

RESOLUTION NO. 2024 R-_____

SEMINOLE COUNTY, FLORIDA

RESOLUTION

of the

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

AMENDING THE SEMINOLE COUNTY ADMINISTRATIVE CODE BY CREATING A NEW SUBSECTION DESIGNATED AS 3.20(C) (SATISFACTION/RELEASE OF CODE ENFORCEMENT LIENS PAID IN FULL) TO PROVIDE AN ADMINISTRATIVE PROCESS EMPOWERING THE COUNTY MANAGER, OR HIS DESIGNEE, TO EXECUTE AND RECORD A SATISFACTION OR RELEASE OF CERTAIN CODE ENFORCEMENT LIENS UPON COMPLIANCE AND FULL PAYMENT OF THE TOTAL AMOUNT DUE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Seminole County Ordinance No. 89-28 created the Seminole County Administrative Code; and

WHEREAS, Seminole County Resolution Numbers 89-R-438 and 05-R-151 adopted the Seminole County Administrative Code; and

WHEREAS, the Seminole County Administrative Code needs to be amended from time to time to reflect changes in the administration of County government; and

WHEREAS, the Seminole County Board of County Commissioners recognizes the need to enforce county codes; and

WHEREAS, the Seminole County Board of County Commissioners recognizes the need to establish fines and impose liens against the land for certain code enforcement violations; and

WHEREAS, the Seminole County Board of County Commissioners has the authority to abate certain nuisances and impose a lien against the land; and

WHEREAS, the Seminole County Board of County Commissioners has identified a need to allow the County Manager, or his designee, to execute and record a satisfaction or release of certain code enforcement liens that are fully complied and paid in full,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Seminole County, Florida that:

Section 1. Section 3.20 of the Seminole County Administrative Code is hereby amended by replacing it in its entirety with the amendment attached to and made a part of this Resolution as Exhibit A.

Section 2. This Resolution and the attached Exhibit A will take effect immediately following their adoption of and will remain in effect until terminated or superseded by further action of the Board.

ADOPTED this _____ day of _____, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
JAY ZEMBOWER, Chairman

Date: _____

Attachment:
Exhibit A: Section 3.20



SECTION 3. COUNTY ADMINISTRATION

**3.20 CODE ENFORCEMENT LIEN REQUESTS FOR WAIVERS/REDUCTIONS AND
PROCEDURE TO SATISFY LIENS PAID IN FULL**

A. PURPOSE. To establish policy/procedure for the Board of County Commissioners in reducing-~~or,~~ waiving or satisfying Code Enforcement Liens.

B. REDUCTION/WAIVER REQUESTS

(1) All requests for the Board of County Commissioners to reduce or waive code enforcement liens shall be filed with the Deputy County Manager. All requests shall be in writing addressed to the Deputy County Manager, shall state all facts relevant to the request, and shall be accompanied by the order imposing a lien upon the property.

(2) Upon receiving a sufficient request, the Deputy County Manager shall review the request in accordance with the following guidelines established by the Board of County Commissioners.

(a) If a property owner has purchased property on which a lien was recorded, a waiver or reduction on lien shall not be granted, in such cases, the lien should have been considered in reaching a purchase price.

(b) If a title insurance policy is issued upon the purchase of the property and the title insurance policy failed to identify or consider the lien, a waiver or reduction in lien shall not be granted. In such cases, the lien should have been discovered by the title insurer and providing a reduction of waiver would place the County in the position of indemnifying the title insurer against its losses, which losses should be reflected in premium charges.

(c) A request for a waiver of reduction in lien shall not be granted if the Board of County Commissioners has previously reduced the amount of the lien. This statement applies whether or not the request is received from the original applicant for reduction or subsequent applicant.

(3) If the Deputy County Manager determines that the request fails any one of the above-established guidelines, the Deputy County Manager shall issue a written denial of the request. If the applicant wishes to appeal the Deputy County Manager's decision to the Board, the applicant may do so by filing a written appeal with the Deputy County Manager stating why the Board should make an exception to its established guidelines and reduce or waive the lien. Upon receipt of a proper appeal, the Deputy County Manager shall present the information to the Board of County Commissioners at a regular meeting for their consideration and final determination.

(4) If the Deputy County Manager determines that the request does not fail any one of the above-established guidelines, the Deputy County Manager shall review the request by evaluating:

(a) the amount of the lien as compared to the value of the property



(b) the actions taken, or not taken, by the property owner in attempting to abate the code violation

(c) the amount of staff time expended to bring the property in compliance

(5) The Deputy County Manager shall present the information to the Board of County Commissioners at a regular meeting for their consideration and final determination

(6) When liens are satisfied as a result of either ~~full payment~~, reduced payment, or waiver as directed by the Board of County Commissioners, the County shall provide the property owner with the lien satisfaction instrument and it shall be the property owner's responsibility to record the instrument in the official County land records and to provide a certified copy of the recorded instrument to the County.

C. SATISFACTION/RELEASE OF CODE ENFORCMENT LIENS PAID IN FULL.

When recorded code enforcement liens are paid in full and the underlying code enforcement violation is in compliance, a satisfaction or release of lien shall be executed by the County Manager, or his/her designee, and shall be recorded administratively by Seminole County staff. The satisfaction or release of any code enforcement lien, paid in full, shall not require the approval of the Board of County Commissioners.

C.D. AUTHORITY. Approved by BCC March 14, 2000 as a briefing item
Resolution 2024-R-_____ adopted _____