

ORDINANCE NO. 2025-____

SEMINOLE COUNTY, FLORIDA

AN ORDINANCE AMENDING CHAPTER 95 (HEALTH AND SANITATION) OF THE SEMINOLE COUNTY CODE TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH GENERAL AND TECHNICAL AMENDMENTS; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County Commission finds that the adoption of this ordinance is necessary to enhance the County’s enforcement of certain codes and ordinances; and

WHEREAS, the County Commission further finds that said ordinance would provide an equitable, expeditious, and effective method of code enforcement with regard to maintenance requirements for residential, commercial and industrial properties; and

WHEREAS, the County Commission finds it appropriate to enact this Ordinance to ensure compliance with state law and that it is in the best interest of the public health, safety and welfare of the citizens of Seminole County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Incorporation of Recitals. The above recitals represent the legislative findings of the Seminole County Board of County Commissioners supporting the need for this Ordinance.

Section 2. Revising title of Chapter 95, Health and Sanitation. The title of Chapter 95, Health and Sanitation, is now revised to be entitled “Health, Property Maintenance, and Sanitation.”

Section 3. Creating Section 95.5. International Property Maintenance Code adopted. Section 95.5. International Property Maintenance Code adopted, of the Seminole County Code, is hereby created to read as follows:

Section 95.5. International Property Maintenance Code adopted.

(a) Adopted. Subject to the general and technical amendments set forth in subsections (b) and (c) below, the International Property Maintenance Code, 2024 edition, as published by the International Code Council (hereinafter referred to as the “IPMC” or this “code”), is hereby adopted by reference and incorporated herein as if fully set out.

(b) General Amendments. The IPMC is hereby amended in that:

(1) Wherever the words “International Building Code” or “International Existing Building Code” are found, the words “Florida Building Code” shall be substituted.

(2) Wherever the words “International Fire Code” are found, the words “Florida Fire Prevention Code” shall be substituted. Any reference to section numbers in the International Fire Code are hereby deleted.

(3) Wherever the words “International Residential Code” are found they shall be deleted.

(4) Wherever the words “International Code Council Performance Code” are found they shall be deleted.

(5) Wherever the words “board of appeals” or “appeals board” are found, the words “special magistrate or code enforcement board” shall be substituted.

(6) Wherever the words “ICC 500” are found, the words “Florida Building Code” shall be substituted.

(7) All references to the Florida Building Code shall indicate reference to the most recently adopted edition thereof.

(8) All references to the Florida Fire Prevention Code shall indicate reference to the most recently adopted edition thereof.

(c) Technical Amendments. The following sections of the IPMC are hereby revised or
50 deleted as follows:

(1) Section 101.1 “Title” is amended in its entirety to read as follows:

52 These regulations shall be known as the “International Property Maintenance Code
of Seminole County, Florida,” hereafter referred to as the “IPMC” or “this code”.

54 (2) Section 102.1 “General” is amended in its entirety to read as follows:

Where there is a conflict between a general requirement and a specific requirement,
56 the specific requirement shall govern. Where, in a specific case, different sections
of this code specify different requirements or specify different requirements set
58 forth in other applicable provisions of the County code, the most restrictive
requirement shall govern.

60 (3) Section 102.3 “Application of other codes” is amended in its entirety to read
as follows:

62 Repairs, additions or alterations to structure, or changes of occupancy, shall be done
in accordance with the procedures and provisions of the Florida Building Code,
64 Florida Fire Prevention Code, and the County Code. It is not the intent of this code
to affect, cancel, or modify any of the requirements in the County's zoning code.

66 (4) Sections 102.8, 102.8.1, and 102.8.2 “Referenced Codes and Standards” are
hereby deleted in their entirety.

68 (5) Section 103 “Code Compliance Agency” is deleted in its entirety and
replaced with the following:

70 The County’s Development Services Department, including the Building Division
and the Code Enforcement Division, and the County Fire Marshal, shall be

72 responsible for enforcing this code under the general supervision of the County
73 Manager. The County’s Development Services Director, Building Official, Fire
74 Marshal, Code Enforcement Division Manager, code enforcement officers and such
75 other person or persons deemed qualified by the County Manager shall be deemed
76 “code official(s)” under the IPMC.

(6) Section 104.2 “Refunds” is deleted in its entirety.

78 (7) Section 105.2.2.5.1 “Fire Tests” is deleted in its entirety and replaced with
the following:

80 Tests conducted to demonstrate equivalent fire safety in support of an alternative
81 material, design or method of construction application shall be of a scale that is
82 sufficient to predict fire safety performance of the end use configuration. Tests shall
be performed by a party acceptable to the Fire Marshal.

84 (8) The last sentence in Section 105. 3, entitled Right of entry, is hereby revised
to read as follows: “If entry is refused or not obtained, the code official shall have recourse
86 to the remedies provided by law to secure entry.”

(9) Section 105.6 “Official Records” is deleted in its entirety and replaced with
88 the following:

The code official shall keep official records as required by Sections 105.6.1 through
90 105.6.5 of the IPMC, and as otherwise required by Florida Statutes Chapter 119
and other Public Records laws. Such official records shall be retained in accordance
92 with the requirements of Florida Statutes Chapter 119 and other Public Records
laws, as applicable.

94 (10) Section 105.6.3 “Code alternatives and modifications” is deleted in its
entirety and replaced with the following:

96 Application for alternative materials, design and methods of construction and
equipment in accordance with Section 105.2.2, and documentation of the final
98 decision of the code official shall be in writing and shall be retained in the official
records.

100 (11) Sections 105.7 “Liability” and 105.7.1 “Legal Defense” shall be deleted in
their entirety.

102 (12) Section 106, “Means of Appeals” is deleted in its entirety and replaced with
the following:

104 The special magistrate or code enforcement board shall serve as the board of
appeals under the IPMC. Any person directly affected by an administrative decision
106 of the code official shall have the right to appeal to the special magistrate or code
enforcement board an interpretation or application of the IPMC by filing a notice
108 of appeal with the code official within thirty (30) days of said interpretation or
application. However, once a code official or the County has initiated enforcement
110 proceedings under the IPMC, a person is barred from bringing an appeal under this
section related to the interpretation or application of any provision of the IPMC
112 which is the subject matter of the enforcement proceeding until such time the
enforcement proceeding has been concluded through all appeals. Any person
114 aggrieved by a final decision of the special magistrate or code enforcement board
serving as the board of appeals under this section shall have the right to appeal said
116 decision to a court of competent jurisdiction.

(13) Section 107 “Violations” is deleted in its entirety and replaced with the following:

1. It shall be unlawful for any person, corporation, or other entity to be in violation of any provision of this code. Violations shall be deemed a strict liability offense.

2. Violations of the IPMC shall be prosecuted by the County by any lawful means available including, but not limited to, actions before the code enforcement board or special magistrate to impose a daily fine for noncompliance and/or for abatement of nuisances, civil code enforcement citation, and by an independent action before a court of law. Penalties and additional County remedies for violations hereof shall be as provided under section 1.8 of the County code.

3. In the event that a person fails to comply with an order rendered by the code enforcement board or special magistrate which determines that a nuisance exists, the County manager, or his or her designee, is hereby authorized to take lawful steps including, but not limited to, instituting an appropriate proceeding at law or in equity to restrain, correct, remove, abate, terminate or eliminate such violation, or to require removal or termination of the unlawful occupancy of the structure in violation of this IPMC. If the County causes the conditions constituting the violation to be remedied, any expenses incurred by the County to remedy the violation including, but not limited to, all applicable costs, interest, administrative expenses, and attorney's fees. The County’s action to correct the nuisance shall be at the expense of the owner(s), in accordance with Chapters 95 and 168, Seminole County Code. The County’s liens created as a result of the County’s elimination or

removal of a nuisance may be foreclosed in accordance with Chapters 95 and 168,
Seminole County Code.

(14) Section 108.1 “Authority” is deleted in its entirety and replaced with the
following:

Where the code official finds any work regulated by this code being performed in
a manner contrary to the provisions of this code or in an unsafe manner, the code
official is authorized to issue a stop work order after consultation with the Building
Official, except the Fire Marshal is not required to consult with the Building
Official before issuing a stop work order.

(15) Section 109.1 “Unsafe Conditions” is deleted in its entirety and replaced
with the following:

When a structure or equipment is found by the code official to be unsafe, or when
a structure is found unfit for human occupancy, or is found unlawful, the code
official shall proceed as appropriate in accordance with Chapters 95 or 168,
Seminole County Code.

(16) Section 109.2 “Closing of vacant structures” is deleted in its entirety and
replaced with the following:

If the structure is vacant and unfit for human habitation and occupancy, and is not
in danger of structural collapse, the code official shall proceed in accordance with
Chapter 168, Seminole County Code.

(17) Sections 109.3 “Record,” 109.4 “Notice,” 109.4.1 “Form”, and 109.4.2
“Method of Service,” are hereby deleted in their entirety.

162 (18) Section 110.5 “Costs of emergency repairs” is deleted in its entirety and
replaced with the following:

164 The County’s costs in the performance of emergency work shall be at the expense
of the owner(s). The County’s liens created as a result of the County’s performance
166 of emergency work may be foreclosed in accordance with Chapters 95 and 168,
Seminole County Code.

168 (19) Section 201.3 “Terms Defined in Other Codes” is deleted in its entirety and
shall read as follows replaced with the following:

170 Where terms are not defined in this code and are defined in the Florida Building
Code or Florida Fire Prevention Code, such terms shall have the meanings ascribed
172 to them as stated in those codes. The County’s Development Services Director,
Building Official, Fire Marshal, Code Enforcement Division Manager, code
174 enforcement officers and such other person or persons deemed qualified by the
County Manager shall be deemed “code official(s)” under the IPMC.

176 (20) The Section 202 definition of “code official” is deleted in its entirety and
replaced with the following:

178 The County’s Development Services Director, Building Official, Fire Marshal,
Code Enforcement Division Manager, code enforcement officers and such other
180 person or persons deemed qualified by the County Manager shall be deemed “code
official(s)” charged with the administration and enforcement of this code.

182 (21) The first sentence of Section 302.4 “Weeds” is amended to insert “12
(twelve) inches”.

184 (22) Section 304.14 “Insect screens” is amended to delete the preface in the first
sentence, “During the period from [DATE] to [DATE],”.

186 (23) The first sentence of Section 602.3 “Heat supply” is amended to read as
follows:

188 Every owner and operator of any building who rents, leases or lets one or more
dwelling units or sleeping units on terms, either expressed or implied, to furnish
190 heat to the occupants thereof shall supply heat year-round to maintain a minimum
temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

192 (24) The first sentence of Section 602.4 “Occupiable work spaces” is amended
to read as follows:

194 Indoor occupiable work spaces shall be supplied with heat year-round to maintain
a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

196 (25) Section 606.1 “General” is hereby replaced in its entirety with the
following:

198 Elevators, dumbwaiters and escalators shall be maintained in compliance with the
Florida Building Code and the Florida Fire Prevention Code. The most current
200 certificate of inspection shall be on display at all times within the elevator or
attached to the escalator or dumbwaiters, be available for public inspection in the
202 office of the building operator or be posted in a publicly conspicuous location
approved by the code official. The inspection and tests shall be performed at not
204 less than the periodic intervals listed in the Florida Building Code and Chapter 399,
Florida Statutes.

206 (26) Chapter 8 is deleted in its entirety.

Section 4. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance will become and be made a part of the Seminole County Code, and that the word “ordinance” may be changed to “section”, “article”, or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, except that Sections 1, 4, 5 and 6 of this Ordinance are not to be codified.

Section 5. Severability. If any provision or application of this Ordinance to any person or circumstance is held invalid, then it is the intent of the Board of County Commissioners that such invalidity will not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 6. Effective date. This Ordinance will take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this ____ day of _____, 20__.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

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

JAY ZEMBOWER, Chairman

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