

Code Enforcement Work Session

Board of County Commissioners

September 24, 2024

Agenda

- Purpose and Methodology
- History and Overview
- Seminole County Code Enforcement Process
- Data
- Recommendations

Methodology

- Data collection and Analysis
- Interviews
- Peer Comparisons
- Observation/Ridealongs

Why Code Enforcement?

- Protect public health, safety, and welfare
- Maintain community property maintenance standards
- Sustain and improve property values
- Preserve existing housing stock
- Maintain a favorable climate for development/redevelopment

History

- 1982: State creates Code Boards
- 1983: Seminole adopts the first ordinance pursuant to statute
- 1992: Seminole Adopts Standard Housing Code
- 2003: Memorandum of Understanding (MOU)
Delegation to Seminole County Sheriff's Office
- 2009: MOU - "Exhibit A"
- 2012: MOU - Special Magistrate
- 2019: Lien Amnesty Program

Chapter 162, FS – County or Municipal Code Enforcement

- Outlines the general process for Florida
- Authorizes boards and magistrates and sets forth authority
- Fines and liens
- Establishes criteria for emergency action
- Most recently addressed anonymous complaints

Chapter 162.06 – Enforcement Procedure

1. (b) A code inspector may not initiate enforcement proceedings for a potential violation of a duly enacted code or ordinance by way of an anonymous complaint. A person who reports a potential violation of a code or an ordinance must provide his or her name and address to the respective local government before an enforcement proceeding may occur. *This paragraph does not apply if the code inspector has reason to believe that the violation presents an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources.*

Chapter 162.09 – Administrative Fines; Costs of Repair; Liens

- Lien against all property owned by the violator
- Continues to accrue until compliance

Chapter 162.10 - Duration of Lien

No lien provided under the Local Government Code Enforcement Boards Act shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded unless within that time an action is commenced pursuant to Florida Statutes 162.09(3) in a court of competent jurisdiction.

Seminole County Code Enforcement Process



Decentralized

- Distributed throughout four departments within BCC operations
- Sheriff's Office
- Tax Collector
- 21 different positions have Code Enforcement responsibilities
 - Two positions routinely prosecute cases before Board or Magistrate

Seminole County Code Chapter 53 – Code Enforcement

- Establishes general Code Enforcement program
- Sets up Board and Magistrate
- Provides procedures for enforcement
- Sets Forth “Guide for Penalty Recommendations”
- Establishes code citation program

Chapter 95 – Health and Sanitation

...the following will...constitute nuisances when existing in the unincorporated area of Seminole County

- (a) Rubbish
- (b) Uncultivated Vegetation
- (c) The Remains or Rubble of a Structure
- (d) Abandoned or Discarded Volatile, Corrosive, or Noxious Chemicals, Liquids, or Substances
- (e) Abandoned or Junk Vehicle
- (f) Stagnant or Foul Water
- (g) An Unsecured Swimming Pool
- (h) Any Other Material or Condition...(which) Adversely Affect(s) the Health, Safety, Lives or Welfare of the Citizens of Seminole County

Chapter 40

Adopts requirements for compliance with the Florida Building Code, including permits, inspections, contracting, and administrative requirements. Building and trade codes are generally updated as the Florida Building Commission requires on 3-year cycles.

Land Development Code

“The purpose of this Code is to establish standards, procedures, and minimum requirements to regulate and control the platting of lands and the development of real estate in the unincorporated areas of Seminole County, Florida, and to coordinate and integrate the Development Review process of the Seminole County Comprehensive Plan and the County platting process, in an effort to, among other things.”

Code Board & Special Magistrate

SM

Code Enforcement Board

- Volunteers appointed pursuant to Ch. 162
- Nuisance cases
- Prosecuted primarily by Sheriff's Office
- Staff support from planning

Special Magistrate

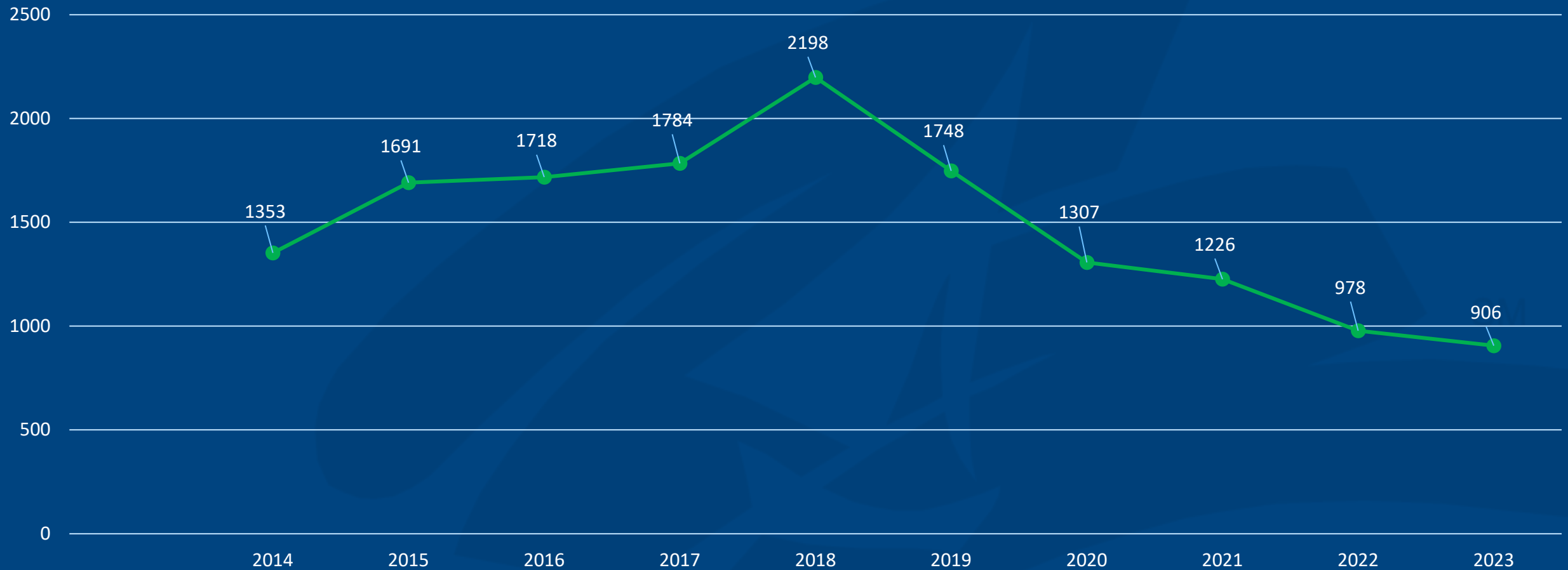
- Appointed annually by County Commission
- Permitting cases
- Prosecuted by Building Division
- Staff support from Planning

SM

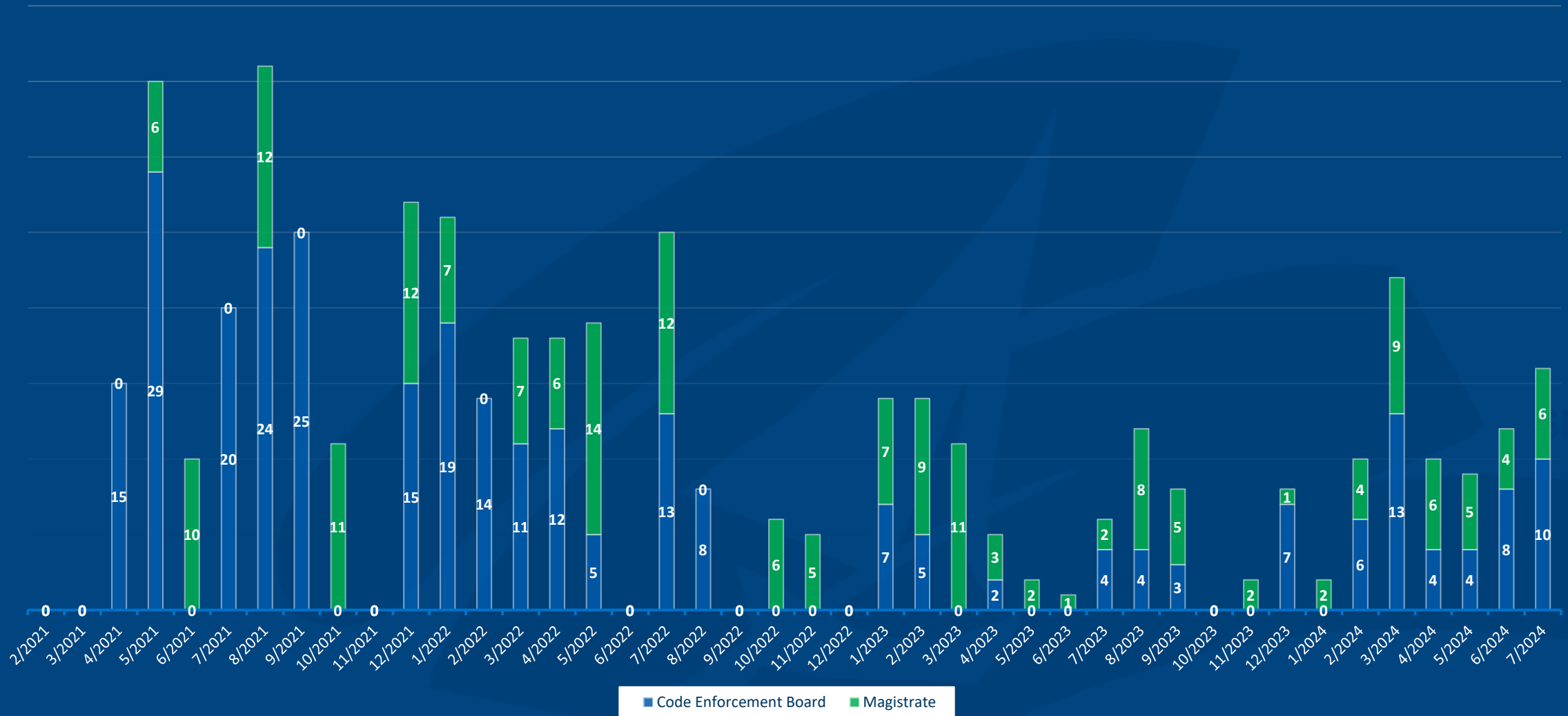
Code Enforcement by the Numbers

- No centralized data collection
- No performance measurement
- Some data sources: Sheriff's Office, Special Magistrate, Code Board
- Data points to consider

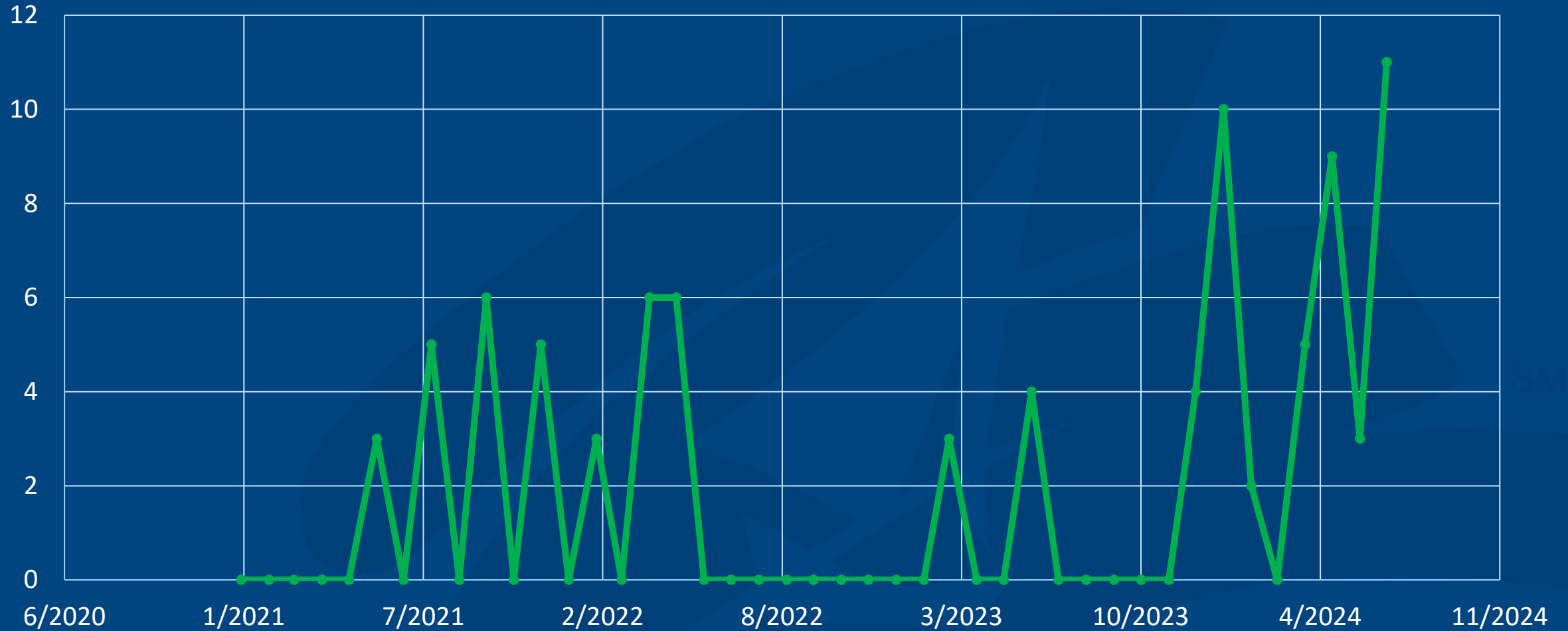
New Code Enforcement Cases



Code Enforcement Cases Jan 2021 - Present



Lien Filings Jan 2021 - Present



Ranking Florida Population By Density

| County | Census2020 | Estimate2021 | SquareMileage | Density2021 |
|--------------|------------|--------------|---------------|-------------|
| Pinellas | 959,107 | 964,500 | 274 | 3,523 |
| Broward | 1,944,375 | 1,955,400 | 1,203 | 1,626 |
| Orange | 1,429,908 | 1,457,900 | 903 | 1,615 |
| Seminole | 470,856 | 477,400 | 309 | 1,543 |
| Hillsborough | 1,459,762 | 1,490,400 | 1,022 | 1,458 |
| Miami-Dade | 2,701,767 | 2,731,900 | 1,900 | 1,438 |
| Duval | 995,567 | 1,016,800 | 763 | 1,333 |
| Lee | 760,822 | 782,600 | 781 | 1,002 |
| Sarasota | 434,006 | 441,500 | 556 | 794 |

Ranking Florida Population By Density – Adjusted for Rural Boundary

| County | Census2020 | Estimate2021 | SquareMileage | Density2021 |
|-----------------|----------------|----------------|---------------|---------------|
| Pinellas | 959,107 | 964,500 | 274 | 3,523 |
| Seminole | 470,856 | 466,400 | 228 | 2,045* |
| Broward | 1,944,375 | 1,955,400 | 1,203 | 1,626 |
| Orange | 1,429,908 | 1,457,900 | 903 | 1,615 |
| Hillsborough | 1,459,762 | 1,490,400 | 1,022 | 1,458 |
| Miami-Dade | 2,701,767 | 2,731,900 | 1,900 | 1,438 |
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International Property Maintenance Code (IPMC)



Daytona Beach

Lake County

Orange County

Orlando

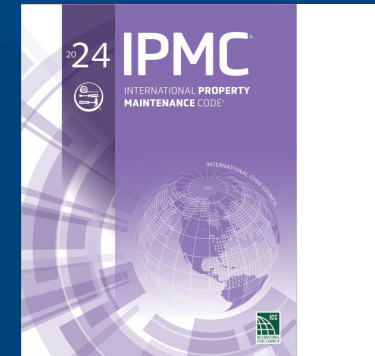
Oviedo

Sanford

Titusville

Winter Park

Winter Springs



Recommendations

- ✓ Advance software procurement and design Code Enforcement solution
 - Public facing portal for Complaints and Inquiries
 - End-to-end tracking
 - Publish lien and other case information
- Code Revisions
 - Adopt International Property Maintenance Code (IPMC)
 - Revise Ch. 53 for fine and lien reconsiderations
 - Update fine provisions, remove “recommendations”
 - Policy updates

Recommendations

- Establish more accessible public-facing portal
- Consolidate Code Enforcement function under single organization reporting to the BCC
- Overhaul internal case management process
- Revise Magistrate/CEB procedures
- Revisit abatement process and funding

Options

1. Continue with current program and organizational structure
2. Continue with current organizational structure; Amend MOU with Sheriff's Office; Execute recommended Code changes
3. Reorganize structure to centralize responsibility under one agency for all Code Enforcement activities; Execute recommended Code changes
 - Budget and staffing considerations
 - Organizational placement