

8-10-92 cc

ENGROSSED

ORDINANCE NO. 3371

V-A-2

PROPOSED ORDINANCE NO. 92-37

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

AN ORDINANCE RELATING TO BUILDINGS AND BUILDING REGULATIONS; CREATING SECTIONS 9.01 THROUGH 9.03 OF THE CODE OF THE CITY OF LAKELAND; PROVIDING REGULATIONS RELATING TO OPEN, UNSECURED AND UNOCCUPIED BUILDINGS; MAKING FINDINGS; PROVIDING CONDITIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, open, unsecured and unoccupied buildings pose a potential threat to the health, safety and welfare of the citizens of the City of Lakeland, Florida; and

WHEREAS, in order to protect the citizens of the City of Lakeland, the City Commission has determined that it is necessary to establish regulations relating to open, unsecured and unoccupied buildings.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. Sections 9.01 through 9.03 of the Code of the City of Lakeland, Florida, are hereby created to read as follows:

Section 9.01. SHORT TITLE; PURPOSE AND SCOPE.

1. Sections 9.01 through 9.03 of this Chapter shall be known and may be cited, as "Regulations for Open, Unsecured and Unoccupied Buildings".

2. In order to protect life and property and to ensure public safety, the City Commission of the City of Lakeland, Florida, does hereby provide for the prohibition and regulation of open, unsecured and unoccupied buildings within the City of Lakeland.

CODING: Words in struck-through type are deletions to existing law; words underlined are additions.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Section 9.02. ADOPTION OF PROCEDURES  
RELATING TO OPEN, UNSECURED  
AND UNOCCUPIED BUILDINGS.

1. It shall be unlawful for any owner or owner's agent to permit a building, as defined within the Standard Building Code, to be open to all elements and unprotected as a result of the omission or disrepair of windows, doors, walls or other enclosures.

2. Temporary boarding up or securing of a building may be permitted for a limited time until required repairs are completed, but such repairs must be accomplished within a reasonable time. A "reasonable time" shall mean the time required to repair such building to bring it into Code compliance, not to exceed one hundred and twenty (120) days.

3. The owner or owner's agent shall be given written notice to secure the described building within ten (10) days from the date of written notice.

4. The written notice required by this Section shall contain the date of the notice, the description of the violation, the time within which the building shall be boarded up and the effect of failure to correct the violation.

5. In the event the building is not boarded up within the time allowed, the Code Enforcement Division shall notify the Code Enforcement Board and request a hearing.

6. Violations of this ordinance shall constitute a public nuisance and, in addition to such other remedies as may be provided herein, the City of Lakeland may seek abatement of any such nuisance in a court of competent jurisdiction, together with all costs and reasonable attorney fees.

1 Section 9.03. SPECIFICATIONS FOR SECURING OPEN,  
2 UNSECURED AND UNOCCUPIED BUILDINGS.

3 1. Exterior plywood shall be CDX plywood.

4 2. Plywood thickness shall be one-half (1/2) inch for  
5 window and door openings. Whenever large openings occur,  
6 three-fourths (3/4) inch or five-eighths (5/8) inch plywood  
7 shall be used.

8 3. Plywood shall be secured as follows:

9 a. Plywood on the exterior side of openings and  
10 a minimum of two (2) pieces of two by four (2 x 4) lumber  
11 on the interior side of the openings (See Exhibit). The  
12 2 x4 lumber shall be a minimum of sixteen (16) inches  
13 longer than the width of the plywood cover.

14 b. Upper bolt holes shall be placed no less than  
15 twelve (12) inches from the top edge.

16 c. All bolt holes shall be placed no less than  
17 twenty percent (20%) of the width of the plywood cover.  
18 from either side edge.

19 d. Lower bolt holes shall be placed no less than  
20 twenty-five percent (25%) of the height of the plywood  
21 cover from the bottom edge and the same distance from the  
22 side as the top bolt hole.

23 e. Carriage bolts shall be mated with nut and  
24 one flat washer as more particularly depicted on the  
25 drawing attached hereto as Exhibit "A" and made a part  
26 hereof. The washer shall be of sufficient size to fully  
27 accept the square or octagon portion of the nut between the  
28 nut and plywood. Bolts and mating hardware shall be  
29 galvanized or zinc plated. Carriage bolts of three-eighths  
30 (3/8) inch by twelve (12) inch may be used where the  
31 thickness of walls warrant it.

1 4. All windows inside concrete block openings shall  
2 be fitted with a maximum one-eighth (1/8) inch clearance.  
3 The front or entry door must be secured in a manner  
4 satisfactory to the requirements of a Code Enforcement  
5 Officer or Building Inspector.

6 5. All plywood covers must be painted with at least  
7 one coat of white primer and one coat of finish (exterior)  
8 paint to match the exterior walls of the structure.

9 6. All coverings shall be fabricated according to  
10 Exhibit "A" and such other drawings and specifications as  
11 may be required by a Code Enforcement Officer or Building  
12 Inspector. All coverings shall be maintained until the  
13 subject structure is in compliance with all Codes.  
14


15 SECTION 3. All ordinances or parts of ordinances in  
16 conflict herewith are hereby repealed.

17 SECTION 4. If any word, sentence, clause, phrase, or  
18 provision of this ordinance, for any reason, is held to be  
19 unconstitutional, void, or invalid, the validity of the  
20 remainder of this ordinance shall not be affected thereby.

21 SECTION 5. This ordinance shall take effect  
22 immediately upon its passage.

23 PASSED AND CERTIFIED AS TO PASSAGE this 20th day  
24 of July , A.D. 1992.

25  
26   
FRANK J. O'REILLY, MAYOR

27 ATTEST:   
28 PAULA KAY HOFFER  
CITY CLERK

29 APPROVED AS TO FORM AND CORRECTNESS:


30   
JOSEPH P. MAWHINNEY  
31 CITY ATTORNEY

EXHIBIT "A"

BOARDING UP DESCRIPTION

