

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Community Affairs offered the following:

Amendment (with title amendment)

On page 2, Between lines 8 and 9, of the bill

insert:

Section 2. Paragraph (d) is added to subsection (2) of section 162.09, Florida Statutes, to read:

162.09 Administrative fines; costs of repair; liens.--

(2)(a) A fine imposed pursuant to this section shall not exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (1). However, if a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation.

(b) In determining the amount of the fine, if any, the enforcement board shall consider the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the

violation; and

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1 3. Any previous violations committed by the violator.

2 (c) An enforcement board may reduce a fine imposed
3 pursuant to this section.

4 (d) A county or a municipality having a population
5 equal to or greater than 50,000 may adopt, by a vote of at
6 least a majority plus one of the entire governing body of the
7 county or municipality, an ordinance that gives code
8 enforcement boards or special masters, or both, authority to
9 impose fines in excess of the limits set forth in paragraph
10 (a). Such fines shall not exceed \$1,000 per day per violation
11 for a first violation, \$5,000 per day per violation for a
12 repeat violation, and up to \$15,000 per violation if the code
13 enforcement board or special master finds the violation to be
14 irreparable or irreversible in nature. In addition to such
15 fines, a code enforcement board or special master may impose
16 additional fines to cover all costs incurred by the local
17 government in enforcing its codes and all costs of repairs
18 pursuant to subsection (1). Any ordinance imposing such fines
19 shall include criteria to be considered by the code
20 enforcement board or special master in determining the amount
21 of the fines, including, but not limited to, those factors set
22 forth in paragraph (b).

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25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, Line 6, after the first semicolon,

28

29 and insert in lieu thereof:

30 authorizing certain counties or municipalities

31 to adopt ordinances granting code enforcement

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1 boards or special masters authority to impose
2 certain fines in excess of those authorized by
3 law; specifying limitations; providing
4 requirements;
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