
Sec. 14-91. Declaration of unfit structure.

Whenever the enforcing authority finds that any structure constitutes a hazard to the safety, health, or welfare of the occupants or to the public because it lacks maintenance or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this article, he may declare such structure as unfit for occupancy and order it to be vacated. It shall be unlawful to again occupy such structure until it or its occupation, as the case may be, has been made to conform to the law.

(Code 1983, § 6-221)

Sec. 14-92. Notice denying occupancy—Posting; form.

Any structure declared as unfit for occupancy shall be posted with a placard by the enforcing authority. The placard shall be in substantially the following form:

VIOLATION

By order of the City of Madeira Beach, Florida, this structure is declared unfit for occupancy and ordered vacated. The use of this structure for occupancy is prohibited.

This order is posted pursuant to the Madeira Beach Code of Ordinances.

A penalty is provided in the Madeira Beach Code for any person who alters, defaces or removes this notice or occupies this structure without authorization from the undersigned.

Mayor-Commissioner or City Manager

(Code 1983, § 6-222)

Sec. 14-93. Same—Form and contents.

Whenever the enforcing authority has declared a structure as unfit for occupancy, he shall give notice to the owner of such declaration and placarding of the structure as unfit for occupancy. Such notice shall:

- (1) Be in writing;
- (2) Include a description of the real estate sufficient for identification;
- (3) Include a statement of the reason or reasons why it is being issued;
- (4) State the time in which to correct the condition;
- (5) State the time occupants must vacate the structure.

(Code 1983, § 6-223)

Sec. 14-94. Same—Service.

Service of notice to vacate shall be as follows:

- (1) By delivery to the owner personally or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion; or
- (2) By depositing the notice in the United States post office addressed to the owner at his last known address with postage prepaid thereon; or

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- (3) By posting and keeping posted for 24 hours a copy of the notice in placard form in a conspicuous place on the premises to be vacated.

(Code 1983, § 6-224)

Sec. 14-95. Same—Defacing or unauthorized removal.

No person shall deface or remove the placard from any structure which has been declared or placarded as unfit for human occupancy except by authority in writing from the enforcing authority.

(Code 1983, § 6-225)

Sec. 14-96. Vacating of declared structure.

Any structure which has been declared and placarded as unfit for occupancy by the enforcing authority shall be vacated within a reasonable time as required by the enforcing authority and it shall be unlawful for the owner or operator to allow any person to enter such structure except to repair. No person shall occupy any structure which has been declared or placarded by the enforcing authority as unfit for occupancy after the date set forth in the placard. It shall be unlawful for any person to occupy the structure which has been so declared or placarded after the date set forth.

(Code 1983, § 6-226)

Sec. 14-97. Occupancy of building; removal of placard by enforcing authority.

No structure which has been declared or placarded as unfit for occupancy shall again be used for occupancy until written approval is secured from the enforcing authority. The enforcing authority shall remove such placard whenever the defect or defects upon which the declaration and placarding action were based have been eliminated.

(Code 1983, § 6-227)

Sec. 14-98. Report of notice to vacate.

The enforcing authority shall furnish a copy of each notice to vacate a building to the county health officer or any other designated official of the city concerned therewith.

(Code 1983, § 6-228)

Sec. 14-99. Emergency order.

Whenever the enforcing authority finds that an emergency exists which requires immediate action to protect the health and safety of any person, he may issue an order reciting the existence of the emergency and requiring immediate action be taken as deemed necessary to meet the emergency. Notwithstanding any other provision of this article such order shall take effect immediately. Any person to whom such order is directed shall comply therewith immediately.

(Code 1983, § 6-229)

Sec. 14-100. Persons aggrieved; appeal to court.

Any person aggrieved by the decision of the board of commissioners or by any order issued by the enforcing authority may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this state.

(Code 1983, § 6-230)