



881972

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/21/2013	.	
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	.	

The Committee on Community Affairs (Simpson) recommended the following:

Senate Amendment (with title amendment)

Between lines 65 and 66
insert:

Section 1. Section 162.12, Florida Statutes, is amended to read:

162.12 Notices.—

(1) All notices required by this part must be provided to the alleged violator by:

(a) Certified mail, return receipt requested, to the address listed in the tax collector's office for tax notices, or to the address listed in the county property appraiser's



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13 database. The local government may also provide an additional
14 notice to any other address it may find for ~~provided by the~~
15 ~~property owner in writing to the local government for the~~
16 ~~purpose of receiving notices.~~ For property owned by a
17 corporation, notices may be provided by certified mail to the
18 registered agent of the corporation. If any notice sent by
19 certified mail is not signed as received within 30 days after
20 the postmarked date of mailing, notice may be provided by
21 posting as described in subparagraphs (2)(b)1. and 2.;

22 (b) Hand delivery by the sheriff or other law enforcement
23 officer, code inspector, or other person designated by the local
24 governing body;

25 (c) Leaving the notice at the violator's usual place of
26 residence with any person residing therein who is above 15 years
27 of age and informing such person of the contents of the notice;
28 or

29 (d) In the case of commercial premises, leaving the notice
30 with the manager or other person in charge.

31 (2) In addition to providing notice as set forth in
32 subsection (1), at the option of the code enforcement board or
33 the local government, notice may ~~also~~ be served by publication
34 or posting, as follows:

35 (a)1. Such notice shall be published once during each week
36 for 4 consecutive weeks (four publications being sufficient) in
37 a newspaper of general circulation in the county where the code
38 enforcement board is located. The newspaper shall meet such
39 requirements as are prescribed under chapter 50 for legal and
40 official advertisements.

41 2. Proof of publication shall be made as provided in ss.



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42 50.041 and 50.051.

43 (b)1. In lieu of publication as described in paragraph (a),
44 such notice may be posted at least 10 days prior to the hearing,
45 or prior to the expiration of any deadline contained in the
46 notice, in at least two locations, one of which shall be the
47 property upon which the violation is alleged to exist and the
48 other of which shall be, in the case of municipalities, at the
49 primary municipal government office, and in the case of
50 counties, at the front door of the courthouse or the main county
51 governmental center in said county.

52 2. Proof of posting shall be by affidavit of the person
53 posting the notice, which affidavit shall include a copy of the
54 notice posted and the date and places of its posting.

55 (c) Notice by publication or posting may run concurrently
56 with, or may follow, an attempt or attempts to provide notice by
57 hand delivery or by mail as required under subsection (1).

58
59 Evidence that an attempt has been made to hand deliver or mail
60 notice as provided in subsection (1), together with proof of
61 publication or posting as provided in subsection (2), shall be
62 sufficient to show that the notice requirements of this part
63 have been met, without regard to whether or not the alleged
64 violator actually received such notice.

65
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete line 2

69 and insert:

70 An act relating to building construction; amending s.



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162.12, F.S.; revising notice requirements in the
Local Government Code Enforcement Boards Act; amending
s.