

**ARTICLE 11  
DEVELOPMENT REVIEW AND ENFORCEMENT BOARDS**

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Article History								
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11	Development Review and Enforcement Boards / Repeal 2002-6A	✓		11/26/02	12/16/02	02/01/03		2002-42
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11	Amendment Establishing Special Master		11.06	12/09/03	11/22/03	12/22/03		2003-36
11	Amendment Establishment & Membership		11.02.01 11.04.01	12/12/06	12/21/06	12/21/06		2006-52
11	Development Review & Enforcement Boards		11.02, 11.03, 11.04, 11.05 and 11.06	06/26/12	07/03/12	07/03/12		2012-17
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**ARTICLE 11  
DEVELOPMENT REVIEW AND ENFORCEMENT BOARDS**

**SECTION 11.01 -- PURPOSE:** The purpose of this Section is to establish certain boards to administer the provisions of this Code under the authority prescribed by this Code and Florida law. This Article hereby creates and establishes the function, powers and duties of the Putnam County Development Review Committee and the following citizen boards: the Planning Commission, the Zoning Board of Adjustment and the Code Enforcement Board. This Article also outlines the general procedures and requirements for each of these boards and any other proposed citizen board. Historical District Committees are described in Article 4 and shall be governed by the provisions of this Article only to the extent Article 4 does not address an issue.

**SECTION 11.02 -- DEVELOPMENT REVIEW COMMITTEE**

**11.02.01 -- Membership**

- a. Voting: The voting membership of the Committee shall be composed of an employee assigned by the appropriate supervisor from each of the following County departments:
  - 1. Planning and Development Services
  - 2. Public Works
  - 3. Sheriff
  - 4. Emergency Services
  - 5. Recreation
  - 6. Property Appraiser
  - 7. Health
  - 8. Putnam County School District
  
- b. Non-voting: Representatives of the following shall be non-voting ex officio members of the Committee:
  - 1. Department of the Navy, Naval Air Station Jacksonville
  - 2. County Forester
  - 3. All applicable utility providers (e.g. gas, electric, cable television, telephone, sewer, water)
  - 4. St. Johns River Water Management District
  - 5. Suwannee River Water Management District
  - 6. Florida Department of Transportation
  - 7. Florida Department of Environmental Protection
  - 8. Agricultural Center
  - 9. Natural Resource Conservation Service
  - 10. Army Corp of Engineers

**11.02.02 -- Appointment Of Chair:** The Committee will be chaired by the Director of the Planning and Development Services Department, or his designee.

**11.02.03 -- General Functions, Powers and Duties:** The Committee shall meet as needed to conduct development plan review as described in Article 12, review of proposed PUDs, review vesting applications as provided in Article 9, review subdivision plans, review any other development proposals as prescribed in this Code, provide comment to the developer or property owner on any issues or concerns that may need to be addressed prior to submittal to the reviewing board, and make recommendations to the reviewing board regarding any such development plans, vesting applications, subdivision plans or site plans. The Director may call meetings or may refer matters to the individual Committee members for review and comment as the Director deems appropriate.

**11.02.04 -- Open Meetings.** All Committee meetings shall be open to the public and subject to state open meetings requirements. Notwithstanding any other provision of this LDC, notice of a DRC meeting shall be by posting notice of the meeting at the County Administration Building at least three (3) days prior to the meeting. If the request is of an uncomplicated nature such that the Director determines that a meeting of the DRC is unnecessary, the Director may waive the requirement for DRC review. Written comments submitted by County Departments or other agencies concerning a proposed development shall be retained in the official files of the Department.

## **SECTION 11.03 -- CITIZEN BOARDS**

**11.03.01 -- Generally:** Except as may otherwise be provided in the subsections below that address the particular citizen boards, all citizen boards created to administer this Code shall be governed by the following provisions of Section 11.03.

### **11.03.02 -- Membership**

- a. Each board shall consist of no less than seven (7) and no more than nine (9) regular members.
- b. Each board must include at least one (1) resident from each of the County Commissioner districts, and all members must reside in Putnam County.
- c. No member shall be an elected governmental official.
- d. No person may serve on more than one (1) board established under this Article, and any person appointed to a board established by the Article shall not be permitted to serve on more than two other standing County committees.

### **11.03.03 -- Terms**

- a. The initial appointments to a new board shall be as follows:
  1. Two (2) members appointed for a term of one (1) year each.
  2. Three (3) members appointed for a term of two (2) years each.
  3. Two (2) members appointed for a term of three (3) years each.
- b. Thereafter, any appointment, with the exception of the Planning Commission and Zoning Board of Adjustment, shall be made for a term of three (3) years.

- c. Appointments to the Planning Commission or Zoning Board of Adjustment shall be as follows:
  - 1. Members that are required to come from a specific district under section 11.03.02.c shall be appointed to four (4) year terms that commence January 1<sup>st</sup> immediately following the election of the County Commissioner that represents the specific district.
  - 2. In addition to the appointment of members from specific districts under paragraph 1, above, two of the four at large members of the Planning Commission and Zoning Board of Adjustment shall be appointed to four (4) year terms that commence January 1.
- d. All terms expire on December 31st.

**11.03.04 -- Appointment, Removal and Replacement**

- a. Members shall be appointed by a majority vote of the Board of County Commissioners.
  - 1. At large members shall be nominated by each County Commissioner on a rotating basis according to the District they represent, so that each District shall take a turn at nominating at large members.
  - 2. District members must be nominated by the appropriate District Commissioner.
- b. Removal from a board shall take place under the following circumstances:
  - 1. A district member moved out of his original district.
  - 2. At-large member moved out of the County.
  - 3. A member fails to attend two of three successive meetings without providing notice to staff prior to the meetings. Notwithstanding this specific attendance criterion for immediate removal, poor attendance, with or without notice, shall be reported to the Board of County Commissioners.
  - 4. A majority vote of the Board of County Commissioners without assignment of cause.
- c. When a position becomes vacant before the end of the term, the Board of County Commissioners shall promptly appoint a substitute member to fill the vacancy for the duration of the vacated term.
- d. A member whose term expires may continue to serve until a successor is appointed and qualified.

**11.03.05 -- Officers**

- a. The members of each board shall annually, at the first meeting of the new calendar year, elect a chair and vice chair from among the members, and may create and fill other offices as the board deems needed.
- b. The chair and vice-chair shall each serve for one (1) year, but may be re-elected. They will serve until they officially notify the Department of their inability to serve or until a successor is appointed, whichever occurs first. The chair shall preside over all meetings and is a voting member. In the event of the chair's absence, the vice-chair shall preside. In the event that both the chair and the vice-chair are absent, the other board members shall elect a temporary chair to preside.

### **11.03.06 -- Support Staff**

- a. The Director of the Planning and Development Services Department shall appoint staff to serve as a secretary to each board. The secretary will record the board meetings, keep meeting minutes and serve as custodian of the board's records.
- b. The Director of Planning and Development Services Department shall provide other staff to each board, as needed.
- c. Each board, through the staff provided, may request information from any County department or official. Each department head or official shall supply the requested information or reasonable grounds for unavailability within a reasonable time.

### **11.03.07 -- Funding and Compensation**

- a. Members shall not be compensated, but may be reimbursed for travel and other expenses incurred on board business under procedures prescribed in advance by the Board of County Commissioners.
- b. The Board of County Commissioners shall appropriate funds to permit each board to perform its prescribed functions.

### **11.03.08 -- Board Procedures**

- a. Each board shall adopt rules of procedure to carry out its purposes. Robert's Rules of Order Newly Revised shall govern meetings to the extent it is not in conflict with this Code or state law.
- b. Each board shall meet at least once each calendar month, unless canceled by the board, its chair, or a lack of quorum. Special meetings may be called by the chair or the Board of County Commissioners, as necessary.
- c. Each board shall keep minutes of its proceedings, indicating the attendance of each member, and the decision on every question. The minutes shall also indicate if a member is absent for a vote or disqualified from voting.
- d. A majority of the members of the board being present and qualified to vote shall constitute a quorum.
- e. Members shall vote on all matters before the board, unless absent or otherwise prohibited by law from voting.
- f. Each decision of a board must be approved by a majority vote of the members present at a meeting in which a quorum is in attendance and voting. A tie vote is considered a denial of the motion. After an initial tie vote, the chair will attempt to get the membership to move on the requested action by either approving or denying the matter. If a subsequent motion(s) is made and the votes result in another tie, and there is no other motion forthcoming or pending, the chair may declare the tie vote(s) a denial of the requested action.

**11.03.09 -- Conflict of Interest:** Members of any board established or governed by Article 11 shall be subject to the conflict of interest requirements in sections 112.3143 and 286.012, Florida Statutes.

**11.03.10 -- Open Meetings:** All citizen board meetings are open to the public and shall comply with state open meetings laws.

**11.03.11 -- Legal Representation.** The Board of County Commissioners shall appoint legal counsel to represent each citizen board.

**11.03.12 -- Historical District Commissions.** Article 4, subsection 4.04.03.f provides special provisions for the formation and function of Historical District Commissions. This Section shall govern matters of formation and procedure not covered in subsection 4.04.03.f.

**11.03.13 -- Application Fees.** The Board of County Commissioners shall adopt by resolution a schedule of application fees for functions performed by each citizen board.

#### **SECTION 11.04 -- PLANNING COMMISSION.**

**11.04.01 -- Establishment and Membership.** The Planning Commission is a Citizen Board and shall be governed by Section 11.03 and this Section. The Planning Commission shall consist of nine (9) voting members, and two non-voting members. The non-voting member shall be a representative of the Putnam County School Board and a representative of the Department of the Navy, Naval Air Station Jacksonville.

#### **11.04.02 -- General Functions, Powers and Duties**

- a. Under the authority granted in the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, the Planning Commission is hereby designated as the Local Planning Agency for the County and shall perform the functions and duties as prescribed in the Act.
- b. Pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, the Planning Commission is hereby designated to be the Land Development Regulation Commission and shall perform the functions and duties prescribed in the Act.
- c. The Planning Commission shall monitor and oversee the operation, effectiveness and status of this Code and recommend amendments to the Board of County Commissioners that are consistent with the comprehensive plan.
- d. The Planning Commission shall conduct public hearings to gather information necessary for the drafting, establishment, amendment, and maintenance of the various elements of the Comprehensive Plan and provisions of this Code, and make written recommendations to the Board of County Commissioners.
- e. The Planning Commission shall review and make recommendations regarding Redevelopment Plans prepared under Chapter 163, Part III, Florida Statutes.
- f. The Planning Commission shall recommend land use policies to the Board of County Commissioners, respond to requests by the Board of County Commissioners for advice about specific land use issues and policies, and make written recommendations to the Board of County Commissioners.

- g. The Planning Commission shall review all requests for rezoning of property and zoning district boundary changes as set forth in Article 12.
- h. The Planning Commission shall review subdivision plans as described in Article 12.
- i. The Planning Commission shall review vesting cases as described in Articles 9, with written recommendation to the Board of County Commissioners.
- j. The Planning Commission shall review nominations for designation on the Local Register of Historic Places as described in Article 4.
- k. The Planning Commission shall perform other lawfully assigned duties, which may include special studies on the location, condition and adequacy of specific facilities of the County, including housing, commercial and industrial facilities, parks, playgrounds, boat ramps and other recreational facilities, schools, public buildings, public and private utilities, transportation and parking.

**11.04.03 -- Meetings:** The Planning Commission shall meet each month to conduct public hearings on requested actions, or other matters as may be brought before the Commission. Meetings, including workshops, may be held at the call of the chair or the Board of County Commissioners.

## **SECTION 11.05 -- ZONING BOARD OF ADJUSTMENT**

**11.05.01 -- Establishment and Membership.** The Zoning Board of Adjustment (“Zoning Board”) is a Citizen Board and shall be governed by Section 11.03 and this Section. The Zoning Board of Adjustment shall consist of nine (9) voting members.

### **11.05.02 -- General Functions, Powers and Duties of the Zoning Board**

- a. Make recommendations to the Planning Commission on code amendments either upon the request of the Planning Commission or upon its own initiation.
- b. Review and approve sites, buildings, structures, objects, and districts, both public and private, for listing on the Local Register of Historic Places in accordance with Section 4.04 of this Code.
- c. Approve or deny petitions for certificates of appropriateness required under the historic preservation regulations in Section 4.04 of this Code.
- d. Hear and decide appeals of final determinations by County administrative staff as set forth in Article 12.
- e. Hear and act upon variance applications as set forth in this Code.
- f. Make determinations regarding nonconformities pursuant to Section 9.03 of this Code.
- g. Review and make a determination on all requests for Special Use Permits as set forth in Article 12.
- h. Have such other powers and duties as are provided by this Code.



**11.05.03 -- Meetings generally:** The Zoning Board shall meet each month to conduct public hearings on requested actions, or other matters as may be brought before the Board. Special meetings, including workshops, may be held at the call of the chair or the Board of County Commissioners.

## **SECTION 11.06 -- CODE ENFORCEMENT BOARD AND SPECIAL MAGISTRATE**

### **11.06.01 – Intent.**

It is the intent of this section to promote, protect and improve the health, safety and welfare of the citizens of Putnam County by authorizing and creating a special magistrate and a code enforcement board to hear and decide code enforcement proceedings with the authority to impose administrative fines and other non-criminal penalties to provide an equitable, expeditious, effective, and inexpensive method for enforcing the codes and ordinances in force in the County where a pending or repeated violation continues to exist.

### **11.06.02 -- Establishment and Membership of Code Enforcement Board and Special Master.**

- a. Appointment of Code Enforcement Board. The Code Enforcement Board is created as a citizen board, the formation and function of which shall be governed by the requirements of Section 11.03 and this Section. Its membership shall consist of seven (7) voting members.
- b. Appointment and Qualifications of the Special Magistrate.
  1. The special magistrate shall be appointed by a majority vote of the Board of County Commissioners. The Board of County Commissioners may appoint one or more alternate special magistrates.
  2. The special magistrate shall first be appointed for a period of one (1) year and shall thereafter be appointed for a term of three (3) years. A special magistrate may be reappointed upon the approval of the Board of County Commissioners. In the event of a vacancy by the special magistrate, the Board of County Commissioners shall appoint a replacement for the remainder of the unexpired term.
  3. The special magistrate shall be compensated in the amount to be established by the Board of County Commissioners.
  4. The special magistrate shall serve at the pleasure of the Board of County Commissioners and may be suspended or removed by a majority vote of the Board of County Commissioners.
  5. The special magistrate shall be an attorney and member in good standing with the Florida Bar for a minimum of 5 years.

### **11.06.03 -- General Functions, Powers and Duties:**

- a. The Enforcement Board and the Special Magistrate shall have the jurisdiction and authority to hear and decide alleged violations of this code and other codes and ordinances enacted by Putnam County including, but not limited to, the following codes: building, electrical, fire, gas, housing, abatement of nuisances, plumbing, and any other similar type codes which may be passed by Putnam County in the future which regulate aesthetics, construction, environmental health, safety, or location of any structure on real property in Putnam County.
- b. The provisions of this section are supplemental and shall not prohibit the County from enforcing its codes by other legal means.
- c. The Enforcement Board and the Special Magistrate shall have the power to:
  1. Subpoena alleged violators and witnesses to its hearings. A Sheriff or other authorized persons may serve subpoenas consistent with applicable State law and procedures, upon request by the Chair.
  2. Subpoena records, surveys, plats and other documentary materials.
  3. Take testimony under oath.
  4. Issue orders having the full force and effect of law to command whatever steps are necessary to bring a violation into compliance.
  5. Assess fines pursuant to the requirements of this Section pertaining to fines.
  6. Lien property pursuant to the requirements of this Section pertaining to liens.

#### **11.06.04 -- Enforcement Procedures:**

- a. An alleged violation of any of those codes or ordinances of Putnam County, as described herein, may be filed with Planning & Development Services, either by citizens or by County staff who have the responsibility of enforcing the various codes or ordinances of Putnam County. The “Code Enforcement Officer” is any authorized agent or employee of the County whose duty is to assure code compliance. It shall be the duty of the code inspector to initiate enforcement proceedings. The County Department having responsibility for the administration of a particular ordinance shall be responsible for prosecuting violations of that ordinance before the Code Enforcement Board or the special master. Neither a member of the Code Enforcement Board nor the special magistrate shall have the power to initiate enforcement proceedings.
- b. Except as provided in subsections (c) and (d) below, if a violation is found, the Code Enforcement Officer shall notify the violator and give him a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the inspector shall schedule a hearing before the Code Enforcement Board or the special magistrate, and give notice to the violator pursuant to Section 11.06.09. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction, the hearing shall nevertheless take place, even if the violation has been corrected prior to the board hearing, and the notice shall so state.
- c. If a repeat violation is found, the Code Enforcement Officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. “Repeat violation” means the violation of a provision of a code or ordinance by a person who has been previously found through a Code Enforcement Board or any other quasi-judicial or judicial process to have violated, or who has admitted violating, the same provision within five years prior to the violation. The Code Enforcement Officer, upon notifying the violator of a repeat violation, shall schedule a hearing and shall provide notice in accordance with section 11.06.09. The case may be presented to the Code Enforcement Board or the special magistrate even if the repeat violation has been corrected prior to the board hearing and the notice shall so state. If the repeat violation has been corrected, the code enforcement board retains the right to impose costs and enforcement fees. The repeat violator may waive his right to this hearing and pay said costs as determined by the board.
- d. If the Code Enforcement Officer has reason to believe a violation presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, the Officer shall make a reasonable effort to notify the violator and may immediately notify the Code Enforcement Board or the special magistrate and request a hearing or follow the abatement procedures outlined in Article 12.
- e. Nothing contained in these sections shall prohibit Putnam County from enforcing its codes by any other means.

**11.06.05 -- Conduct of Hearings.** The following requirements shall apply to the conduct of Code Enforcement Board and special magistrate hearings:

- a. Schedule
  1. Regular meetings of the Code Enforcement Board or special magistrate will be convened each month or as otherwise deemed necessary upon posting notice of the change at the offices of the Planning and Development Services Department and giving notice to the defendant. Written notice and formal agenda package will be prepared and forwarded to each member of the Code Enforcement Board or to the special magistrate. Special meetings of the Code Enforcement Board may be convened by the Chair, or Vice-Chair in the absence or unavailability of the Chair, or by written notice signed by at least three members of the Code Enforcement Board. Alternatively, a Special Magistrate hearing may be set by the Planning and Development Services Director or their designee, as necessary, after giving proper notice pursuant to this section and Florida Statutes.
  2. At such other times as may be necessary, a hearing to hear and decide code enforcement matters as provided for in this section .may be scheduled upon posting notice at the offices of the Planning and Development Services Department and giving notice to the defendant.
- b. All testimonies shall be under oath and mechanically recorded.
- c. Each case before the Code Enforcement Board or the special magistrate shall be presented by the County staff person who is charged with the responsibility for enforcement of the specific code sections alleged to have been violated.
- d. The formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceeding. All relevant evidence shall be admitted if, in the opinion of the Code Enforcement Board or the special magistrate, it is the type of evidence upon which reasonable and responsible persons would normally rely in the conduct of business affairs, regardless of the existence of any common law or statutory rule that might make such evidence inadmissible over objections in a civil action. The Chair of the Code Enforcement Board or the special magistrate hearing the matter may exclude irrelevant or unduly repetitious evidence. Any part of the evidence may be received in written form and noted during the meeting.
- e. Each party to the hearing shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses, impeach witnesses and rebut evidence.
- f. The alleged violator has the right, at his own expense, to be represented by an attorney at any board hearing.
- g. The alleged violator or the County may cause the proceedings to be recorded by a certified court reporter or by a certified recording instrument.
- h. The burden of proof shall be with the Code Enforcement Officer to show by a preponderance of evidence that a code violation exists and that the alleged violator committed, or was responsible for maintaining the violation.
- i. If the required notice of the Public Hearing has been provided to the alleged violator, the hearing may be conducted and an order rendered in the absence of the alleged violator.

- j. At the conclusion of the hearing, the Code Enforcement Board or the special magistrate shall issue findings of fact based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted herein, including but not limited to corrective action to eliminate the violation. The findings of the Code Enforcement Board shall be by motion, approved by a majority of those members present and voting, except that at least four members must vote in order for the action to be official. Alternatively, an order signed by a special magistrate shall have the same effect. The order shall include a notice that the order must be complied with by a specified date and that a fine may be imposed if the order is not complied with by said date. The cost of any repairs made pursuant to Section 11.06.06(a) shall also be assessed against the violator. If a violation is found, the County shall be entitled to recover all costs incurred in prosecuting the case, and such costs shall be included in the lien authorized by Section 11.06.07. A copy of the order shall be mailed by certified mail to the owner of record at the most current address provided in the records of the Property Appraiser and, if applicable, his authorized agent or representative, and to the violator.
- k. A certified copy of such order may be recorded in the public records of Putnam County and shall constitute notice to any subsequent purchasers, successors in interest, or assigns of the violation. The findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If any such order is complied with by the date specified in the order, the Department shall, without a hearing, issue an order acknowledging compliance.

**11.06.06 -- Administrative Fines**

- a. The Code Enforcement Board or the special magistrate, upon notification by the Code Enforcement Officer that an order of the enforcement board or the special magistrate has not been complied with by the set time or upon finding that a repeat violation has been committed, may order the violator to pay a fine in an amount specified below for each day the violation continues past the date set for compliance or, in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the Code Enforcement Officer. In addition, if the violation is a violation described in Section 11.06.04(d) the enforcement board or the special magistrate shall notify the Board of County Commissioners, which may direct that the County shall make all reasonable repairs that are required to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section. Making such repairs does not create a continuing obligation to make further repairs or to maintain the property and does not create any liability for any damages to the property if such repairs were completed in good faith. If a finding of a violation or a repeat violation has been made as provided in this part, a hearing shall not be necessary for issuance of the order imposing the fine. If, after due notice and hearing, a violation is found to be irreparable or irreversible in nature, it may order the violator to pay a fine as specified in subsection (b) below.

- b. 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 (a). However, the Enforcement Board or special magistrate has the ability to impose fines in excess of those described above subject to the following criteria:
1. The gravity of the violation.
  2. Any actions taken by the violator to correct the violation.
  3. Inaction on the part of the violator to correct the violation.
  4. Any previous violations by the violator.
  5. The negative impact on the surrounding properties.
  6. Whether or not the fine outlined above could be considered a “cost of doing business” by the violator.
  7. Impact on the environment.

Such fines shall not exceed \$1,000 per day per violation for a first violation, \$5,000 per day per violation for a repeat violation, and up to \$15,000 per violation if the violation is found to be irreparable or irreversible in nature. Additional fines may be imposed to cover all costs incurred by the local government in enforcing its codes and all costs of repairs made.

- c. The Code Enforcement Board or special magistrate may, upon giving notice and holding a hearing, void any order he has previously entered if deemed appropriate to the circumstance of the case. The voiding of any such order shall also have the effect of voiding any lens recorded during the enforcement of the order and shall be released.

#### **11.06.07 -- Liens**

- a. Planning & Development Services may record a certified copy of an order imposing a fine (including costs of prosecution and repair costs) in the public records of Putnam County, Florida, which shall constitute a lien against the land on which the violation exists, and upon any other real or personal property owned by the violator. Such order may be enforced in the same manner as a court judgment, including levy against the personal property of the violator. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance, until judgment is rendered in a suit filed hereunder or until otherwise ended or reduced by the Board of County Commissioners, whichever occurs first.
- b. Upon preparation by the Department and review by the County Attorney, the Chairman of the Board of County Commissioners shall execute satisfactions of lien.

**11.06.08 -- Appeals:** Any aggrieved party, including the Board of County Commissioners, may appeal a final administrative order of the Code Enforcement Board or the special magistrate to the Circuit Court in Putnam County, Florida. Such appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Code Enforcement Board or special magistrate. An appeal must be filed within thirty (30) days of the execution of the order being appealed. The County may assess a reasonable charge for the preparation of the record to be paid by the petitioner in accordance with Section 119.07, Florida Statutes. A copy of all documents filed by the aggrieved party with the Court shall be filed with Director of Planning & Development Services.

## 11.06.09 -- Notices

- a. All notices required by this Section must be provided to the alleged violator by:
  1. Certified mail to the address listed in the tax collector's office for tax notices or to any other address provided by the property owner in writing to the local government for the purpose of receiving notices. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within 30 days after the date of mailing, notice may be provided by posting as described in section (b)(3) below; or
  2. Hand delivery by the sheriff or other law enforcement officer, Code Enforcement Officer, or other person designated by the local governing body; or
  3. Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice.  
  
In the case of commercial premises, leaving the notice with the manager or other person in charge.
  4. Proof of notice shall be by affidavit of the person giving the notice, which affidavit shall include a copy of the notice given, the date, and to whom it was given. If notice is given by certified mail, proof of mailing or return receipts from certified mail shall be sufficient.
- b. In addition to providing notice as set forth in section (a), at the option of the code enforcement board or the special master, notice may also be served by publication or posting, as follows:
  1. Such notice shall be published once during each week for 4 consecutive weeks (four publications being sufficient) in a newspaper of general circulation in Putnam County.
  2. Proof of publication shall be made as provided in Chapter 50, Florida Statutes.
  3. In lieu of such publication, the notice may be posted at least 10 days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at the front door of the offices of the Planning and Development Services Department.
  4. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.
  5. Notice by publication or posting may run concurrently with, or may follow, an attempt to provide notice by hand delivery or by mail.
- c. Evidence that an attempt has been made to hand deliver or mail notice, together with proof of publication or posting, shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.