

ORDINANCE NO. 2021-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ARTICLE XIV - CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS, SPECIFICALLY SECTION 7-226 TITLE, SECTION 7-227 PURPOSE AND SECTION 7-229(a) APPEALS TO REFERENCE THE UNSAFE BUILDING ABATEMENT ORDINANCE 2019-15 AND REMOVE THE STANDARD HOUSING CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida has found it necessary to amend Article XIV to specifically reference the Nassau County Unsafe Building Abatement Ordinance 2019-15 and remove all references to the Standard Housing Code; and

WHEREAS, the Board of County Commissioners finds that this amendment is in the best interests of the citizens of Nassau County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, finds that Sections 7-226, 7-227 and 7-229 of Article XIV – Construction Board of Adjustments and Appeals of the Nassau County Code of Ordinances shall be further amended to read as follows:

SECTION 7-226. – TITLE

This article shall be known as the “Construction Board of Adjustments and Appeals Ordinance” as to the Florida Fire Prevention Code, Florida Building Codes, National Electrical Code and the ~~Standard~~ Unsafe Building Abatement Ordinance 2019-15 ~~Code and Standard Housing Code~~.

SECTION 7-227. – PURPOSE

The purpose of the construction board of adjustments and appeals is to hear appeals regarding the interpretation and enforcement of the Florida Fire Prevention Code, Florida Building Codes, National Electrical Code and the ~~Standard~~ Unsafe Building Abatement Ordinance 2019-15 ~~Code and Standard Housing Code~~.

SECTION 7-229. – APPEALS

- (a) Whenever it is asserted that the provisions of the ~~Standard~~ Florida Fire Prevention Code, ~~Life Safety Code, Standard~~ Florida Building Codes, ~~Standard Plumbing Code, Standard Mechanical Code, Standard Gas Code, National Electrical Code or the and~~ ~~Standard~~ Unsafe Building Abatement Code, ~~and Standard Housing Code Ordinance 2019-15~~ do not apply, or when an individual claims that the provisions of the said Code have been misconstrued or incorrectly interpreted, the owner of a building or structure or his/her duly-authorized agent may appeal the decision of the county official designated to enforce the particular code to the construction board of adjustments and appeals. In addition, the board may grant extensions of time, pursuant to the ~~Standard~~ Unsafe Building Abatement Code Ordinance 2019-15, based upon undue hardship on an owner, not to exceed one hundred twenty (120) days with appropriate requirements as determined by the board. Any extensions beyond one hundred twenty (120) days shall be based upon good cause. Notice of the appeal shall be in writing and signed by the owner or the duly authorized agent. The authorized agent shall have the owner execute a form provided by the building official's office. The appeal must be filed within fifteen (15) days of the decision rendered by the appropriate county official. The forms for the appeal shall be available at the clerk's office and at the county administrator's office, and the board of county commissioners shall approve the forms for the appeal. The forms shall be submitted to the building official, and he shall determine within five (5) ~~working-business~~ working-business days of receipt of the appeal, if the form is sufficient as to form, and the building official shall, within the same five-day period, request the matter be scheduled for the construction board of adjustments and appeals.

EFFECTIVE DATE.

This ordinance shall become effective upon its being filed in the office of the Secretary of State.

DULY ADOPTED this _____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

THOMAS R. FORD
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:

MICHAEL S. MULLIN