

A bill to be entitled

An act relating to chronic nuisance service assessments; creating s. 193.0236, F.S.; authorizing a local government to levy non-ad valorem assessments to recover costs incurred in eliminating chronic nuisances on real property; requiring local governments that levy the assessments to adopt ordinances containing certain provisions; providing for payment and collection of the assessments; providing an effective date.

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

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

193.0236 Chronic nuisance service assessments.-

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

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

(a) Specifies activities that constitute a nuisance.

(b) Defines the term "chronic nuisance" and specifies factors, such as the type of nuisance and the frequency of

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27 occurrence, that determine the existence of a chronic nuisance.

28 (c) Establishes the requirements by which the local  
29 government shall provide notice of the chronic nuisance to the  
30 owner 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  
35 evidence of a defense.

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

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