



ORDINANCE 2000 - 35

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY FLORIDA, ESTABLISHING MINIMUM HOUSING STANDARDS GOVERNING INSPECTION ACTIVITIES, MAINTENANCE, AND ENFORCEMENT OF BUILDING PROVISIONS; ADOPTING THE 1997 EDITION OF THE STANDARD HOUSING CODE; REPEALING ALL PORTIONS OF THE CODE IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners believes it is beneficial to the interests and purposes of public safety and the general welfare of the citizens of Nassau County to regulate the maintenance and minimum housing requirements in Nassau County which may imperil the health, safety, and welfare of the citizens of Nassau County; and

WHEREAS, it is in the best interest of the citizens of Nassau County that the Board provide, by Ordinance, procedures for the maintenance, inspection and enforcement of minimum occupancy standards.

NOW, THEREFORE, BE IT ORDAINED this 18th day of September, 2000, by the Board of County Commissioners of Nassau County, as follows:

SECTION 1. The Standard Housing Code as promulgated by the Southern Building Code Congress International, Inc., specifically the 1997 Edition thereof, except Section 106, 107, and 108, is adopted by reference as if set forth in full in this Ordinance.

*Rescinded
3-28-05*

SECTION 2. The following provisions of the Standard Housing Code, 1997 Edition, are modified pursuant to this Ordinance:

1. Section 101.4.1 Existing Buildings: Alterations, repairs or rehabilitation work may be made to any existing building without requiring the building to comply with all the requirements of this code provided that the alteration, repair or rehabilitation work conforms to the requirements of this code for new construction. The ~~housing~~ building official shall determine, subject to appeal to the Construction Board of Adjustments and Appeals, the extent, if any, to which the existing building shall be made to conform to the requirements of this code for new construction.

2. Section 103.3: Requirements Not Covered by Code: Any requirement, not specifically covered by this Code, found necessary for the safety, health, and general welfare of the occupants of any dwelling, shall be determined by the ~~housing~~ building official subject to appeal to the ~~Housing~~ Construction Board of Adjustments and Appeals, pursuant to Ordinance No. 2000-20.

2. Section 103.4 Liability: Any officer or employee, or member of the ~~Housing~~ Construction Board of Adjustments and Appeals, as set forth in Ordinance No.

2000-20, charged with the enforcement of this code, in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee because of this code shall be defended by the ~~Department of Law~~ County Attorney or the attorney designated by the insurance carrier until the final termination of the proceedings.

3. Section 103.5 Reports: The ~~housing~~ building official shall annually submit a report to the ~~chief administrator~~ Director of Public Works covering the work of the department during the preceding year. He shall incorporate in said report a summary of the decisions of the ~~Housing~~ Construction Board of Adjustments and Appeals during said year.

4. Section 105 - Hardships: Where the literal application of the requirements of this code would appear to cause undue hardship on an owner or tenant or when it is claimed that the true intent and meaning of this code or any of the regulations therein have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal the

decision of the ~~housing~~ building official to the ~~Housing~~ Construction Board of Adjustments and Appeals, as set forth in Section 107.

Any ordinances, or part(s) thereof, in conflict herewith are repealed.

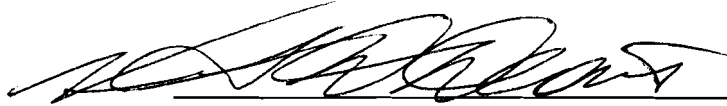
SECTION 3. The Construction Board of Adjustments and Appeals, as established by Ordinance No. 2000-20, shall hear appeals regarding provisions of the Standard Housing Code, and shall hear request(s) for extension of time as set forth in Ordinance No. 2000-20.

SECTION 4. If any section, paragraph, phrase, or word of this Ordinance is held to be unconstitutional or invalid, such portions shall not affect the remaining portions hereof, and it shall be construed to have been a legislative intent to pass this Ordinance without such unconstitutional or invalid part.

SECTION 5. Any violation of this Ordinance, by any person or entity shall be a misdemeanor of the second degree, and shall be punishable by a fine of not more than five hundred dollars (\$500.00) per day and/or sixty (60) days in the Nassau County Detention Facility. Each violation shall be deemed to be a separate violation.

SECTION 6. This Ordinance shall take effect upon its adoption.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



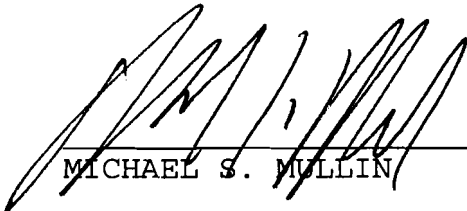
NICK D. DEONAS
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

h/ords/standard-housing-code