

LEGISLATIVE #

090795



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Nuisance Abatement

Nuisance Abatement

- Code Enforcement Statistics
- Out of Compliance Code Enforcement Board Cases
- Dangerous Buildings
 - Citywide
 - CRA Districts
 - Historic Districts
- Recommendations

Code Enforcement Statistics

- 2009/2010
 - 5,140 cases
 - 3,500 resolved without CEB or civil citation
 - 2,700 civil citations issued
 - 150 cases referred to the CEB

CEB Not In Compliance

- Properties with city ordinance violation(s) found guilty by the Code Enforcement Board (CEB)
- Process
 - Ordinance violation identified by Code Enforcement
 - Notice of Violation issued to the property owner
 - Non-compliance results in a Notice to Appear before the CEB
 - Verdict of guilty and fine assessed by the CEB
 - CEB fine continues to accrue because the violation has not been corrected

CEB Not In Compliance

- 97 cases heard by CEB not in compliance*
 - 41 – Landlord Permit
 - 12 – Chapter 16 (Dangerous Building & Hazardous Land)
 - 35 – Chapter 13 (Structural Requirements, Care of Premises, and Hazardous Conditions)
 - 4 – Chapter 26 (Vehicle)
 - 5 – Chapter 30 (Certificate of Appropriateness, Zoning, Use Regulation)

*Current Data

CEB Not In Compliance

- 21 – Properties not in compliance for Chapter 13 or Chapter 16 violation(s) that are also not claiming a homestead exemption.
- 16 – Non-homestead properties not in compliance for Chapter 13 or Chapter 16 violation(s) and a CEB fine in excess of \$100,000.
- Code Enforcement staff is reviewing the list of outstanding CEB cases to determine if compliance has been achieved.

Examples of Non-Compliance



Examples of Non-Compliance



Examples of Non-Compliance



Examples of Non-Compliance



Examples of Non-Compliance



Dangerous Buildings

- Regulated by Chapter 16, Code of Ordinances
- Defined as buildings/structures with the following defects:
 - Walls or other structural members may fail
 - Unsafe floors or roof
 - Damaged by fire, wind or other causes
 - Unfit for human habitation
 - Unsafe light, air and sanitation facilities

Dangerous Buildings

- Defined as buildings/structures with the following defects:
 - Inadequate facilities for egress
 - Parts that may fail and may injure members of the public or the property
 - In a condition that are unsafe or dangerous and pose a hazard to the health, safety, or general welfare of the public
 - Vacant and unsecured
 - Unattended or unkempt and pose a health or safety hazard

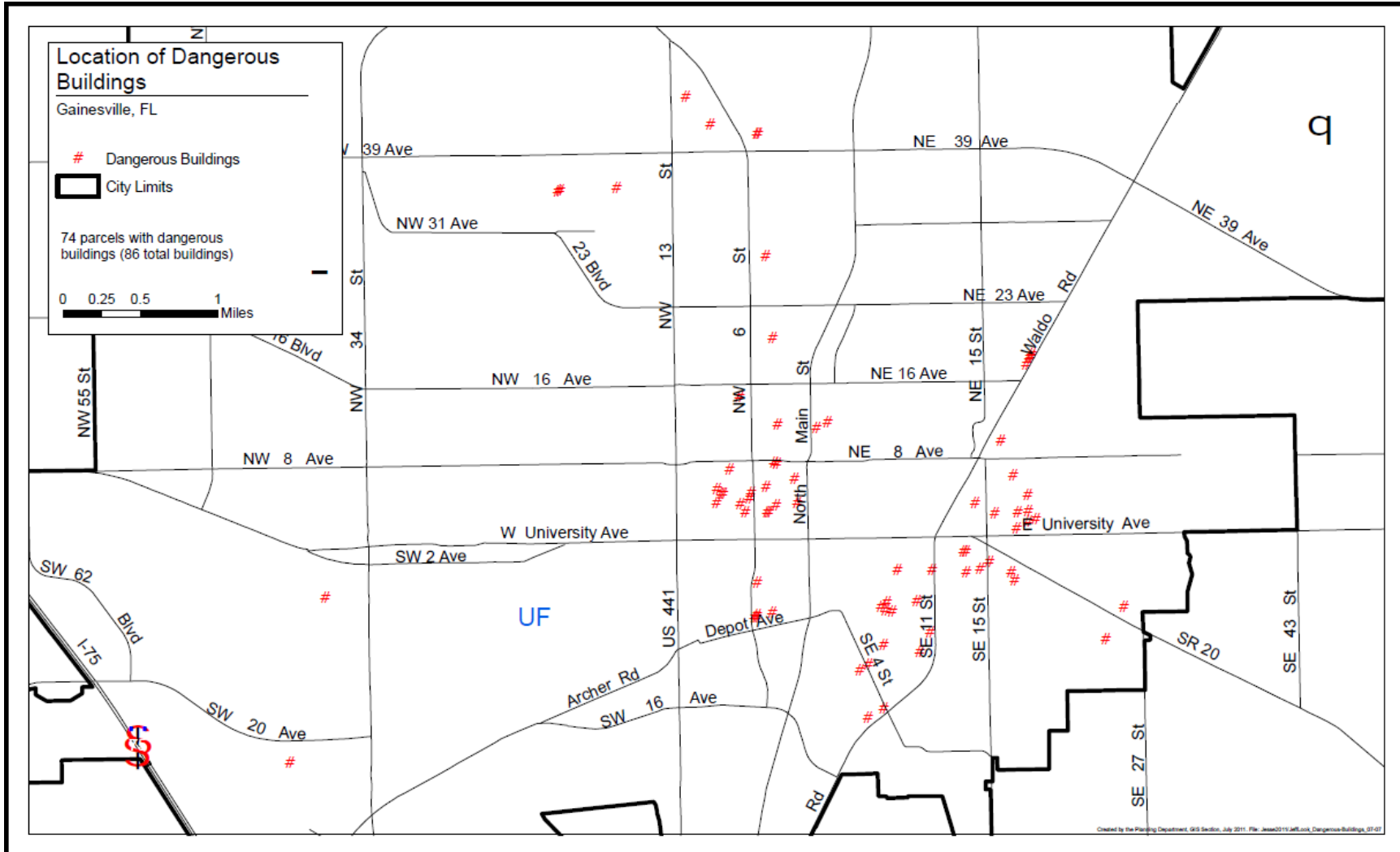
Dangerous Buildings

- **Dangerous Building Process**
 - Violation is identified by Code Enforcement
 - Property owner is provided notice of the violation and given the option to demolish the building or repair it to correct the violation
 - Dangerous building must be boarded until the violation is corrected (may be boarded by the city). Boarding does not bring the property into compliance.
 - Building is repaired or demolished by the owner; or
 - The city demolishes the dangerous building

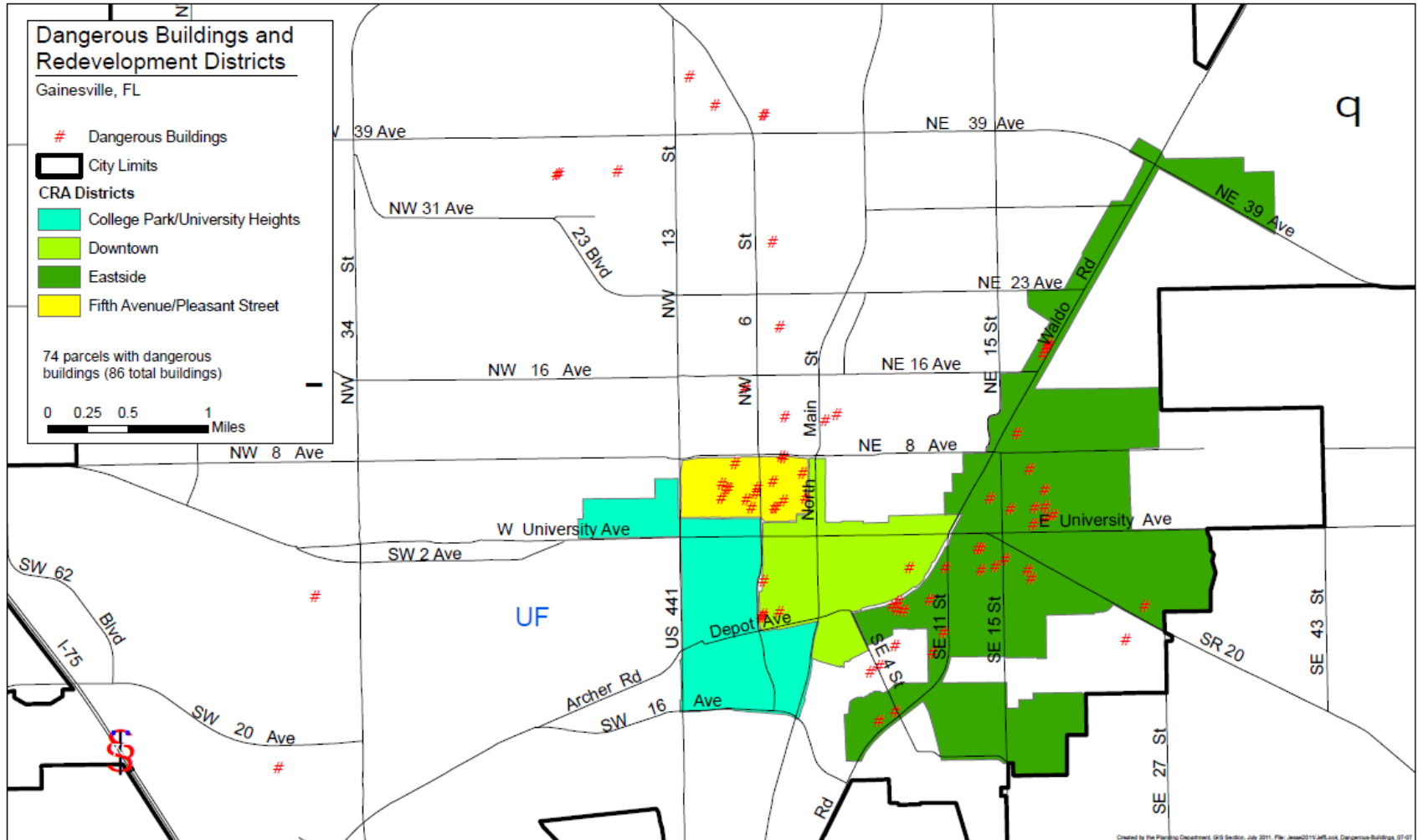
Dangerous Buildings

- Approximately 85 dangerous buildings as identified by Code Enforcement
- All have been secured either by board and seal or other means
- If compliance with Chapter 16 is not achieved the buildings will be abated by the city
 - Funding
 - Notification of owner(s)

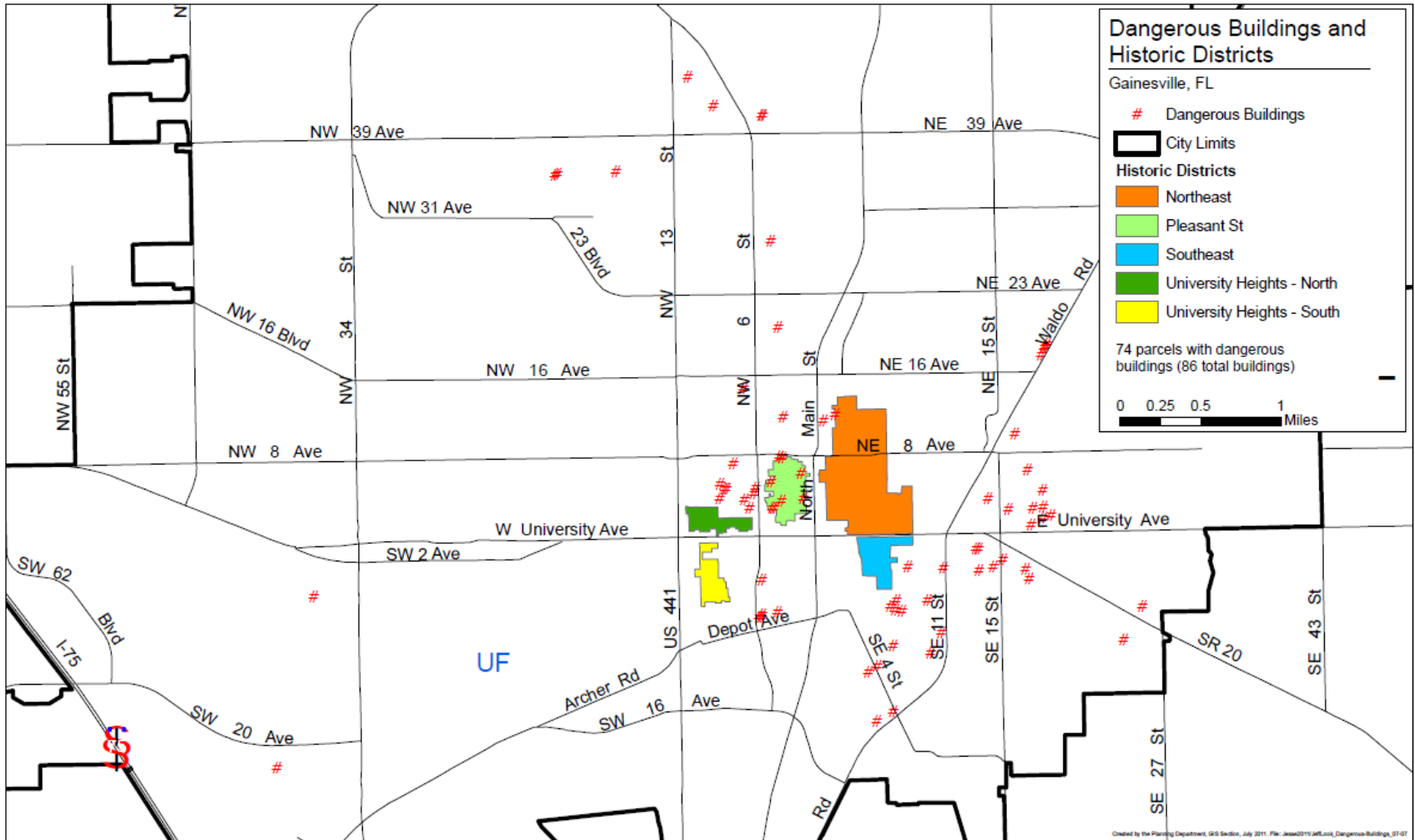
Dangerous Buildings



Dangerous Buildings



Dangerous Buildings



Staff Recommendation

Nuisance Abatement Program

- Identify nuisance – Property must be a blighting nuisance and abandoned
 - Chapter 13
 - Chapter 16
- Obtain title
 - Process
 - Fiscal Impact
- Make property available to developers (public or private)
 - Enter into redevelopment agreement
 - Follow development time constraints
 - Pay outstanding taxes, utility bills, etc.

Staff Recommendation (cont.)

- Chronic nuisance property program
 - West Palm Beach model
 - Once CEB order is issued a monthly re-inspection fee is assessed
 - Fee is billed to the property owner
 - Unpaid assessment fees constitute a non ad valorem assessment
- Reduction of liens
 - Develop criteria for the reduction of CEB liens and administrative liens
 - Available once violation(s) corrected
 - Incentive for redevelopment