## LEGISLATIVE # 200720

1	ORDINANCE NO. 200720
2 3 4 5 6 7 8 9 10	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.
11	WHEREAS, "clearboarding," the practice of using clear or semi-clear polycarbonate
12	sheets to cover unsecured windows or door openings in vacant buildings, can help reduce
13	vandalism and theft, the material is less noticeable than plywood from the street, and
14	helps minimize community blight and maintain property values; and
15	WHEREAS, clearboarding allows light into vacant houses, making it more suitable for
16	showing or making repairs; and
17	WHEREAS, clearboarding is increasingly required by lending institutions, such as
18	Fannie Mae, and regulatory entities, and is becoming more common in the marketplace; and
19	WHEREAS, the City Commission determines that it is in the best interests of the
20	citizens of Gainesville to require clearboarding of unsecured windows and door openings in
21	vacant buildings, in place of plywood; and
22	WHEREAS, at least 10 days' notice has been given once by publication in a newspaper
23	of general circulation notifying the public of this proposed ordinance and of public hearings to be
24	held in the City Commission Auditorium, City Hall, City of Gainesville; and
25	WHEREAS, the public hearings were held pursuant to the published notice described at
26	which hearings the parties in interest and all others had an opportunity to be and were, in fact
27	heard.
28	NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
29	CITY OF GAINESVILLE, FLORIDA:

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CODE: Words stricken are deletions; words underlined are additions.

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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.

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

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

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

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

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

- a. For structures that are unoccupied for more than 30 days and are not secure, all 56

window and door openings and other openings that allow access to the interior of

- the building and that are visible from the street shall be secured with a minimum
- of .177-inch thick clear or semi-clear shatter-proof polycarbonate material with a 59
- strength capable of sustaining impact without breaking or shattering, absent 60
- 61 excessive force. Such sheeting shall be installed in a manner intended to provide
- an appearance approximating glass in the window casings and consistent in 62
- appearance with the surrounding surface in the case of all other openings that 63 require securing. 64
- b. Structures that were permitted to be boarded and sealed prior to June 3, 2021, 65
- using materials other than polycarbonate material meeting the standards set forth 66
- in subsection a. above, shall have until September 3, 2021 to re-board the 67
- structure with polycarbonate material meeting the standards set forth in subsection 68
- 69 a. above.

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- c. Where there is an open construction permit for new construction or for sealing 70
- 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
- door openings and other openings that allow access to the building shall be 73
- covered with polycarbonate material as described in subparagraph (3) a., above, 74
- 75 or with plywood as follows:

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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	(v) e. 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	
91	approved protective materials applied in accordance with the	
92	manufacturer's specifications. The paint or other protective material must	
93	match the building colors.	
94	(4) In any case where hazardous lands exist, the hazardous conditions existing upon the	
95	lands shall be ordered to be abated by the means least expensive and least detrimental to	
96	the owner's property and to the public environment.	
97	Section 2. It is the intention of the City Commission that the provisions of Section 1 of	
98	this ordinance will become and be made a part of the Code of Ordinances of the City of	

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Gainesville, Florida, and that the sections and paragraphs of this ordinance may be renumberedor 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.				
109					
110	PASSED AND ADOPTED this	day of, 2	2021.		
110 111	PASSED AND ADOPTED this	day of, 2	2021.		
	PASSED AND ADOPTED this	day of, 2			
111	PASSED AND ADOPTED this	day of, 2			
111 112	PASSED AND ADOPTED this				
111 112 113	Attest:		OR		
111 112 113 114		LAUREN POE, MAYO	OR		
111 112 113 114 115		LAUREN POE, MAYO	OR		
111 112 113 114 115 116 117 118	Attest: OMICHELE D. GAINEY	LAUREN POE, MAY Approved as to form an NICOLLE M. SHALL	OR nd legality:		
111 112 113 114 115 116 117 118 119	Attest:	LAUREN POE, MAY	OR nd legality:		
111 112 113 114 115 116 117 118 119 120 121	Attest: OMICHELE D. GAINEY CITY CLERK	LAUREN POE, MAY Approved as to form an NICOLLE M. SHALL CITY ATTORNEY	OR nd legality: EY		
111 112 113 114 115 116 117 118 119 120	Attest: OMICHELE D. GAINEY	LAUREN POE, MAYO Approved as to form an NICOLLE M. SHALL CITY ATTORNEY day of	DR nd legality: EY , 2021.		

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