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**ORDINANCE NO. 200720**

**An ordinance of the City of Gainesville, Florida, amending  
Section 16-20 of the Code of Ordinances to require certain  
openings of vacant structures be sealed with clear or semi-clear  
shatter-proof polycarbonate material; providing directions to  
the codifier; providing a severability clause; providing a  
repealing clause; and providing an immediate effective date.**

12           **WHEREAS**, "clearboarding," the practice of using clear or semi-clear polycarbonate  
13 sheets to cover unsecured windows or door openings in vacant buildings, can help reduce  
14 vandalism and theft, the material is less noticeable than plywood from the street, and  
15 helps minimize community blight and maintain property values; and

16           **WHEREAS**, clearboarding allows light into vacant houses, making it more suitable for  
17 showing or making repairs; and

18           **WHEREAS**, clearboarding is increasingly required by lending institutions, such as  
19 Fannie Mae, and regulatory entities, and is becoming more common in the marketplace; and

20           **WHEREAS**, the City Commission determines that it is in the best interests of the  
21 citizens of Gainesville to require clearboarding of unsecured windows and door openings in  
22 vacant buildings, in place of plywood; and

23           **WHEREAS**, at least 10 days' notice has been given once by publication in a newspaper  
24 of general circulation notifying the public of this proposed ordinance and of public hearings to be  
25 held in the City Commission Auditorium, City Hall, City of Gainesville; and

26           **WHEREAS**, the public hearings were held pursuant to the published notice described at  
27 which hearings the parties in interest and all others had an opportunity to be and were, in fact  
28 heard.

29           **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE  
CITY OF GAINESVILLE, FLORIDA:**

30           **Section 1.** Section 16-20 of the City Code of Ordinances is amended to read as follows:

31   **Chapter 16 NUISANCES**

32   **Article II. Dangerous Building and Hazardous Land Code.**

33   **Sec. 16-20. - Standard for repair, vacation, demolition, temporary board and seal, or**  
34   **abatement.**

35   The following minimum standards shall be followed in substance by the enforcing official ~~the by~~  
36   ~~the board of appeals~~ in ordering repair, vacation, demolition, temporary board and seal, and  
37   abatement.

38           (1) The owner of a dangerous building shall be given the option, wherever possible, of  
39           either demolishing the building or repairing it so that it will no longer exist in violation of  
40           the terms of this article.

41           (2) If a dangerous building is in such condition as to make it dangerous to the health,  
42           safety, or general welfare of its occupants, it shall be ordered to be repaired or  
43           demolished and brought up to code. The owner must apply for a board and seal permit as  
44           described in Chapter 6 of this Code. If the permit is granted, the building must be boarded  
45           and sealed until such time as it is demolished or repaired so that it is no longer in  
46           violation of the terms of this article. If the owner does not obtain a permit and board or  
47           seal the building within one month of the order to repair or demolish, the enforcing  
48           official shall order the owner to demolish and remove the building. If the owner does not  
49           begin to repair the building within six months of the order to repair or demolish, or the  
50           owner begins to repair the building and there is a cessation of normal construction or  
51           repair of more than six months, the enforcing official shall order the owner to demolish  
52           and remove the building.

53 (3) Vacant property standards. The following are minimum vacant property standards to  
54 be adhered to when temporary board and seal is permitted. Compliance with these  
55 standards does not constitute repair of a dangerous building.

56 a. For structures that are unoccupied for more than 30 days and are not secure, all  
57 window and door openings and other openings that allow access to the interior of  
58 the building and that are visible from the street shall be secured with a minimum  
59 of .177-inch thick clear or semi-clear shatter-proof polycarbonate material with a  
60 strength capable of sustaining impact without breaking or shattering, absent  
61 excessive force. Such sheeting shall be installed in a manner intended to provide  
62 an appearance approximating glass in the window casings and consistent in  
63 appearance with the surrounding surface in the case of all other openings that  
64 require securing.

65 b. Structures that were permitted to be boarded and sealed prior to June 3, 2021,  
66 using materials other than polycarbonate material meeting the standards set forth  
67 in subsection a. above, shall have until September 3, 2021 to re-board the  
68 structure with polycarbonate material meeting the standards set forth in subsection  
69 a. above.

70 c. Where there is an open construction permit for new construction or for sealing  
71 the window or door openings, or for weather related protection, states of  
72 emergency, or other temporary conditions lasting less than 30 days, window and  
73 door openings and other openings that allow access to the building shall be  
74 covered with polycarbonate material as described in subparagraph (3) a., above,  
75 or with plywood as follows:

76 (i) ~~a.~~ Exterior grade sheathing plywood of three-eighths of an inch  
77 thickness or greater ~~shall be used to fully cover all windows, doors and~~  
78 ~~other openings which may allow access to the interior of the building.~~

79 (ii) ~~b.~~ Plywood covers shall be nailed, screwed or bolted firmly over each  
80 opening. No splices or joints of any kind shall occur over openings.  
81 Plywood shall not project beyond the outside edges of casings around  
82 openings, or in the absence of casing, project no further than six inches  
83 beyond the openings.

84 (iii) ~~e.~~ Nails shall be a minimum of 8D common hot dip galvanized nails.  
85 Screws shall be a minimum of no. 10 wood screws. Bolts shall be  
86 approved by the enforcing official prior to use.

87 (iv) ~~d.~~ Nails or screws shall not be spaced more than 12 inches on center  
88 along edges nor more than one inch from each corner.

89 d. The exterior surfaces of all buildings shall be protected against the  
90 elements and loss of aesthetic value by the application of paint or other approved  
91 protective materials applied in accordance with the manufacturer's specifications.

92 The paint or other protective material must match the building colors.

93 (4) In any case where hazardous lands exist, the hazardous conditions existing upon the  
94 lands shall be ordered to be abated by the means least expensive and least detrimental to  
95 the owner's property and to the public environment.

96 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of  
97 this ordinance will become and be made a part of the Code of Ordinances of the City of

99 Gainesville, Florida, and that the sections and paragraphs of this ordinance may be renumbered  
100 or relettered in order to accomplish such intentions.

101 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
102 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
103 finding will not affect the other provisions or application of the ordinance which can be given  
104 effect without the invalid or unconstitutional provisions or application, and to this end the  
105 provisions of this ordinance are declared severable.

106 **Section 4.** All ordinances or parts of ordinances, in conflict herewith are to the extent of  
107 such conflict hereby repealed.

108 **Section 5.** This ordinance will become effective immediately upon final adoption.

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110 **PASSED AND ADOPTED** this 3rd day of June, 2021.

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LAUREN POE, MAYOR

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Attest:

Approved as to form and legality:

  
\_\_\_\_\_  
OMICHELE D. GAINNEY  
CITY CLERK

  
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NICOLLE M. SHALLEY  
CITY ATTORNEY

122 This ordinance passed on first reading this 20th day of May, 2021.

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This ordinance passed on second reading this 3rd day of June, 2021.