

ORDINANCE NO. 2023-022

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS. AT ARTICLE VII. UNSAFE BUILDING ABATEMENT CODE. AT SECTION 7-92. DEFINITIONS. MODIFYING THE DEFINITION OF CODE ENFORCEMENT OFFICER TO REFLECT THE TERM DEFINED IN CHAPTER 162, FLORIDA STATUTES; CLARIFYING THE DEFINITIONS USED IN CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS.; AMENDING SECTION 7-93. UNLAWFUL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL BUILDING NUISANCES. CLARIFYING THE MAINTENANCE REQUIREMENTS OF RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTY; AMENDING 7-94. DECLARATION OF PUBLIC NUISANCE BY THE BUILDING OFFICIAL. AMENDING THE PROCEDURES FOR THE DECLARATION OF A PUBLIC NUISANCE; AMENDING SECTION 7-95. NOTIFICATION OF NUISANCE/UNSAFE BUILDING. ADOPTING CODE ENFORCEMENT PROCEDURES UNDER CHAPTER 162, FLORIDA STATUTES. AND CHAPTER 1. ADMINISTRATION. OF THE NASSAU COUNTY CODE OF ORDINANCES; REPEALING SECTION 7-96. CANCELLATION OR POSTPONEMENT OF HEARING DATE.; SECTION 7-97. HEARING.; SECTION 7-98. FAILURE TO COMPLY WITH ORDER.; SECTION 7-99. TEMPORARY ACTION BY THE OWNER.; RENUMBERING SECTION 7-100. EMERGENCY SECURING OF BUILDING.; REPEALING SECTION 7-101. LIMITATION OF FILING JUDICIAL ACTION. AND SECTION 7-102. ASSESSMENT LIEN.; AMENDING AND RENUMBERING SECTION 7-103. ALTERNATIVE ACTIONS AVAILABLE-VIOLATION INFRACTION.; AMENDING ARTICLE XIV. CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS.; MODIFYING SECTION 7-226 TITLE. AND SECTION 7-227. PURPOSE. REMOVING REFERENCES TO THE UNSAFE BUILDING ABATEMENT ORDINANCE 2019-15; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 19, 2000, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 2000-20, whereby establishing the Construction Board of Adjustments and Appeals; and

WHEREAS, on June 10, 2019, the Board of County Commissioners of Nassau County, Florida, adopted Ordinance No. 2019-15 establishing minimum standards governing health and general welfare as to the maintenance of buildings or structures and further providing for the

declaration of a nuisance for buildings and structures in violation of the ordinance and providing for the repair and demolition of buildings and structures declared to be a nuisance; and

WHEREAS, Ordinance No. 2019-15 likewise provided for the Construction Board of Adjustments and Appeals to conduct hearings and issue orders of repair and demolition; and

WHEREAS, the Nassau County Board of County Commissioners now desires to consolidate the enforcement process for unsafe buildings and structures into the code enforcement process found in Chapter 1. Administration. of the Nassau County Code of Ordinances; and

WHEREAS, the Nassau County Board of County Commissioners now finds that such a consolidated process will provide an equitable, expeditious, effective, and inexpensive method for the enforcement of the Nassau County Code of Ordinances, including the enforcement of minimum standards governing health and general welfare as to the maintenance of buildings or structures; and

WHEREAS, the Board finds that such amendment will protect the public health, safety, and welfare of the citizens of Nassau County and maintain a high quality of life for the citizens of Nassau County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida:

SECTION 1. Section 7-92. Definitions. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby amended at Section 7-92. Definitions. and shall hereafter read as follows:

Sec. 7-92. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building means any structure, either temporary or permanent, built for the support or enclosure of persons, chattels or property of any kind for residential or commercial purposes. Buildings shall include tents, trailers or manufactured/modular homes serving in any way the function of a building or structure for residential or commercial purposes.

~~*Code enforcement department* means the Nassau County Code Enforcement Department.~~

Code enforcement officer means ~~the Nassau County Building Official or his or her designee~~
any authorized agent or employee of the county whose duty it is to assure code compliance.

County means the unincorporated area of Nassau County.

~~*Documented* means as verified by the building official or inspector(s) (i.e. Physical and/or visual evidence).~~

~~*Hearing board* means the Nassau County Construction Board of Adjustments and Appeals.~~

Owner means any person or persons owning real property, as shown on the last equalized assessment roll for county taxes or the lessee, tenant or other person having control or possession of the property.

Permitted means to possess a valid building or site improvement permit.

Person means any individual, partnership, corporation, association or other organization, however formed.

Words not defined here shall have the meaning as stated in the current edition of the Florida Building Codes, and the Florida Fire Prevention Code or Webster's 3rd New International Dictionary.

SECTION 2. Section 7-93. Unlawful residential, commercial and industrial building nuisances. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby amended at Section 7-93. Unlawful residential, commercial and industrial building nuisances. and shall hereafter read as follows:

Sec. 7-93. - Unlawful residential, commercial and industrial building nuisances.

It shall be unlawful for any person owning, leasing, renting, occupying or having charge of any real property in the county to maintain the property or to allow the property to be maintained in a manner such that any of the following conditions are found to exist thereon as determined by the building official, except as otherwise stated herein or as may be allowed by any other provision of law. The prohibited conditions are:

(1) *Buildings and structures.*

- a. Any building or structure which is vacant and open to unlawful trespass;
- b. Any partially constructed, reconstructed or demolished building or structure upon which work is abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit or when there has not been any substantial completed work on the project for

one hundred eighty (180) days (per Florida Building Code ~~section 105.4.1.3~~) from the last date of an approved inspection;

c. Any building or structure which by reason of rot, weakened joints, walls, floors, underpinning, roof, ~~ceilings~~, unsecure foundation, or other causes has become dilapidated or deteriorated;

d. Any building or structure with exterior walls and/or roof coverings which have become so deteriorated as to not provide adequate weather protection and be likely to, or have resulted in, termite infestation or dry rot;

e. Buildings or structures with broken or missing windows or doors which constitute a hazardous condition or a potential attraction to trespassers. For purposes of this chapter "window" shall include any opening, including glazed doors, which open upon a yard, court, or vent shaft open to the elements;

f. Buildings or structures including, but not limited to, walls, windows, ~~fences~~, signs, retaining walls, ~~driveways, walkways~~, poles or other objects which are broken, deteriorated, or damaged to the extent that the disrepair presents a risk to public safety, and any building or structure used or intended to be used for dwelling purposes which, because of inadequate maintenance, dilapidation, decay, damage, fire, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the building official to be unfit for human habitation;

g. Any building or structure that is determined by the building official to be "unsafe" or "dangerous" as described in ~~the chapter 2~~, definitions of the current edition of the Florida Existing Building Code;

(2) *Miscellaneous.*

a. Any other condition or use of a property that gives rise to a reasonable determination by the building official that such condition or use represents a threat to the health, safety and welfare of the public by virtue of its condition or use, or hazardous nature.

b. Except as otherwise provided herein the provisions of this chapter shall be administered and enforced by the building official and by code enforcement pursuant to Chapter 1. of this Code. In the enforcement of this chapter the building official and designated code enforcement officers may, ~~according to~~ as provided by law, enter upon private or public property to determine if any

condition exists that may be detrimental to the public health, safety or general welfare or which constitutes a public nuisance. If entrance is denied, entrance may be obtained by every source available by Florida law.

SECTION 3. Section 7-94. Declaration of public nuisance by the building official. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. and is hereby amended at Section 7-94. Declaration of public nuisance by the building official. shall hereafter read as follows:

Sec. 7-94. - Declaration of public nuisance by the building official.

Any property found by the building official to be maintained in violation of section 7-93 of this article, is declared to be a public nuisance and shall be abated by rehabilitation, demolition, or repair pursuant to the procedures set forth in Section 7-95 hereinbelow~~herein. The procedures for abatement set forth herein shall not be exclusive and shall not in any manner limit or restrict the county from enforcing other county ordinances or abating public nuisances in any other manner provided by law.~~ The building official may consult with the county fire inspector in making a determination as to violations.

SECTION 4. Section 7-95. Notification of nuisance/unsafe building. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby amended at Section 7-95. Notification of nuisance/unsafe building. and shall hereafter read as follows:

Sec. 7-95. - Notification of nuisance/unsafe building Enforcement hearings.;

Administrative costs and fines.

Enforcement hearings and assessment of administrative costs and fines for unsafe buildings or structures shall be conducted before the code enforcement special magistrate pursuant to Chapter 1 of this Code and in accordance with the provisions set forth in Chapter 162, Florida Statutes. All cases remaining pending before the Construction Board of Adjustment and Appeals as of April 1, 2024, shall be transferred to the code enforcement special magistrate.

~~The building official or his designee shall prepare and issue a notice of a building violation of section 7-93 of this article, directed to the owner of record of the building or structure (including tenant and occupant) or individual determined by the building official or his designee to be the~~

~~proper person to be notified. The notice shall contain but not be limited to the following information:~~

~~(1) The street address, if any, of the building or structure, and the legal or tax assessment description of the property upon which the building or structure is located;~~

~~(2) A description of the building or structure or portion thereof deemed to be in violation;~~

~~(3) A statement of the particulars in which the building or structure or portion thereof is in violation;~~

~~(4) A statement that the owner, tenant/occupant, if appropriate, or appropriate person is requested to take the necessary action to abate the violation by repair, rehabilitation, or demolition in order to be in compliance with this Code. The notice should provide a reasonable time to abate the violation which shall not be less than thirty (30) days nor more than one hundred twenty (120) days from receipt of said notice. The building official may allow more than one hundred twenty (120) days according to the necessity if requested in writing by the owner or appropriate person that sets forth the reasons for the extension of time. In the event the violation is not addressed and completed, unless an extension is granted, a notice of hearing shall be provided. If the building official allows more than one hundred twenty (120) days he shall notify the owner or appropriate person on a form to be approved by the building official and county attorney, that requires the execution and acknowledgement of the owner or the appropriate person;~~

~~(5) The notice shall indicate that the owners or person in charge of the building or structure or premises within which the violation is located shall contact the building official within seven (7) days of the date of the violation to enter into an agreement to address the violation. The notice shall also indicate that the owner or person in charge of the building cited may appear before the construction board of adjustments and appeals and show cause why such condition should not be deemed a nuisance or unsafe condition and be abated as provided. The notice shall contain information about requesting a hearing and shall indicate that:~~

~~a. The form for requesting a hearing shall be provided by the building official, or his designee, upon request;~~

~~b. The form requesting the hearing shall be filled out and turned in to the building official within ten (10) days of the date of the notice; and~~

~~e. The hearing shall be set within thirty (30) days of the request being turned in to the building department. All interested parties who desire to be heard in the matter shall be directed to appear before the construction board of adjustments and appeals to show cause. The notice shall advise the owner or owners or persons in charge or control of the building or structure or premises and all interested parties that failure to appear at the hearing may be deemed an admission of the acts or omissions charged in the order and notice of the building official may direct the abatement without further evidence which served as the basis for the order and notice;~~

~~(6) A statement that any repairs or demolition performed by a contractor directed by the county shall cause a lien and special assessment to be placed on the property for the total cost thereof and administrative fee; and a statement that the owner will also be subject to all other penalties provided in this Code or by law if the unsafe condition is not corrected within the time required.~~

~~The notice of violation shall be delivered to the owner and any lessee, occupant, lienholder, and mortgagee as follows:~~

~~The building official or designee shall deliver, or cause to be delivered, the notice of violation and/or hearing if necessary to the owner and any lessee, occupant, lienholder, and mortgagee of the building or structure, and of the land on which it is situated, by hand delivery, and by certified mail return receipt required, addressed to each such person's mailing address and regular address. The hearing, if necessary, shall be as set forth in section 7-97.~~

~~If the person is a corporation, trust, partnership, limited liability company, or other entity, diligent search and inquiry shall be made to discover the true name, domicile, principal place of business, and status of the corporation or other entity, and the names and whereabouts of all persons upon whom service of the notice would bind the corporation or other entity. Notice must be sent to the representative of the corporation or other entity.~~

~~Diligent search and inquiry shall be made to identify and locate each person required to be notified, including a title search of the official public records maintained by the Clerk of Circuit Court of Nassau County, Florida. The building official or an employee of the department and title search company shall prepare a list of the persons required to be notified hereunder and their respective mailing addresses which shall be placed in the office file.~~

~~In addition thereto, the notice of violation shall be posted in a conspicuous place on the building or structure. The notice shall be posted on the property at least thirty (30) days prior to the hearing date. Proof of posting shall be by affidavit of the person posting the notice which affidavit shall include a copy of the notice posted, the dates and places of its posting;~~

~~In addition thereto, a notice of building violation and notice of hearing shall be published in a newspaper of general circulation in Nassau County, each publication shall appear each week for two (2) consecutive weeks. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication shall be provided as required in F.S. §§ 50.041 and 50.051.~~

SECTION 5. Section 7-96. Cancellation or postponement of hearing date. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby repealed in its entirety as follows:

~~Sec. 7-96.—Cancellation or postponement of hearing date.~~

~~(a) The building official may cancel a hearing noticed in accordance with section 7-95 if the violation is corrected by the owner prior to the hearing date. The building official shall inform the clerk of the construction board of adjustments and appeals of the cancellation, and mail or hand deliver a written notice to each person who received a notice of the hearing by mail or hand delivery.~~

~~(b) The building official may postpone a hearing noticed in accordance with section 7-95 if necessary to allow time to effectuate service of notice on any person or for any other reason a hearing cannot be held on the date stated in the notice. Notice of a new hearing date caused by the postponement shall be given by the building official or his designee. Each person who received a notice of the hearing by hand delivery or mail shall be provided notice of a new hearing date by hand delivery or mail in the same manner provided in section 7-95. The hearing date shall be at least thirty (30) days after the date of mailing (or hand delivery) of the notice.~~

~~If a mailing address is not available for any person, or any person was given notice under section 7-95, notice of a new hearing date shall be given to such people at least thirty (30) days prior to the new hearing date by:~~

~~(1) Mailing the notice to the person to the address of the building or structure involved in the proceeding;~~

~~(2) Posting the notice in a conspicuous place on the unsafe building or structure, and also at the place legal notices are customarily displayed for inspection by the public at the county administration building located at 96135 Nassau Place, Yulee, Florida; and~~

~~(3) In addition thereto, publishing the notice one (1) time in a newspaper of general circulation in Nassau County. Proof of publication shall be by affidavit of the building official or an employee of the publisher of the newspaper, which affidavit shall include a copy of the notice published and the date of publication. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the dates and places of its posting.~~

SECTION 6. Section 7-97. Hearing. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby repealed as follows:

~~Sec. 7-97. – Hearing.~~

~~Each case before the construction board of adjustments and appeals shall be presented by the building official or his/her designee. The construction board of adjustments and appeals shall proceed to hear the cases on the agenda for that day. The county attorney shall represent the construction board of adjustments and appeals. All testimony shall be under oath and shall be recorded. The board shall hear any testimony presented by the building official, building inspector, code inspector, fire inspector, the owner, and other interested persons or witnesses. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. The proceedings shall be conducted as a quasi-judicial hearing.~~

~~The following standards shall be followed in substance by the construction board of adjustments and appeals when determining whether the building or structure is in violation and/or ordering the repair, demolition or vacation of an unsafe building or structure:~~

~~If the building or structure is in violation, the owner shall be ordered, if determined by the board, to eliminate or cure all violations by repairing the building or structure in accordance with the Florida Building Code, or by demolishing it if the board determines that repair is not possible. Required permits must be obtained prior to making repairs to, or demolishing structure(s), per 2017 Florida Building Code section 105.1. In making a demolition determination the board will set forth the basis for the determination. If a building or structure poses an immediate hazard to life or to the safety of the public, it shall be ordered vacated immediately. If the owner chooses to~~

~~demolish the building or structure, the owner shall be ordered to remove the demolition debris from the property.~~

~~Construction board of adjustments and appeals shall issue findings of fact based on evidence of record, and conclusions of law, and shall issue an order consistent with the powers granted by this article. In accordance therewith, a written order shall be signed by the chairperson of the board. If the board finds that the building or structure is in violation, the board may issue an order. The order shall:~~

~~• Set forth the street address of the building or structure, and a legal description of the premises sufficient for identification. It shall contain a statement of the particulars of the condition or conditions which render the building or structure in violation, and a statement of the things required to be done to remedy the unsafe conditions;~~

~~• Specify the time that the work required (repair, demolition) shall be commenced, which shall be not less than ten (10) days nor later than sixty (60) days after the order is signed by the chairperson of the board, and shall further specify a reasonable time within which the work shall be completed; and~~

~~• Provide for a date for a hearing to determine whether the order was complied with by the owner within the time specified, and if compliance has not occurred, to authorize appropriate action to be taken to remedy the unsafe conditions. Said action shall be set forth in an order approved by the construction board of adjustments and appeals.~~

~~The time for completion of the work may be extended for additional periods not to exceed ninety (90) days each by the building official or the construction board of adjustments and appeals for cause in accordance with section 7-95. This shall be done in writing upon application in writing of any interested person.~~

~~A copy of an order shall be mailed by certified mail, return receipt requested and regular mail, to the owner and any lessee, occupant, lienholder, and mortgagee of the building or structure, and of the land on which it is situated, to the mailing address(es) listed by the building official. A copy of the order shall be posted in a conspicuous place on the unsafe building or structure. Proof of posting shall be by affidavit of the person posting the order, which affidavit shall include a copy of the order posted and the dates and places of its posting. The posted order shall not be removed without the permission of the construction board of adjustments and appeals. Upon posting of the~~

~~order, the building official may remove any previously posted notices on the unsafe building or structure and at the courthouse.~~

~~A certified copy of the order shall be recorded in the office of the clerk of the circuit court in the official public records of Nassau County, and shall constitute notice to any subsequent purchases, successors in interest, grantees, or assigns. When a recorded order is complied with by the owner, the building official shall issue an order acknowledging compliance that shall be recorded in the public records.~~

SECTION 7. Section 7-98. Failure to comply with order. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby repealed in its entirety as follows:

~~Sec. 7-98. — Failure to comply with order.~~

~~Whenever an order issued pursuant to section 7-95 is not complied with by the owner, the construction board of adjustments and appeals, upon notification of a meeting, by the building official, shall have the power to enter an order determining noncompliance, and may direct the county building official to have the building or structure repaired or demolished. The following standards shall be followed in substance by the construction board of adjustments and appeals in determining and recommending what, if any, action to correct or eliminate the violation shall be pursued:~~

- ~~• If the building or structure poses an immediate hazard to life or to the safety of the occupants, it shall be ordered vacated;~~
- ~~• In any case where a violation cannot reasonably be repaired so that the building or structure will no longer exist in violation of the Florida Building Code, the board may recommend demolition of the building or structure and removal of the demolition debris from the property;~~
- ~~• If there is an accumulation of trash, garbage, or debris outside of an enclosed building on property where a building or structure has been declared unsafe, the board may direct the building official to notify code enforcement.~~

~~At the conclusion of the hearing, the construction board of adjustments and appeals may issue findings of fact based on evidence of record, and conclusions of law, and shall issue an order consistent with the powers granted by this Code. In accordance therewith, a written order shall be signed by the chairperson of the board.~~

~~A copy of the order shall be provided to the owner, and any lessee, occupant, lienholder, and mortgagee of the building or structure, and of the land on which it is situated.~~

~~(1) Any work authorized by the construction board of adjustments and appeals pursuant to this action shall be accomplished by properly licensed contractors, unless the owner/builder exemption applies in F.S. § 489.103(7) or as directed by the county manager.~~

SECTION 8. Section 7-99. Temporary action by the owner. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby repealed in its entirety as follows:

~~**Sec. 7-99. – Temporary action by the owner.**~~

~~When a notice of violation has been issued for a building or structure, the owner may provide temporary action by securing and sealing the unsafe building. If the owner chooses to provide temporary action by securing and sealing the property, he or she shall notify and obtain approval from the building official or his/her designee for the temporary action. The building official or his/her designee, when approving temporary action in the form of securing and sealing, shall state a reasonable time in which permanent repairs shall be made to the property. If permanent repairs are not made within the specified time, the building official or his/her designee may set the matter for hearing before the construction board of adjustments and appeals.~~

SECTION 9. Section 7-100. Limitation of filing judicial action. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby renumbered to Section 7-96. and new Section 7-96. Limitation of filing judicial action. shall hereafter read as follows:

Sec. 7-96100. - Emergency securing of building.

If the building or structure poses an immediate hazard to life or to the safety of the public, the building official may order it be vacated, repaired, or demolished, and in such case the notice shall state the time within which vacation, repair, or demolition is to be completed.

If the building or structure is unoccupied and is unsafe because it is vacant, unguarded and open at doors or windows, or otherwise allows unobstructed access to the interior, and poses an immediate hazard to life or to the safety of the public, the building official may cause the temporary securing of the building or structure. The work may be performed by independent contractors, or

such other qualified means as available. Materials or methods for securing the building or structure shall be as determined by the building official.

SECTION 10. Section 7-101. Limitation of filing judicial action. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby repealed in its entirety as follows:

~~**Sec. 7-101. -- Limitation of filing judicial action.**~~

~~Any legal action appealing the construction board of adjustments and appeals order shall be commenced within thirty (30) calendar days of the date of the order and shall be in a court of competent jurisdiction in the Fourth Judicial Circuit Court in and for Nassau County, Florida.~~

SECTION 11. Section 7-102. Assessment lien. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby repealed in its entirety as follows:

~~**Sec. 7-102. -- Assessment lien.**~~

~~The total cost for addressing, by an independent contractor, a violation shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the county clerk of a lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.~~

~~Such notice of lien for recordation shall be in form substantially as follows:~~

~~NOTICE _____ OF _____ LIEN
(Claim of Nassau County)~~

~~Pursuant to the authority vested by the provisions of Section ___ of Nassau County Ordinance No. _____, the Construction Board Adjustments and Appeals of the Nassau County did on or about the _____ day of _____, 20____, cause the property hereinafter described, to be repaired or the building or structure on the property hereinafter described, to be repaired or demolished in order to abate a violation on said real property; and the Construction Board of Adjustments and Appeals of Nassau County did on the _____ day of _____, 20____, assess the cost of such repair or demolition upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said Nassau County does hereby claim a lien on such rehabilitation, removal, repair or demolition in the amount of said assessment, to wit: the sum of \$ _____ and the same, shall be a lien upon said real property until the same has been paid in full~~

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline

~~and discharged of record. The real property herein above mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in Nassau County, State of Florida, and particularly described as follows:~~

~~(description)~~

~~Dated this day of day of , 20.~~

~~Construction Board Adjustments and Appeals, Nassau County.~~

SECTION 12. Section 7-103. Alternative actions available – Violation an infraction. of Article VII. Unsafe Building Abatement Code. of Chapter 7. Buildings and Building Regulations. is hereby amended and renumbered to Section 7-97. and new Section 7-97. Alternative actions available – Violation an infraction. shall hereafter read as follows:

Sec. 7-97 103. - Alternative actions available—Violation an infraction.

Nothing in this chapter shall be deemed to prevent the board of county commissioners from ordering the commencement of a civil proceeding to abate a public nuisance pursuant to applicable law. Violation of the provisions of this chapter constitutes an infraction. ~~Violations of this chapter may also be taken before the code enforcement board in accordance with F.S. ch. 162.~~

Secs. 7-98 -- 7-110. Reserved.

SECTION 13. Section 7-226. Title. of Article XIV. Construction Board of Adjustments and Appeals. of Chapter 7. Buildings and Building Regulations. is hereby amended at Section 7-226. Title. and shall hereafter read as follows:

Sec. 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, and National Electrical Code. ~~and the Unsafe Building Abatement Ordinance 2019-15.~~

SECTION 14. Section 7-227. Purpose. of Article XIV. Construction Board of Adjustments and Appeals. of Chapter 7. Buildings and Building Regulations. is hereby amended at Section 7-227. Purpose. and shall hereafter read as follows:

Sec. 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

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline

Building Codes, and National Electrical Code. ~~and the Unsafe Building Abatement Ordinance 2019-15.~~

SECTION 15. CODIFICATION

It is the intent of the Board of County Commissioners for Nassau County that the provisions of this Ordinance shall become and shall be made part of the Code of Ordinances of Nassau County, Florida. The sections of this Ordinance may be re-numbers or re-lettered and the words may be changed to section, article or other such appropriate word or phrase in order to accomplish such intention. The Nassau County Clerk of Courts will ensure that this Ordinance is codified into, and published, as part of the Nassau County Code of Ordinances.

SECTION 16. CONFLICTING PROVISIONS

All ordinances, or parts of ordinances, in conflict with this provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 17. SEVERABILITY

If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 18. EFFECTIVE DATE

A certified copy of this Ordinance shall be filed with the Florida Department of State by the Clerk to the Board within ten (10) days after adoption of this Ordinance. This Ordinance shall take effect in accordance with law.

[The remainder of this page left intentionally blank.]

DULY ADOPTED this 24th day of July, 2023.

BOARD OF COUNTY COMMISSIONERS

NASSAU COUNTY, FLORIDA



KLYNT FARMER, ITS CHAIR

ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 26, 2023

Honorable John A. Crawford
Clerk of the Circuit Court
Nassau County
76347 Veteran's Way, Suite 456
Yulee, Florida 32097

Attention: Melissa Lucey

Dear Honorable John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2023-022, which was filed in this office on July 26, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

Melissa Lucey

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Monday, July 31, 2023 11:48 AM
To: Melissa Lucey
Subject: *EXTERNAL*: RE: Nassau County, FL Code of Ordinances - 2023(11325) OrdBank

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

SVj (she/her/hers)

Production Support Specialist Supplement Department • **CivicPlus**
civicplus.com



Powering and Empowering Local Governments

From: Melissa Lucey <mlucey@nassauclerk.com>
Sent: Wednesday, July 26, 2023 1:41 PM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Cc: Heather Nazworth <hnazworth@nassauclerk.com>
Subject: Ordinance Nos. 2023-021, 2023-022, 2023-024, 2023-025, 2023-026, and 2023-027

Gentlemen:

Enclosed please find a certified copy of Ordinance Nos. 2023-021, 2023-022, 2023-024, 2023-025, 2023-026, and 2023-027 adopted by the Nassau County Board of County Commissioners in Regular Session on July 24, 2023. **Also, please provide a confirmation email.**

Please include these ordinances in the supplement. Thank you for your assistance in this matter.

On behalf of John A. Crawford, Ex-Officio Clerk