

1 Introduced by Council President Wilson & Co-Sponsored by Council
2 Member Cumber and amended by the Neighborhoods, Community Services,
3 Public Health & Safety Committee:
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6 **ORDINANCE 2019-643-E**

7 AN ORDINANCE CONCERNING CHAPTER 518
8 JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE
9 CODE; AMENDING SECTIONS 518.206 (NOTICE) AND
10 518.209 (TERMINATION OF PUBLIC NUISANCES),
11 PART 2 (IMPROVED OR UNIMPROVED LOTS AND
12 EXTERIOR CONDITIONS OF RESIDENTIAL AND
13 COMMERCIAL PROPERTIES), CHAPTER 518
14 (JACKSONVILLE PROPERTY SAFETY AND MAINTENANCE
15 CODE), *ORDINANCE CODE*, REGARDING NOTICE FOR
16 FURTHER VIOLATIONS AND ABATEMENT; PROVIDING AN
17 EFFECTIVE DATE.
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19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

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

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29 **PART 2. IMPROVED OR UNIMPROVED LOTS AND EXTERIOR CONDITIONS OF**
30 **RESIDENTIAL AND COMMERCIAL PROPERTIES**

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Sec. 518.206. Notice.

Whenever the Chief finds any one or more of the conditions set forth in Section 518.202 to exist, he/she shall cause a notice to be posted on the property upon which the public nuisance exists. The posted notice shall state:

- (1) A description of the public nuisance.
- (2) The time period allowed for ~~termination~~ abatement.
- (3) The time period allowed for a written petition for an appeal to the Building Codes Adjustment Board.
- (4) That ~~termination~~ abatement of the public nuisance by the city shall cause a special assessment and lien for the total costs thereof to be placed on the property.
- (5) That the owner, custodian, agent, lessee, trustee or occupant of the property is subject to prosecution for violation of Chapter 518 of the property.
- (6) That the person is subject to prosecution of violation of Chapter 518 of the Ordinance Code.
- (7) Additional violations of the same code provision that occur within one year from the original date of the posting of the notice of violation will subject the owner, custodian, agent, lessee, trustee or occupant of the property to immediate abatement of the public nuisance by the city upon posting a notice of the additional violation on the property, if such violation is not corrected within a reasonable period of time as determined by the Chief and no appeal has been requested.

~~(7)~~ (8) That the city, notwithstanding the above, reserves the right to proceed with an action foreclosing the lien placed against the property upon which the nuisance existed, to hold the owner of the property personally liable for the

1 cost of correcting the offending condition, or/and to place
2 the lien on the Tax Collector's roll for collection
3 purposes.

4 (9) The right of the person to request a hearing pursuant to
5 Section 518.208.

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

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

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25 **Section 2. Effective Date.** This ordinance shall become
26 effective upon signature by the Mayor or upon becoming effective
27 without the Mayor's signature.

28 Form Approved:

29 /s/ Paige Hobbs Johnston

30 Office of General Counsel

31 Legislation Prepared By: Paige H. Johnston

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