

1 Introduced by Council President Wilson and Co-Sponsored by Council
2 Member Cumber:

3
4 **ORDINANCE 2019-643**

5 AN ORDINANCE CONCERNING CHAPTER 518
6 JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE
7 CODE; AMENDING SECTIONS 518.206 (NOTICE) AND
8 518.209 (TERMINATION OF PUBLIC NUISANCES),
9 PART 2 (IMPROVED OR UNIMPROVED LOTS AND
10 EXTERIOR CONDITIONS OF RESIDENTIAL AND
11 COMMERCIAL PROPERTIES), CHAPTER 518
12 (JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE
13 CODE), *ORDINANCE CODE*, REGARDING NOTICE FOR
14 FURTHER VIOLATIONS AND ABATEMENT; PROVIDING AN
15 EFFECTIVE DATE.
16

17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Amending Sections 518.206 (Notice) and**
19 **518.209 (Termination of Public Nuisances), Ordinance Code.**
20 Sections 518.206 (Notice) and 518.209 (Termination of Public
21 Nuisances), Part 2 (Improved or Unimproved Lots and Exterior
22 Conditions of Residential and Commercial Properties), Chapter 518
23 (Jacksonville Property Safety and Maintenance Code), *Ordinance*
24 *Code*, is hereby amended to read as follows:

25 **CHAPTER 518. JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE CODE**

26 * * *

27 **PART 2. IMPROVED OR UNIMPROVED LOTS AND EXTERIOR CONDITIONS OF**
28 **RESIDENTIAL AND COMMERCIAL PROPERTIES**

29 * * *

30 **Sec. 518.206. Notice.**

31 Whenever the Chief finds any one or more of the conditions

1 set forth in Section 518.202 to exist, he/she shall cause a notice
2 to be posted on the property upon which the public nuisance exists.
3 The posted notice shall state:

- 4 (1) A description of the public nuisance.
- 5 (2) The time period allowed for ~~termination~~ abatement.
- 6 (3) The time period allowed for a written petition for an
7 appeal to the Building Codes Adjustment Board.
- 8 (4) That ~~termination~~ abatement of the public nuisance by the
9 city shall cause a special assessment and lien for the
10 total costs thereof to be placed on the property.
- 11 (5) That the owner, custodian, agent, lessee, trustee or
12 occupant of the property is subject to prosecution for
13 violation of Chapter 518 of the property.
- 14 (6) That the person is subject to prosecution of violation of
15 Chapter 518 of the Ordinance Code.
- 16 (7) Further violations that occur within one year from the
17 original date of the posting of the notice of violation
18 will subject the owner, custodian, agent, lessee, trustee
19 or occupant of the property to immediate abatement of the
20 public nuisance by the city upon posting a notice of the
21 additional violation on the property, if such violation is
22 not corrected within a reasonable period of time as
23 determined by the Chief and no appeal has been requested.
- 24 ~~(7)~~ (8) That the city, notwithstanding the above, reserves the
25 right to proceed with an action foreclosing the lien placed
26 against the property upon which the nuisance existed, to
27 hold the owner of the property personally liable for the
28 cost of correcting the offending condition, or/and to place
29 the lien on the Tax Collector's roll for collection
30 purposes.
- 31 (9) The right of the person to request a hearing pursuant to

1 Section 518.208.

2 * * *

3 **Sec. 518.209. ~~Termination~~ Abatement of public nuisances.**

4 If ~~termination~~ abatement of the public nuisance is not
5 completed or commenced in a meaningful manner (such as hiring a
6 contractor, or commencing significant and actual abatement
7 activities) by the person within 15 days from the date of notice
8 or issuance of a paying citation pursuant to Section 609.104,
9 *Ordinance Code*, or if a hearing has not been requested pursuant to
10 Section 518.207 or 609.104, *Ordinance Code*, or within the time
11 period established by the Board of Special Magistrate, as provided
12 in Section 670.106, *Ordinance Code*, if the Board or Special Master
13 orders removal, ~~termination~~ or abatement thereof, the Chief shall
14 either refer the case to the Municipal Code Enforcement Board as a
15 violation of this Chapter, or cause the condition to be terminated
16 by the city; provided, that, when a public nuisance is of a
17 magnitude or degree that the city's equipment and personnel cannot
18 safely or completely terminate it, the Chief may contract with a
19 private contractor to terminate it on behalf of the city.

20 * * *

21 **Section 2. Effective Date.** This ordinance shall become
22 effective upon signature by the Mayor or upon becoming effective
23 without the Mayor's signature.

24
25 Form Approved:

26
27 /s/ Paige H. Johnston

28 Office of General Counsel

29 Legislation Prepared By: Paige H. Johnston

30 GC-#1303453-v1-Wilson_Chapter_518_Notice.doc