENDMENT OF CHAPTER 2, ARTICLE XI, LAKE CITY CODE OF ORDINANCES.

Section 2-413, Chapter 2, Article X of the City of Lake City, Florida Code of Ordinances entitled "CODE ENFORCEMENT BOARD - DEFINITIONS" is hereby amended as follows:

Sec. 2-413. - Definitions.

As used in this article the following words or phrases shall have the meaning prescribed in this section unless clearly indicated otherwise by the context:

Board or enforcement board shall mean the Lake City Code Enforcement Board.

City shall mean the City of Lake City, Florida.

City attorney shall mean the duly appointed attorney for the city.

City council shall mean the duly constituted City Council of the City of Lake City, Florida.

Code enforcement officer shall have the same meaning as code inspector.

Code inspector shall mean any authorized agent or employee of the city who has been duly appointed to such office by the city, and whose duty it is to enforce the codes and ordinances enacted by the city.

Repeat violation shall mean a violation of a provision of the City Code or ordinances by a person who has been previously found through the enforcement board or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within five years prior to the violation, notwithstanding the violation occurred at different locations.

Responsible party shall mean any violator who is required to comply with any order of the board of the special magistrate.

Special magistrate shall mean the attorney appointed by the city council to have the same status and authority as an enforcement board.

Violator shall mean ~~any~~ a person who violates a provision of any of the codes or ordinances of the city.

SECTION 2. AMENDMENT OF CHAPTER 2, ARTICLE XI, LAKE CITY CODE OF ORDINANCES.

Chapter 2, Article XI of the City of Lake City, Florida Code of Ordinances entitled "CODE

ENFORCEMENT LIEN AMNESTY” is deleted in its entirety and is amended and replaced by the following such that said Chapter 2, Article XI shall read as follows:

ARTICLE XI. – CODE ENFORCEMENT LIEN FORGIVENESS

Sec. 2-424. – Code Enforcement Lien Forgiveness duration; acceptance of applications; multiple violations.

(a) Title. This Chapter 2, Article XI shall be known as the “Code Enforcement Lien Forgiveness Program” or the “Forgiveness Program”.

(b) Separate applications required. A separate application shall be submitted by an eligible applicant for each recorded code enforcement order resulting in a lien for which forgiveness is sought.

(c) Intent. Except as otherwise provided in, and subject to the provisions of this article, it is the intent of the City Council that the Forgiveness Program accomplish both (i) the release of a lien in favor of the city against real property which lien results from an order for fines and costs against a property owner entered pursuant to Chapter 2, Article X of this Code of Ordinances; and (ii) the satisfaction of fines and costs imposed by the order, including accrued interest thereon, from which such lien arises.

Sec. 2-425 Definitions.

The following terms shall have the meanings corresponding thereto in this article. Additionally, the terms and corresponding definitions provided in Section 2-413 of this Code of Ordinances shall be applicable to this article as if fully set forth herein.

Applicant shall mean the violator committing a violation of the codes or ordinances with respect to a specific parcel of real property; a successor and/or assign of such violator, provided such successor and/or assign has an ownership interest in the subject real property; or a prospective purchaser of such subject real property, provided such prospective purchaser is party to a contract with the owner of the subject property to purchase same.

Sec. 2-426 Eligibility criteria.

The following conditions must be fulfilled by an applicant for the Forgiveness Program upon submission to the city of an application for lien forgiveness pursuant to this article for a subject parcel to be eligible for code enforcement lien forgiveness pursuant to this article:

(1) The subject property must comply with all city ordinances.

(2) The order for fines and costs entered pursuant to Chapter 2, Article X of this Code of Ordinances upon which a lien against real property is based and for which forgiveness is sought pursuant to this article shall have been recorded in the public records of Columbia County for a period of no less than two (2) years.

(3) If the subject property is the subject of a foreclosure action to foreclose the lien for which application for lien forgiveness is being made, a final judgment of foreclosure shall not have been entered by the court in such foreclosure action.

Sec. 2-427. Application for satisfaction, reduction, or release of code enforcement liens.

(a) Where, pursuant to Chapter 162, Florida Statutes, a certified copy of an order imposing fines and costs against a violator has been recorded in the public records of Columbia County, Florida, and has become a lien against real property, an applicant may apply for satisfaction of the order imposing fines and costs, and release of the lien against real property of the violator arising therefrom as follows:

(1) The applicant shall complete and submit to the city manager or city manager's designee on such forms as the city manager shall prepare and designate for such purpose an application for release of lien and satisfaction of the corresponding order imposing fines, costs, and assessing other amounts payable to the city pursuant to Article X of this chapter; and such other required documents as set forth in this article. The city manager may require representations of fact provided by an applicant be sworn to and subscribed by the applicant in the presence of a notary.

(2) The applicant shall remit in the form set forth herein full payment of (i) one thousand five hundred dollars (\$1,500), plus (ii) that portion of the order imposing fines and costs reflecting the cost of repairs, if any, incurred by the city pursuant to Section 162.09(1), Florida Statutes, plus (iii) interest at the rate established pursuant to Section 55.03, Florida Statutes on that portion of the order arising from the foregoing clause (ii) of this subparagraph (a)(2).

(b) The application for forgiveness of the fine or lien shall be in written form, typed or handwritten on a city-designated application, and shall be submitted

128 to the city manager or city manager's designee. The application shall include,
129 but not be limited to, the following information:

130 (1) The applicant's name, physical address, mailing address, telephone
131 number, and email address;

132 (2) The name of the person or entity having fee simple ownership of the
133 subject property;

134 (3) The relationship between the applicant and the person or entity
135 having fee simple ownership of the subject property;

136 (4) The physical address of the subject property, if assigned;

137 (5) The tax parcel identification number assigned by the Columbia County
138 Property Appraiser for the subject property;

139 (6) A copy of the recorded order imposing a fine and/or other amounts
140 upon the violator, and creating a lien on real property, which order
141 includes the code enforcement case number;

142 (7) The date on which the violations cited in the applicable order were
143 remedied and the subject property brought into compliance with city
144 codes;

145 (8) Payment to the "City of Lake City, Florida" of the total of amounts due
146 the city pursuant to this article, such payment being by United States
147 currency, a financial institution cashier's check, money order, attorney's
148 trust account check, or check drawn on an escrow account maintained by
149 a title insurance agency pursuant to Section 626.8473, Florida Statutes.

150 (c) Upon receipt of the completed application for forgiveness of the fine or
151 lien the city manager or city manager's designee shall confirm the applicant has
152 (i) fulfilled all conditions precedent to submission of an application pursuant to
153 Section 2-426, (ii) violations resulting in the order imposing penalty or fine have
154 been repaired/remedied, and (iii) the subject property is otherwise in
155 compliance with all applicable city codes. If all information required by the
156 application has been provided by the applicant, the application is otherwise
157 complete, the violation resulting in the order imposing penalty or fine have
158 been repaired/remedied, the subject property otherwise brought into
159 compliance with applicable city codes, and there presently exists no violation
160 of city code upon the subject property, the city manager or city manager's
161 designee shall execute, cause to be recorded, and provide to the applicant (and
162 violator, if applicable) a satisfaction of the order imposing fines and costs, and

release of lien applicable to the order and lien for which application for forgiveness was made.

(e) Provided each and all of the applicable conditions set forth in this article are met, the city manager or city manager's designee shall approve the application.

(f) When a judgment is satisfied and lien released pursuant to the forgiveness program, the city manager or city manager's designee shall execute and record in the public records of Columbia County, Florida, a satisfaction of order imposing fines and costs and release of lien corresponding to the recorded order imposing fines and costs for which application for forgiveness was made by the applicant.

Sec. 2-428. Other lien releases.

In addition to the satisfaction of order imposing fines and costs and release of liens described above, the city manager or city manager's designee shall execute a release of a code compliance or code enforcement lien which has been deemed in writing by the city attorney to be legally unenforceable or uncollectable for one or more of the following reasons:

(1) The lien is more than twenty (20) years old; or the statute of limitations applicable to the lien has otherwise expired;

(2) The lien was properly foreclosed by order of a court of competent jurisdiction;

(3) The lien was properly discharged in a bankruptcy proceeding by the order of a bankruptcy court;

(4) The property encumbered by the fine or lien is currently owned by the city; or

(5) Any other reason as determined by the city attorney establishing a lien is legal unenforceable or the fines and other amounts due pursuant thereto are uncollectable.

Sec. 2-429. Delegation of Authority

The city council hereby delegates to the city manager or city manager's designee the authority to review and consider applications pursuant to the Forgiveness Program, to make determinations as provided herein, and to

195 execute and record satisfactions of orders imposing fines and costs, and
196 releases of lien pursuant to this article.

197 **Sec. 2-430. Sunset Review**

198 This article shall stand repealed on April 1, 2031 unless reviewed and saved
199 from repeal through reenactment by the city council. Notwithstanding the
200 foregoing sentence, the city manager or city manager's designee shall, with
201 respect to all complete applications submitted to and received by the city
202 manager or city manager's designee prior to April 1, 2031, retain the powers
203 and authority delegated in this article to act on and make determinations with
204 respect to such timely submitted complete applications.

205 **SECTION 3. SEVERABILITY.**

206 It is the declared intent of the City Council of the City of Lake City that, if any section, sentence,
207 clause, phrase, or provision of this ordinance is for any reason held or declared to be
208 unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding
209 of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and
210 the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be
211 valid.

212 **SECTION 4. CODIFICATION AND SCRIVENOR'S ERRORS.**

213 It is the intention of the City Council of the City of Lake City that the provisions of this Ordinance
214 shall become and be made part of the Code of Ordinances of the City of Lake City, Florida. The
215 Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be
216 changed to "Section", "Article" or such other word or phrase in order to accomplish such
217 intention. The correction of typographical errors which do not affect the intent or substance of
218 the ordinance may be authorized by the City Clerk or the City Clerk's designee with the consent
219 of the City Attorney without public hearing, by filing a corrected or re-codified copy of the same
220 with the City.

221 **SECTION 5. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.**

222 All ordinances and resolutions, or parts of ordinances and resolutions in conflict herewith are, to
223 the extent of the conflict, hereby repealed.

224 **SECTION 6. EFFECTIVE DATE**

225 This ordinance shall be effective as of the date of its adoption.

- 226 **PASSED** upon first reading this ____ day of October, 2025.
- 227 **NOTICE PUBLISHED** on the ____ day of October, 2025.
- 228 **PASSED AND ADOPTED** on the second and final reading this ____ day of October, 2025.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Noah E. Walker, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL
OF THE CITY OF LAKE CITY, FLORIDA:

Audrey Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney