



City of Lake Worth Beach **Administrative Order of the City Manager**

Administrative Order No.: 2020-03

Title: Temporary/Emergency Compassionate Code Compliance Policy

Ordered: 3/17/2020 Effective: 3/20/2020

AUTHORITY: City Charter, Article IV, Section 1, City Manager power to direct and supervise the administration of all departments; Resolution 20-11 relating to emergency situations.

PURPOSE

The purpose of this Policy is to provide relief to residents and business owners who have code compliance violations, liens, or other code issues in the City during the COVID-19 (Coronavirus) Health Emergency.

TEMPORARY POLICY

I. For the Business License and Utilities requirement for completed Use and Occupancy Inspections and Issuance of a Business License, Code Staff will:

- Complete exterior use and occupancy inspections only;
- Suspend interior use and occupancy inspections until a future date (said date to be determined by the Director of Community Sustainability);
- Facilitate issuance of temporary use and occupancy approvals for utility connection purposes (thus relaxing the "No License, No Lights" policy);
- Follow up subsequently with property owners to schedule the required interior inspections and complete the Business License process; and
- Ensure that the intent of the Business License requirements are met.

II. For Remedial Services activities, which require legal posting and appropriate notice, Code Staff will:

- Curtail remedial services including lot clearings, board and secure, and demolitions. If there are life, health and safety issues, remedial services will be performed and postings at City Hall will be curtailed or eliminated, as those postings are not required under law.
- Suspend "Red Tag" towing in collaboration with the Palm Beach County Sheriff's Office except when requested by the Palm Beach County's Sheriff's Office or due to a person impeding a right of way resulting in a life safety issue.

III. The Mobile Food Vending Initiative will be suspended at this time. The Director of Community Sustainability can restart the Initiative at his discretion.

IV. Code Compliance Lien Initiative.

For code compliance fines which are currently running on properties within Lake Worth Beach, the City shall suspend daily fines during the period that this Administrative Order/Policy is in effect or until the City Manager terminates this Initiative, which he shall have the right to do at any time. Once the Administrative Order/Policy terminates or the City Manager terminates this Initiative, the days of suspension shall be calculated by staff and the fines for each of those days shall be deducted from a property's overall lien amount. Said reduction shall be applied before any calculations for lien reductions are made or before any hearing or court action ensues.

V. Virtual Special Magistrate Hearings and Temporary Authority of the City Manager

The City's Special Magistrate may appear virtually to perform code enforcement hearings or sign documents as allowed under the Governor's Executive Order 20-69 and Attorney General Opinion 2020-03.

In addition, the Director of Community Sustainability may request that the City Manager sign agreed orders, lien reductions, considerations for sale and other code compliance related documents resulting in the compliance of properties. All signed documents will subsequently be provided to the Special Magistrate for ratification at a later, appropriately posted, and noticed hearing.

The City Manager shall have the authority to resolve any other code related matters that may or may not require ratification by the Special Magistrate.

VI. Under the Compassionate Code Compliance Policy, Code staff will continue to:

- Manage and maintain current code cases;
- Update current code case files;
- Undertake exterior inspections and re-inspections for curb appeal with a focus on the City's Major Thoroughfares including Boutwell Road and the Park of Commerce;
- Perform exterior re-inspections on existing cases with liens (case-by-case basis);
- Address any and all Life/health/Safety issues;
- Address bulk garbage/refuse piles along the City's Major Thoroughfares;
- Collaborate with Public Works Refuse Division to address garbage/trash/debris on private property; and
- Prioritize returning telephone calls and emails that may be related to the Coronavirus emergency.

APPROVED BY:


Michael Bornstein
City Manager

3/19/2020
Date