

ORDINANCE NO. 2018 - ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, AMENDING ORDINANCE NO. 99-02, AS AMENDED, WHICH ESTABLISHED A CODE ENFORCEMENT BOARD; SPECIFICALLY AMENDING SECTION XII, CODE ENFORCEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 2012-13 on May 14, 2012, to implement a policy that Code Enforcement would take a reactive approach to dealing with other ordinance violations in that they would be “complaint driven”; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has determined that this policy is not in the best interest of the citizens of Nassau County, Florida and has found it necessary to rescind that policy.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, that Ordinance No. 99-02, as amended, will be further amended as follows:

1. Section XII. Code Enforcement.

1. The Code Enforcement Officer shall issue a notice to violators pursuant to procedures set forth in ~~a separate~~ Ordinance No. 2014-21, Ordinance No. 2015-10, and Resolution No. 2005-67, resolution adopted by the Board of County Commissioners. The Code Enforcement Officers shall comply with the applicable sections of Chapter 162, Florida Statutes.

2. (a) A Code Enforcement Officer is authorized to issue a notice to a person when, based upon personal investigation, the officer has cause to believe that the person is in violation of a duly enacted code or ordinance.

(b) A Code Enforcement Officer shall provide notice to the person that the person is committing a violation of a code or ordinance and shall establish a reasonable time period within which the person must correct the violation. Such time period shall be no more than thirty (30) days. If, upon personal investigation, a Code Enforcement Officer finds that the person has not corrected the violation within the time period, a Code Enforcement Officer may issue a citation to the person who has committed the violation. A Code Enforcement Officer does not have to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue a citation if the Code Enforcement Officer has reason to believe that the violation presents a serious threat to the public health, safety, or welfare, or if the violation is irreparable or irreversible.

(c) A notice issued by a Code Enforcement Officer shall be in a form prescribed by the County and shall contain:

1. The date and time of issuance.
2. The name and address of the person to whom the notice is issued.
3. The facts constituting the violation.
4. The number or section of the code or ordinance violated.
5. The name of the Code Enforcement Officer.

6. The procedures for the person to follow in order to correct the violation.

7. The applicable civil penalty pursuant to this article.

~~3. The purpose of this section is to outline a Nassau County Code Enforcement policy that will define the parameters under which that department will operate. Because of the limited resources available to code enforcement, the following policies shall be in effect:~~

~~(a) *Proactive.* Code Enforcement will take a proactive approach to enforcing ordinances relating to signage on Amelia Island and the SR 200 corridor or which directly impact safety of human life: Building Code, NFPA 101 Life Safety Code.~~

~~(b) *Reactive.* Code Enforcement will take a reactive approach to dealing with other ordinance violations throughout Nassau County, in that they will be "complaint driven." Anonymous complaints will not be investigated. If multiple anonymous complaints are received for the same violation, the code enforcement officer may bring a request to the building official who will consult with the county manager on whether to start an investigation. The county manager may confer with the county attorney as needed. This policy will not prohibit a code enforcement officer from taking immediate action on an issue that will protect the life safety of citizens.~~

2. Effective Date. This Ordinance shall become effective upon its being filed with the Department of State.

DULY ADOPTED this _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

PAT EDWARDS
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