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- 39 (a) The intent and purpose of this division is to:
- 40 (1) Protect the health, safety, morals and welfare of all the people of ~~the~~Dunnellon by
- 41 establishing standards governing the abatement of unsafe structures; authorizing and
- 42 establishing procedures ~~for to securing~~secure, repair, and/or demolition of the same and
- 43 setting forth a procedure for the enforcement of this division by ordering the abatement
- 44 of structures found unsafe. This division is hereby declared to be remedial and essential
- 45 to the public interest, and it is intended that this division be liberally construed to
- 46 effectuate the purposes as stated above.
- 47 (2) Provide a just, equitable, and practical method, to be cumulative with and in addition
- 48 to, any other remedy or enforcement procedure provided by the ordinance code and the
- 49 land development code of the city, or otherwise available at law~~;~~, whereby buildings
- 50 which, from any cause, endanger the life, limb, health, morals, property, safety, or
- 51 welfare of the general public or their occupants, may be required to be repaired or
- 52 demolished.
- 53 (b) This chapter is not intended to apply to buildings dedicated to ~~agriculture~~agricultural use
- 54 which do not pose a hazard to the general public.
- 55 (c) The purpose of the code is not to create or otherwise establish or designate any particular
- 56 class or group of persons who will or should be especially protected or benefited or
- 57 discriminated against by the terms of the Code.

58  
59 Sec. 99A-2. - Inspections.

60 The building official, or his or her designee, shall have the authority to inspect any structure for

61 the purpose of determining whether the same is unsafe based on the conditions set forth herein.

62 The building official, or his or her designee, is authorized to utilize the services of private

63 engineers, architects or other professionals in order to determine the condition of the structure in

64 question.

65

66  
67 Sec. 99A-3. - Unsafe conditions; nuisance.

- 68 (a) A structure is unsafe when any of the following conditions exist:
- 69 (1) The structure's interior walls or other structural members list, lean, or buckle or the support
- 70 for the structure has become damaged or deteriorated to such an extent that there is a
- 71 reasonable likelihood that the walls or other structural members may fall or give way.
- 72 (2) The structure has improperly distributed loads upon the floor or roof or the floor or roof is
- 73 overloaded or has insufficient strength to be reasonably safe for the purpose used.
- 74 (3) The structure has been damaged by fire, wind, or other causes and has become dangerous
- 75 to life, safety, or the general health and welfare of people within or near the structure.
- 76 (4) The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide
- 77 the amenities essential to decent living that it is unfit for human habitation or is likely to
- 78 cause sickness or disease so as to injure the health, safety, or general welfare.
- 79

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80 (5) The structure has connected parts that have become so detached from one another that  
81 there is a reasonable likelihood they may fall and injure members of the public or cause  
82 property damage in general.

83 (6) The structure is vacant and/or abandoned and not sufficiently secured to prevent easy  
84 access to trespassers and vagrants or is otherwise untended or unkempt to the extent that  
85 it poses a general health or safety hazard for neighboring people or property.

86 (7) The structure is unsuitable or improper for the use or occupancy for which it is intended,  
87 including, but not limited to any structure or equipment that is unsafe, unlawful or, because  
88 of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary,  
89 vermin or rat infested, contains filth and contamination, or lacks essential equipment  
90 required by the City's Code, or because the location of the structure constitutes a hazard to  
91 the occupants of the structure or to the public or property nearby.

92 (b) A structure that is unsafe constitutes a nuisance. No person shall permit an unsafe structure to  
93 exist on property under his or her ownership or control.

94  
95 Sec. 99A-4. - Notice of violation and notice of hearing.

96  
97 When the building official, or his or her designee, verifies the existence of a structure which is  
98 unsafe, an initial notice of violation and notice of hearing shall be provided to the owner of record  
99 and other known interested parties as set forth in section 99A-5. Said notice shall describe the  
100 condition(s) found by the building official, or his or her designee, and relied upon in determining  
101 the structure ~~is~~ as unsafe and state the requirements to secure and repair, or demolish the structure  
102 within a reasonable period of time along with a notice informing all interested parties of the date,  
103 time and location of the hearing before the special magistrate which may result in an order  
104 providing for demolition of the structure(s) on the property per the requirements of this chapter  
105 with any costs therefore being assessed against the property and constituting a lien thereon.

106  
107 Sec. 99A-5. - Manner of serving notice.

108  
109 (a) For the purpose of providing notice, interested parties shall be the owner of the property as  
110 shown on the county tax rolls, other persons whose names appear on the county tax rolls as  
111 having an interest in the property, and the tenant or occupant, if any, of the property, as well  
112 as other persons of record interest, which may include the mortgagee, contract purchaser (if  
113 known), agent with power of attorney, lien holder, and any person claiming an interest under  
114 a lis pendens. The building official shall obtain a title search to verify ownership,  
115 encumbrances, and other record interests.

116 (b) Twenty days or more prior to the hearing before the special magistrate, the notice of violation  
117 and notice of hearing shall be posted on the front of the property and shall be delivered to the  
118 interested parties by both regular first class U.S. Mail, and by certified mail return receipt  
119 requested. In addition to mailing as specified above, as to any recipients of notice with  
120 addresses lying inside the municipal limits of the city, the building official, his designee, a  
121 code enforcement officer or an officer of the city police department notice may deliver such  
122 notice by hand-delivery to those recipients or by leaving such copy at such person's usual  
123 place of residence with some person of the household above 15 years of age and informing

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124 such person of the contents thereof. For those recipients whose addresses lie outside the  
125 municipal limits of the city, the notice shall also be sent by Federal Express, UPS or other  
126 widely recognized overnight delivery courier service.

127 (c) If the name of any interested party or their place of residence or their post office address  
128 cannot be ascertained after diligent search or in the event a notice sent by either registered or  
129 certified mail shall be returned undelivered, notice shall be given by publishing a copy thereof  
130 two times in a newspaper of general circulation in the city as set forth in subsection (e) of this  
131 section and, if the name of such interested party is known, mailing a copy thereof to such  
132 person's last known address, if known.

133 (d) A copy of such notice of violation and notice of hearing shall be posted in a conspicuous place  
134 at city hall.

135 (e) If publication of notice is made, a notice of notice of violation and notice of hearing shall be  
136 published on two different days in a newspaper of general circulation in the city at least seven  
137 days apart and the last publication of such notice shall be not less than ten days prior to the  
138 date of hearing.

139

140 Sec. 99A-6. - Hearing and authority to order secure and repair or demolition.

141

142 (a) In any hearing before the special magistrate pursuant to this division, formal rules of evidence  
143 shall not apply, but fundamental due process shall be observed and shall govern the  
144 proceedings. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. All  
145 other evidence of a type commonly relied upon by reasonably prudent persons in the conduct  
146 of their affairs shall be admissible whether or not such evidence would be admissible in a trial  
147 in the courts of the state. Each interested party shall have the right to appear in person, by  
148 legal counsel or by an agent, to call and examine witnesses under oath, to introduce  
149 documentary evidence or exhibits, to cross-examine opposing witnesses on any relevant  
150 matter even though the matter was not covered under direct examination, to impeach any  
151 witness regardless of which party first called him to testify, and to submit rebuttal evidence.

152 (b) Based upon substantial competent evidence presented at the hearing contemplated by this  
153 section, the special magistrate may render his or her order requiring the owner to secure and  
154 repair the structure(s) which has been established as unsafe within a reasonable period of time  
155 not less than 30 days from the date of the order or direct the structure to be demolished upon  
156 a majority vote of City Council to proceed with demolition, and provide authority for the city  
157 to take the necessary steps to abate the condition(s) in the event the owner fails to do so and  
158 charging all expenses of the abatement against the property in accordance with this division.  
159 The order may also require vacating of the property if such action is necessary and has not  
160 already been accomplished.

161 (c) All unsafe structures which have been secured as a result of an order to secure and repair shall  
162 be subject to inspection and the owner of the structure shall be assessed a fee for each and  
163 every such inspection. For the purpose of ensuring that the vacant and unfit or unsafe structure  
164 is locked and/or secured, inspections shall be conducted no less frequently than at 30-day

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165 intervals and the following fee collected in the manner provided by this division for each and  
166 every inspection conducted.

- 167 (1) Residential, commercial, institutional and industrial structures, per structure: \$50.00.
- 168 (2) Other structures (detached garages, accessory buildings, etc.), per structure: \$25.00.

169  
170 Sec. 99A-7. - Appeal procedure.

171  
172 An aggrieved party, including the city, may appeal a final administrative order of the special  
173 magistrate to the circuit court in Marion County. Such an appeal shall not be a hearing de novo but  
174 shall be limited to appellate review of the record created before the special magistrate. An appeal  
175 shall be filed within 30 days of the execution of the order to be appealed.

176  
177 Sec. 99A-8. - Condition of lot after demolition.

178  
179 A lot from which a structure is demolished shall be properly cleared, filled, graded and seeded  
180 with grass seed or sodded within seven days of the date of completion of the demolition. The lot  
181 shall comply with the established vegetation standards of the city.

182  
183 Sec. 99A-9. - Assessment of cost of demolition; lien on property.

- 184  
185 (a) Upon expiration of the 30-day right of appeal to the circuit court with no appeal having been  
186 taken, or, if appeal is taken, expiration of the 30-day period following the 30-day period for  
187 filing a claim of appeal to the district court of appeal, or following an emergency demolition  
188 authorized and conducted in accordance with section 99A-10, unless otherwise ordered by a  
189 court of competent jurisdiction, the city administrator or his or her designee, after proceeding  
190 under this division, shall assess the entire cost of such vacation, demolition, removal or  
191 securing against the real property upon which such cost was incurred by recording a lien. The  
192 costs which may be assessed include the cost of rodent extermination where employed, all  
193 administrative costs (which shall include all costs related to any hearing before the special  
194 magistrate and the lien recording and releasing fee), postal expense, newspaper publication  
195 and other costs reasonably and necessarily incurred by the city, including attorney's fees and  
196 costs. Such costs when assessed shall constitute a lien upon such property and such lien shall  
197 bear interest from such date at the rate established by the comptroller of the state pursuant to  
198 F.S. § 55.03 and shall be enforceable if unsatisfied, after the expiration of one year from the  
199 date of recording such notice of lien, as other liens may be enforced by the city. The city may  
200 sell any material salvaged from any demolished structure and credit proceeds against the  
201 cost of demolition, or where an independent contractor is employed to demolish any such  
202 building, to convey such material or property to the contractor as compensation or partial  
203 compensation for such demolition; and, should the proceeds from the disposition of such  
204 material or property exceed the cost of such demolition, such excess shall be used, applied,  
205 or paid over in accordance with the written direction of the parties entitled thereto.
- 206 (b) In those instances where the owner has repaired, secured or demolished a structure or caused  
207 such work to be done as the result of having been determined to be in violation of this division,  
208 all costs described in subsection (a) of this section reasonably and necessarily incurred by the

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209 city shall be assessed against the property and such lien shall bear interest from such date at  
210 the rate established by the comptroller of the state pursuant to F.S. § 55.03 and shall be  
211 enforceable if unsatisfied, after the expiration of one year from the date of recording such  
212 notice of lien, as other liens may be enforced by the city.

213 (c) The city shall record a notice of lien in the public records of Marion County. The notice of  
214 lien shall show the nature of such lien, the amount thereof, the names of persons having an  
215 ownership or other property interest of record and an accurate legal description of the  
216 property, which lien shall date from the date of recording of the notice of lien. Such lien shall  
217 bear interest from such date at the rate established by the comptroller of the state pursuant to  
218 F.S. § 55.03 and shall be enforceable if unsatisfied, after the expiration of one year from the  
219 date of recording such notice of lien, as other liens may be enforced by the city.

220 Sec. 99A-10. - Emergency condemnations, authority to take action; lien on property.

221  
222 (a) In cases where there is imminent peril to the public safety or general welfare or immediate  
223 danger to the life or safety of any person or where the public is endangered by weather  
224 conditions, fire, other natural disasters or the particular location of the subject property, unless  
225 an unfit or unsafe structure is immediately repaired, demolished, or removed, the building  
226 official in consultation with the city administrator or his or her designee shall promptly cause  
227 such structure to be made safe or removed. For this purpose the building official and city  
228 administrator or his or her designee may at once enter such a structure or land on which it  
229 stands, or abutting land or structures, to perform an inspection with such assistance and at  
230 such cost as may be deemed necessary.

231 (b) Upon inspection, the building official in consultation with the city administrator or his or her  
232 designee shall determine whether or not the structure requires immediate emergency  
233 demolition in order to maintain the safety and welfare of the owner, tenants, or public. A  
234 written report will document results of these inspections. Exterior and interior photographs of  
235 the building, structure, or portion thereof will be taken when feasible.

236 (c) The building official in consultation with the city administrator or his or her designee may  
237 order the vacation of adjacent structures and may require the protection of the public by  
238 appropriate fencing or such other means as may be necessary, and for this purpose may close  
239 any public or private way.

240 (d) If the building official in consultation with the city administrator or his or her designee  
241 determines that sufficient time exists, prior to demolition, to reasonably and safely serve a  
242 notice of intent to demolish, it will be sent via priority mail or courier delivery and by  
243 attempting to telephone the owner or interested parties (if listed in the current phone directory)  
244 giving notice of the emergency demolition. This written notification must state the findings  
245 of the building official or his or her designee, documenting cause for demolition or removal.  
246 Where the owner or other interested party fails to take immediate corrective action as ordered  
247 by the building official in consultation with the city administrator or his or her designee, the  
248 city administrator or his or her designee shall have the authority to promptly proceed with the  
249 abatement of the unsafe structure in accordance with this division. Failure to effect personal  
250 notice upon the individual owner or interested parties shall not prevent the city from  
251 performing the emergency demolition or removal and assessing a lien on the property. All  
252 costs incurred in the evaluation, vacation, securing and emergency demolition are the

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253 responsibility of the property owner, and the city administrator shall place a lien on the  
254 property as set forth in section 99A-9.

255  
256 **SECTION 3. Severability.** The provisions of this Ordinance are declared to be severable, and if  
257 any Section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid  
258 or unconstitutional, such decision shall not affect the validity of the remaining Sections, sentences,  
259 clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative  
260 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

261  
262 **SECTION 4. Conflicts.** Any Ordinance in conflict with this Ordinance is hereby repealed.

263  
264 **SECTION 5. Codification.** It is the intention of the City Council, and it is hereby ordained  
265 that the provisions of this Ordinance shall become and be made a part of the Code of the City of  
266 Dunnellon; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish  
267 such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate  
268 word.

269 **SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon  
270 adoption.

**Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first  
reading on the 14th day of October, 2019.

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon  
the second and final reading and public hearing on the 12th day of November,  
2019.

Ordinance Posted on the City's website on October 2, 2019. Public hearing  
advertised on the City's website on October 17, 2019 and advertised in the  
Riverland News on October 31, 2019.

ATTEST:

**CITY OF DUNNELLON**

\_\_\_\_\_  
Amanda L. Roberts, CMC

\_\_\_\_\_  
C. Dale Burns, Jr., Mayor

Approved as to Form:

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\_\_\_\_\_  
Andrew J. Hand, City Attorney

**CERTIFICATE OF POSTING**

**I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2019 and on the City's Official Website the 2nd day of October, 2019.

~~I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this \_\_\_\_ day of \_\_\_\_\_ 2019.~~

\_\_\_\_\_  
Amanda Roberts  
City Clerk

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Exhibit "A"

~~Chapter 99A – UNOCCUPIED, UNSUITABLE AND DANGEROUS OR UNSAFE BUILDINGS~~

~~Sec. 99A 1. Purpose.~~

~~(a) The purpose of this chapter is to provide a just, equitable, and practical method, to be cumulative with and in addition to, any other remedy or enforcement procedure provided by the ordinance code and the land development code of the city, or otherwise available at law, whereby buildings which, from any cause, endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished.~~

~~Note. This chapter is not intended to apply to buildings dedicated to agriculture use which do not pose a hazard to the general public.~~

~~(b) The purpose of the code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited or discriminated against by the terms of the Code.~~

~~Sec. 99A 2. Nuisance and hazards declared.~~

~~All buildings within the city, which are unoccupied and/or unsuitable for occupancy and are dangerous or unsafe, or which constitute a fire hazard or a hazard to the safety of the general public whether by reason of inadequate maintenance, dilapidation, obsolescence, abandonment or otherwise are hereby declared to be public nuisances under the provisions of this chapter. For the purpose of making the determination that any building is a public nuisance and hazard, as defined herein, the standards and requirements of the latest editions of the state building code and any other applicable codes, statutes, ordinances and laws then in effect which regulate the construction and use of buildings within the city shall be considered as standards.~~

~~Sec. 99A 3. Enforcement procedure and cost recovery.~~

~~(a) *Procedure for demolition of unsafe buildings.* The following procedure shall govern the identification, investigation, and potential demolition of buildings determined to be unsafe within the city, except in situations where the building official or fire marshal determines that a building presents an immediate threat to the public health, safety and welfare, in which event the building official or code enforcement officer may proceed with corrective action, including demolition, under the authority provided by the state building code, as amended.~~

~~(1) The process of code enforcement against unsafe buildings may be initiated by the building official or code enforcement officer based on citizen complaint, by referral from other city personnel or departments, or by the building official or code enforcement officer on his own initiative.~~

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- (2) ~~Once a building has come to the attention of the building official or code enforcement officer which he believes may be potentially hazardous or unsafe, he shall determine the identity of the fee owner(s) of the underlying real property and also of anyone who has a mortgage, lien or other record interest in the property. The building official or code enforcement officer shall obtain a title search from the city attorney or another source to verify ownership, encumbrances and other record interests.~~
- (3) ~~Once the building official or code enforcement officer has determined the identities of the property owners and others entitled to notice, he shall direct written notice to each such person or entity, informing them of the fact the building has been found to be potentially unsafe, and granting them 60 days to bring the structure into compliance or make arrangements with the building official or code enforcement officer for other corrective action acceptable to the building official in the sound exercise of his discretion as governed by applicable building, housing, mechanical and other applicable codes and ordinances:~~
- a. ~~Such notice shall be sent by both regular first class U.S. Mail, and by certified mail return receipt requested.~~
  - b. ~~In addition, as to any recipients of notice with addresses lying inside the municipal limits of the city, a copy shall be hand-delivered to those recipients by the building official, his designee, a code enforcement officer or an officer of the city police department.~~
  - e. ~~For those recipients whose addresses lie outside the municipal limits of the city, the notice shall also be sent by Federal Express, UPS or other widely recognized overnight delivery courier service.~~

~~The notice shall include the street address and legal description of the property, a brief statement of the reasons why the building official or code enforcement officer has determined that the building may be unsafe, a reference to the section or sections of the Code applicable to the particular violations found to exist on the property, and a statement of the appeal rights of the recipient, and how and when to exercise those rights. Appeals from any determination made by the building official under this section shall be heard and decided by the planning commission.~~

- (4) ~~Whether the property owner has or has not received or accepted notice, if the conditions which led to the giving of notice have not been alleviated, no appeal has been filed by any party in interest, or acceptable arrangements have not been made by the property owner with the building official or code enforcement officer to alleviate those conditions, within 45 days of the date the initial notice is given:~~
- a. ~~The building official or code enforcement officer shall give a second notice to all those who received the initial notice, transmitted in the same manner as specified for the initial notice, containing a complete copy of the initial notice along with a brief reminder that on the specific date which would constitute the sixtieth and final day allowed by the initial notice for corrective action;~~
  - b. ~~After the sixtieth day, the case will first be referred to the city council for a preliminary review of the circumstances. The property owner will be noticed as to the date and time of the council hearing in the same manner as provided in paragraph~~

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- (3). At the scheduled council meeting, the staff will present the facts of the case and the property owner or his designee will be allowed to offer testimony.
- e. At the conclusion of this limited review, the council will vote to either send the matter back to code enforcement for further resolution or refer same to the special magistrate for hearing and possible approval of demolition or other corrective action at the expense of the property owner. This notice shall inform all recipients of the date, time and location where the special magistrate will consider the case.
- (5) After the initial notice is given and while the 60 day period allowed for corrective action is running, city staff will determine if the building in question has any special historical or cultural significance:
- a. Staff should consult knowledgeable citizens and other sources in this determination.
- b. Staff should also determine whether the city would benefit by acquiring the property or whether any other person or agency may be interested in doing so in furtherance of community development efforts, or efforts to provide affordable housing or other public benefits, if the city should obtain title to it via lien foreclosure or in some other manner as a result of the code enforcement activities.
- e. Staff shall keep notes of its investigations under this subsection, in order to document that this procedure has been followed and to support the ultimate determination made as to these questions.
- d. All investigations should be completed by the end of the 60 day curative period allowed in the initial notice.
- (6) If the conditions which led to issuance of the initial notice have not been resolved:
- a. And no arrangements satisfactory to the building official or code enforcement officer have been made to alleviate those conditions by the end of the 60 days;
- b. No appeal has been filed, or if an appeal was filed, if a final decision has been rendered supporting the determination of the building official; and
- e. If the special magistrate has not previously found the property to be in violation of applicable codes such that it constitutes an unsafe building.
- The case shall first be referred to the city council as provided in paragraph (4). The city council will then determine whether the case shall be returned to code enforcement for further action or referred to the special magistrate for a public hearing on the question of whether the determination of the building official or code enforcement officer, that the building is unsafe, and should be demolished, is correct and appropriate. All parties with an interest in the real property shall receive notice of this hearing as provided in the preceding subsection, and shall have standing to participate in the hearing.
- (7) The special magistrate shall issue written findings as to whether it is appropriate to move forward with the demolition of the building:
- a. Taking into account the condition of the building;
- b. Its effect on its environs;

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- e. ~~The willingness and ability of the property owner to accomplish the demolition of the building or other necessary corrective action;~~
- d. ~~The degree to which the property owner or others having an interest in the property responded to the violation notices and cooperated in the efforts of the city to alleviate the unsafe conditions on site;~~
- e. ~~The feasibility and cost of any necessary demolition;~~
- f. ~~Any historical or cultural significance found by city staff to exist with regard to the building;~~
- g. ~~Whether the city, or some other party, has a need or an interest in acquiring the property for productive use and as a consequence whether the city should consider acquiring title to it by lien foreclosure if possible; and~~
- h. ~~Such other factors as the board may deem relevant in any particular case.~~

~~If the special magistrate recommends against demolition it shall state its reasons and also suggest what other methods it would deem appropriate to remedy the unsafe conditions.~~

- (8) ~~A copy of the written findings of the special magistrate shall be sent by first class U.S. Mail, to each recipient of the initial and reminder notices. If the magistrate recommends demolition, the building official or code enforcement officer shall proceed as expeditiously as possible to implement that recommendation. If corrective work, short of demolition, is proposed by the magistrate in its findings, the building official or code enforcement officer shall investigate the feasibility of proceeding with such work and shall take any steps necessary, short of demolition, to alleviate any immediate threat to the public health, safety and welfare, caused by the condition of the building.~~
- (9) ~~In the event the corrective action required to abate such public nuisance is not completed by the date set forth in the special magistrate's order, the city shall take the necessary corrective action, such as, but not restricted to:~~
  - a. ~~Demolition, burning and clearing to abate such public nuisance and;~~
  - b. ~~The employees or agents of the city shall have the right to go upon the land or premises upon which such public nuisance exists to perform such action.~~
  - e. ~~The costs of said corrective action of abatement shall be forwarded to the city attorney as a complete itemization of all costs associated with the enforcement proceeding, including all costs of the enforcement proceeding, such as but not limited to staff time spent on investigation and enforcement, notification costs, expenses incurred to repair or demolish the structure, and costs of investigating other aspects of the property in accordance with the procedures established herein, costs for mailing and service of notices, costs associated with staff and committee investigations and reports, and actual costs of demolition and shall be assessed to the owner of the affected land or premises and shall become a lien against such land or premises as provided in this chapter.~~
- (10) ~~The city may sell any material salvaged from any such building and any other property contained therein or thereupon and credit proceeds against the cost of demolition or~~

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~~removal, or where an independent contractor is employed to demolish or remove any such buildings, to convey such material or property to the contractor as compensation or partial compensation for such demolition or removal; and, should the proceeds from the disposition of such material or property exceed the cost of such demolition or removal, such excess shall be used, applied, or paid over in accordance with the written direction of the parties entitled thereto.~~

- (11) ~~If the owner fails to make payment within 30 days, the amount of the certified cost, as described in paragraph (9), shall be assessed by the council against the affected and such assessment shall create and constitute a lien against such land, payable to the city upon said land superior to all other liens except taxes:~~
- ~~a. Such lien shall be recorded in the public records of Marion County, Florida, against the real property on which the unsafe building was situated.~~
  - ~~b. Said assessment shall bear interest at the current legal rate of interest per annum as provided by law and shall constitute a lien upon the land from the date of assessment and shall be collectible in the same manner as liens for taxes and with the same attorney's fee, penalties for default in payment, and under the same provisions as to sale and forfeiture as apply to other city taxes.~~
  - ~~c. Collection of such assessments, with such interest and with a reasonable attorney's fee, may also be made by the city in a proceeding in a court of competent jurisdiction to foreclose the lien of the assessment in the manner in which a lien for mortgages is foreclosed under the Laws of Florida and it shall be lawful to join in any complaint for foreclosure any one or more lots or parcels of land, by whomever owned, if assessed under the provisions of this chapter.~~
  - ~~d. Property subject to a lien may be redeemed any time prior to sale by its owner by paying the total amount due under the corresponding assessment lien including interest, court costs, advertising costs and reasonable attorney's fees.~~

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