



# Amendments to Ch. 11 Code Enforcement

June 28, 2016



# Background

- **Governed by Ch. 162 (Florida Statutes)**
- **Ch. 11 (Orange County Code)**
  - Processes
  - Delegation of authority
- **Code Enforcement Board and Special Magistrate**
  - Fines of up to \$1,000 per day
  - Fines of up to \$5,000 per day (repeat offender)
- **Liens are filed against property**



# Summary of Changes

- **Changes “Special Master” to “Special Magistrate” (Section 11-28)**
- **Ex parte communication (Section 11-31)**
- **Cleans up wording re. foreclosure suit settlements and necessary Board approval (Section 11-37)**
- **Settlement of fines and liens (Section 11-37)**
- **Qualifications of Code Enforcement Officers (Section 11-63)**
- **Civil citation amounts (Section 11-65)**



# Summary of Changes

- **Fine reductions and lien releases (Section 11-37)**
  - Upon compliance only
  - Need for an expedited process to serve multiple stakeholders
  - Authorize Code Enforcement Manager to settle fines up to \$100k with CEB or SM serving as an appellate board
  - Fine reductions over \$100k decided by CEB or SM with appeals referred to Circuit Court



# Summary of Changes

## Fine Reduction Philosophy

- **Compliance is the main objective**
- **Daily fines accrue quickly and exceed property value**

## Fine Reduction Process

- **Property owner submits request**
- **Staff evaluates and prepares a scoresheet**
- **Reduced fine based on scoresheet**
- **Fine reverts to original amount if not paid within 30 days and lien reinstated (if applicable)**



# Summary of Changes

## Fine Revenue

Fiscal Year	Fines Collected
2013	\$246,000
2014	\$759,000
2015	\$874,000

## Civil Citations

	Class I	Class II	Class III
Current	\$50	\$150	\$250
Proposed	\$100	\$200	\$300



# Requested Action

**Approval of an Ordinance of Orange County, Florida, Pertaining to Code Enforcement; Amending Chapter 11 of the Orange County Code; Amending Section 11-28, Definitions, to Add Magistrate and Hearing Officer; Amending Section 11-31, Organization, Regarding Ex Parte Communications; Amending Section 11-37 Regarding Acceptance of Settlement Offers and to Eliminate Report of Lien Foreclosures, Delegate Authority to Reduce Liens to the Manager of Code Enforcement and the Code Enforcement Board and Special Magistrate; Amending Exhibit “A” to Ordinance No. 94-09 Regarding the Code Enforcement Citation Program, Renaming it Schedule “A” and incorporating it Directly into Chapter 11: And Providing an Effective Date.**