



"The Best Waterfront City in Which to Live, Work And Play."

CITY OF RIVIERA BEACH

TO: HON. MAYOR, CHAIRPERSON, AND CITY COUNCIL

THROUGH: JONATHAN EVANS, CITY MANGER, MPA, MBA, ICMA-CM

FROM: CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES; NATE OSGOOD, CHIEF OF POLICE

SUBJECT: **CLEAN AND LIEN COMMUNITY IMPROVEMENT PROGRAM**

DATE: MAY 5, 2021

CC: GENERAL PUBLIC

Background:

The City of Riviera Beach recognizes the need to address certain properties that cause a strain on police resources and/or cause blight in the city. Examples include properties that receive multiple police calls within a certain period, property owners that do not properly maintain buildings or grounds, and property owners who fail to respond to violations issued by City staff. To address this, the Police and Development Services Departments are proposing a more coordinated approach in addressing chronic nuisance properties and ill-maintained properties. This discussion and deliberation item will cover three ordinances which would work together to create new tools which the City could use to address these properties as well as create a multi-front approach to bringing problem properties into compliance with City ordinances.

Ordinance 1: Property Maintenance Code

The last time the City of Riviera Beach adopted a property maintenance code was in 2000 through ordinance 2642. However in March of 2002 when State of Florida adopted the FBC for all municipalities, the City's previous code adoptions were negated. Prior to the adoption of the Florida Building Code (FBC) by the State, each local government was responsible for adopting a building code for use within its jurisdiction. Most municipalities within Florida utilized the Southern Building Code Congress International (SBCCI) codes, which included what was commonly known as the *Standard Housing Code* for enforcement of property maintenance standards.

The Florida Building Code does not contain a property maintenance code or standards, therefore it is up to each municipality to adopt their own property maintenance code. The International Code Council publishes triennially the *International Property Maintenance Code* (IPMC). The Department of Development Services, Building Division is using the latest edition of the ICC IPMC as the base code for the proposed new *Riviera Beach Property Maintenance Code* (RBPMC).

Several sections within the City's Municipal Code contain property maintenance standards currently. City staff has reviewed and adjusted the proposed RBPMC to eliminate conflicts and conform with current city codes and remedies regarding property maintenance. If approved, this ordinance adopts a detailed code manual, which will serve as a resource to both homeowners and City staff for the minimum property maintenance standards in Riviera Beach.

Ordinance 2: Code Enforcement Process

This proposed ordinance will repeal the existing code enforcement process and replace it with the revised process. The new process will improve notification procedures and timeframes, as well as streamline the process associated with full and partial lien release for homestead and non-homestead property. The new ordinance will establish code compliance administrative fees, application fees for lien reduction and release, and create a property improvement account.

The recommended property improvement account is proposed to receive five percent (5%) of code compliance fees received (council may consider a higher percentage). This money would then be reinvested into the community by way of property improvement grants, neighborhood beautification initiatives, and similar programs. Example programs include yard improvement grants, a house-painting program, house number grants, senior citizen roof grants, a landscape planting program and others. The ultimate goal of the property improvement account is to help satisfy and current or future need for assistance while also promoting reinvestment within our neighborhoods.

Ordinance 3: Chronic Nuisance Properties

The City currently has ordinances in place to address properties that violate City codes; properties that are public nuisances due to controlled substance violations and similar offenses; and properties that otherwise endanger the health, safety and welfare of the City. However, the aforementioned ordinances do not address those properties that chronically overburden the City's Police Department with nuisance-type activities. Therefore, staff is seeking to bring forward an ordinance entitled "Chronic Nuisance Properties."

Many municipalities in Florida, through their Home Rule Powers, use the proposed Chronic Nuisance process. The process addresses those properties which have excessive calls for police services for various criminal offenses and have become a nuisance to the community and the city that serves them. The Police Department and City Attorney's Office worked with outside counsel to develop an ordinance specifically tailored to the needs of Riviera Beach. The proposed process will be initiated by the Police Department based on repeat calls for service for identified criminal offenses and non-compliant repeat, code violations. This is qualified by properties for which police receive 3 or more call within a 30 day period or 7 or more call within a 6 month period. The goal of the process is to obtain voluntary compliance; however, the City's special magistrate will be utilized for those property owners that do not voluntarily comply.

City Goals:

The City wide goal is to build great neighborhoods.

Fiscal/Budget Impact:

N/A

Recommendation:

This is a discussion item and no action is requested at this time. Final ordinances for all three proposals will be scheduled for a vote at a future council meeting.

Attachments:

1. Property Maintenance Code
2. Code enforcement ordinance
3. Chronic Nuisance abatement ordinance