

By Senator Clemens

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1 A bill to be entitled
2 An act relating to chronic nuisance service
3 assessments; creating s. 193.0236, F.S.; authorizing a
4 local government to levy non-ad valorem assessments to
5 recover costs incurred in eliminating chronic
6 nuisances on real property; requiring local
7 governments that levy the assessments to adopt
8 ordinances containing certain provisions; providing
9 for payment and collection of the assessments;
10 providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 193.0236, Florida Statutes, is created
15 to read:

16 193.0236 Chronic nuisance service assessments.-

17 (1) A local government as defined in s. 197.3632(1) may
18 levy non-ad valorem assessments to recover costs incurred in
19 providing services to eliminate chronic nuisances on real
20 property.

21 (2) A local government that levies a chronic nuisance
22 service assessment under this section must adopt an ordinance
23 that:

24 (a) Specifies activities that constitute a nuisance.

25 (b) Defines the term "chronic nuisance" and specifies
26 factors, such as the type of nuisance and the frequency of
27 occurrence, which determine the existence of a chronic nuisance.

28 (c) Establishes the procedures by which the local
29 government provides notice of the chronic nuisance to the owner

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30 of the real property.

31 (d) Provides a specified period for the owner to correct
32 the chronic nuisance before an assessment is levied.

33 (e) Establishes an appeals process that permits the owner
34 to appeal the notice of the chronic nuisance and present a
35 defense.

36 (3) A non-ad valorem assessment levied under this section
37 remains a lien, coequal with the lien of all state, county,
38 district, and municipal taxes and superior in dignity to all
39 other liens, titles, and claims, until paid. A local government
40 may collect the assessments pursuant to the uniform method
41 provided in s. 197.3632 or an alternative method provided by
42 law.

43 Section 2. This act shall take effect July 1, 2014.