

1 ~~\_\_\_\_\_The city commission shall adopt by resolution rules and regulations to carry out and give full~~  
2 ~~effect to the provisions of this article. (Ord. No. 3479, § 1, 10-17-88).~~

3 **Sec. 16-92. Nuisance Abatement Board**

4 (a) Created; membership; compensation.

5 (1) The nuisance abatement board of the city is hereby created to serve as a quasi-judicial  
6 forum in which controversies over the existence of public nuisances may be resolved in  
7 the public interest with due process of law. This board shall consist of ~~seven~~ five  
8 persons. Members of the Gainesville ~~code enforcement board~~ city commission shall  
9 serve ex officio as members of the nuisance abatement board.

10 (2) Members shall serve without compensation but may be reimbursed for such travel,  
11 mileage and per diem expenses as may be authorized by the city attorney.

12 (b) Organization; hearings; quorum; administrative staff support, board case files, documents; legal  
13 counsel.

14 (1) The members of the board shall elect a chair who shall be a voting member from among  
15 the members of the board. The member elected chair shall serve as chair for a term of  
16 one year and may be re-elected to serve an additional term or terms as chair.

17 (2) The presence of ~~four~~ three members shall constitute a quorum of the board. The  
18 affirmative vote of at least three members shall be necessary to take action.

19 (3) The board is authorized to establish its own rules of procedure, ~~subject to approval by the~~  
20 ~~city commission.~~

21 (4) The chair of the board may call hearings of the board. Hearings may also be called by  
22 written notice signed by at least three members of the board. The clerk of the board may

1 thereafter shall constitute a lien against the land on which the violation exists or, if the violator  
2 does not own the land, upon any other real or personal property, owned by the violator; and it  
3 may be enforced in the same manner as a court judgment by the sheriffs of this state including  
4 levy against the personal property, but shall not be deemed to be a court judgment except for  
5 enforcement purposes. After one year from the filing of any such lien which remains unpaid, the  
6 city may foreclose or otherwise execute on the lien. Interest shall accrue on the unpaid costs at  
7 the legal rate of interest set forth in. § 55.03, Fla. Stat., as may be amended from time to time.

8 (e) An order entered pursuant to subsection (b) shall expire after one year or at such earlier time as  
9 stated in the order. The board may retain jurisdiction to modify the orders prior to the expiration  
10 of the orders, where just cause is found to exist.

11 (f) The board may recommend that the city file a complaint under § 60.05, Fla. Stat., seeking  
12 temporary and permanent injunctive relief against any nuisance described herein, ~~subject to the~~  
13 approval of the city commission.

14 **Sec. 16-96. Enforcement of orders.**

15 (a) The city attorney is authorized to initiate proceedings in the circuit court for willful disobedience  
16 or failure to comply with any order of the board.

17 (b) Further, the city attorney is authorized to initiate proceedings in any county, state or federal  
18 forum for the suspension or revocation of any permits, licenses, concessions or contracts held or  
19 awarded to the violator including contracts awarded under § 24.112, Fla. Stat., (lottery retailers)  
20 and including licenses for the sale of beverages issued under §561.19, Fla. Stat., where the  
21 existence of such permits licenses, concessions or contracts is conducive to the maintenance of  
22 such nuisance.