

## CITATIONS/WARNING

Florida State Statute Chapter 162, Part II authorizes the County a supplemental method of code enforcement where code violators receive a written Warning. If compliance is not achieved within the allotted time period, a Citation is issued. This Citation includes an immediate fine of \$118.00 for the 1<sup>st</sup> offense and \$268.00 if the offense is repeated. This fine can be paid within **15** days or an appearance requested before the County Judge who has total jurisdiction in the decision making of whether a violation truly exists or not. Fine imposed by a Judge against the violator can go as high as \$500.00 plus court costs. Failure to respond to the Citation can lead to the violator being held in contempt of court.

## CITIZEN INVOLVEMENT:

The involvement of neighborhood organizations in Code Enforcement is productive in many ways:

1. Information about code requirements can be disseminated to a large number of people at local neighborhood meetings.
2. Citizens take a role in the development and preservation of their environment and property values.
3. Provides a direct line of communication with the County to lessen insecurities, promote a sense of well being and gather citizen input.
4. Provides better relations, community pride and can bring reduction of burden on the Code Enforcement system, if citizens volunteer to receive special training as Code Officers.

## INSPECTION PROCESS

1. An inspector visits the property acting on customer complaint, referral, or personal observation;
2. Checks to see if the property appears to be a violation;
3. Attempts contact with owner/tenant;
4. If prompt compliance doesn't occur after discussion, a violation letter is issued to owner of property by certified mail and reasonable time given for compliance;

5. Re-inspection is performed after the given time;
6. If property is not in compliance, hearing before SM is scheduled;
7. If violation is corrected, the case is closed and filed. If not, SM may levy fines.

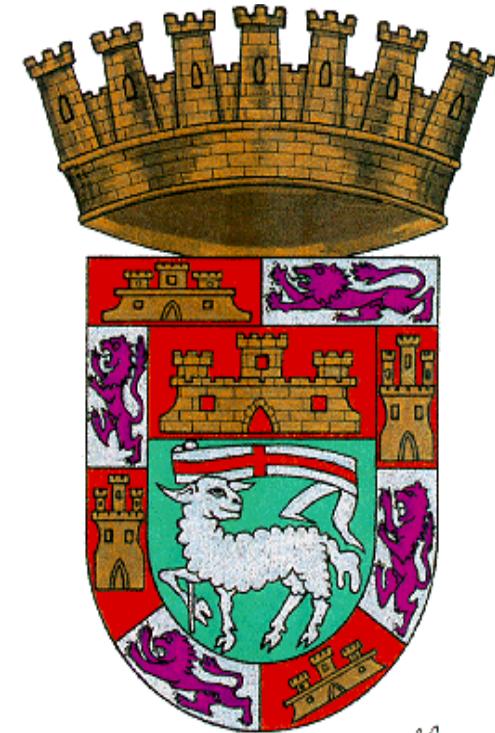
## SO WHAT DOES ALL THIS MEAN:

- All codes enforced have been adopted by County Commissioners.
- Most violations are reported as complaints from neighbors.
- Many violations exist because the responsible person does not know what Ordinances require.
- Code Enforcement is primarily educating the responsible person about ordinances, with over 95% prompt voluntary correction.
- Enforcement actions, when necessary to gain necessary corrections, may involve fines up to \$5,000.00 per day and liens to collect the fines imposed by the Court or Special Magistrate.

## IMPORTANT COUNTY TELEPHONE NUMBERS

Code Enforcement Section	209-0734
Building Department	827-6800
Contractor Licensing Section	827-6820
Zoning Section	209-0675
Sheriff Department	824-8304
Urban Forestry Section	209-0694
Engineering Section	209-0110
Road & Bridge Department	209-0246
Solid Waste Department	824-9720
Utility Department	471-2161
Animal Control	209-0746

# GUIDE TO CODE ENFORCEMENT



St. Johns County

Code Enforcement Program

## **PREFACE – EDUCATION:**

The concept of Code Enforcement is relatively new. In 1980 the State of Florida created a law (Chapter 162 of the Florida Statutes), which outlines the Code Enforcement process. The idea was to take the enforcement of local ordinances out of the overloaded courts system, and have violations handled by local citizen boards. Obviously, education of the public can be the most effective tool that Code Enforcement officials have at their disposal. The biggest problems for citizens, as well as the code officers, are that code infractions often exist because people often do not realize what they are doing is against the law. For instance, a citizen may be unaware that parking a vehicle without a valid tag outside their garage violates an ordinance, as does placing a campaign sign on the right-of-way in front of the house. Most citizens are willing to play by the rules once they know the rules.

Obviously, the best method of enforcement is to inform the public, about the standards that govern our communities and neighborhoods. It is easy for most citizens to understand the need for safety and health regulations. More difficult to understand are the property value decline, reduce visual clutter and preserve quality of life. So, the intent of this guide is to help educate the citizens of St. Johns County about the Code Enforcement process.

## **MOST COMMON NEIGHBORHOOD CODE VIOLATIONS:**

- a) Open storage of junk, garbage, trash and other debris.
- b) Major auto and/or boat repair in residential area.

## **JUNK AND ABANDONED VEHICLES:**

Storage of any wrecked, dismantled, partially dismantled, inoperable motor vehicle, recreational vehicle, trailer, boat, or special purpose vehicle is prohibited. A vehicle is considered inoperable if it is being stored or parked with any wheels missing, any tires flat, or if it does not have a current license tag. Motor vehicles, mobile homes, or trailers of any type, without current license plates (except vehicles customarily used in agricultural pursuits) must be in a completely enclosed building on any residential, OR, CN zoned property.

## **MOBILE SALES UNITS:**

Mobile sales units shall not be located on any un-improved property, nor in any district not allowing outside sales activities, unless a Temporary Use Permit is granted.

## **MINIMUM STANDARD FOR DWELLINGS**

All structures shall be maintained in good condition such as no broken windows or doors, and roof weather tight. Dwelling must also meet minimum standards for space, light and ventilation, basic sanitary facilities and equipment.

## **PARKING OF HEAVY VEHICLES IN RESIDENTIAL DISTRICTS**

Heavy vehicles which are in excess of 8000 pounds net weight and are registered on the basis of gross vehicle weight shall not be parked or stored in any residential district except as may be required for normal loading or unloading of such vehicles during time normally required for service at dwellings, or at Structures or activities allowable or permissible in such residential districts by the terms of this code.

All recreational vehicles, boats and utility trailers must be parked or stored in a required rear or side yard. (Exception: Ponte Vedra Zoning Dist. Recreational vehicles cannot be seen on property).

No recreational equipment shall be used for living, sleeping or housekeeping purposes when parked or stored in a residential zoned lot or any other area not approved for such use.

## **PETS**

Household pets are permitted in all residential districts but the number of pets over 10 weeks of age shall not exceed **5**.

## **SPECIAL MAGISTRATE**

The Special Magistrate (SM) is a quasi-judicial body existing by the authority of the State of Florida to hear and decide Code Enforcement violation cases. The SM is appointed by the County Commission of St. Johns (BCC). It provides an expeditious and effective means of dealing with code violations.

When voluntary compliance is not obtained a hearing before the SM is held. The Code Officer assembles and presents evidence (including pertinent testimony) for SM to determine if a violation exists. The hearing provides the alleged violator with an opportunity to present evidence and testimony to show that no violation has occurred. The SM judges the merits of the case by considering the evidence and issues an order, which both the Code Inspector and alleged violator must honor. If guilt is established, a reasonable time for code compliance is determined as well as an appropriate penalty for continued non-compliance. Appeals of SM orders may be made to the Circuit Court.

Although formal rules of evidence do not apply in SM hearings, all testimony is taken under oath and is recorded. Fundamental due process is observed through the process. The recorded testimony and any exhibits submitted as evidence constitute the history of the case that an appeals court may review. In the event of an appeal in court, a judge will consider only the information or evidence that is a part of the original SM record.

Florida Statutes Chapter 162.07 (4) includes provisions for recording Orders of SM in the public records so that they bind subsequent purchasers of an affected property. Section 162.08 gives SM the power to subpoena alleged violators and witnesses. Section 162.09 empowers the SM to:

1. Record a lien against the property;
2. Impose fines for certain violations up to \$1,000.00 per day for first time violators, up to \$5,000.00 per day for repeat violators, and may include all costs of repairs;
3. Impose fines of up to \$15,000 for irreparable or irreversible violations.

Liens may continue in force for 20 years unless foreclosure occurs. After three months, the County may be authorized by the SM to foreclose on the unpaid lien, but homestead property is exempt from this foreclosure.