

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA PROVIDING REGULATIONS FOR THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY THAT IMPOSE MANDATORY DUTIES PERTAINING TO THE CONSTRUCTION AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES USED OR INTENDED TO BE USED FOR COMMERCIAL, BUSINESS, INSTITUTIONAL, MULTI-FAMILY RESIDENTIAL OR INDUSTRIAL PURPOSES; SETTING FORTH THE SCOPE AND APPLICABILITY OF THE REGULATIONS; PROVIDING DEFINITIONS; PROVIDING FOR ENFORCEMENT, INSPECTIONS AND RIGHT OF ENTRY; PROVIDING PROCEDURES; PROVIDING PENALTIES AND REMEDIES; MAKING IT UNLAWFUL UNDER CERTAIN CIRCUMSTANCES TO PROVIDE UTILITY SERVICE TO BUILDINGS AND STRUCTURES THAT REMAIN IN VIOLATION OF THIS ORDINANCE; MAKING IT UNLAWFUL UNDER CERTAIN CIRCUMSTANCES TO RENT, LEASE OR OCCUPY BUILDINGS AND STRUCTURES THAT REMAIN IN VIOLATION OF THIS ORDINANCE; MAKING OTHER ACTIONS AND CERTAIN INACTIONS UNLAWFUL; PROVIDING FOR EXCEPTIONS; PROVIDING FOR AND REQUIRING NOTICES; PROVIDING RESTRICTIONS ON CERTAIN COUNTY EMPLOYEES; ELIMINATING CERTAIN COUNTY EMPLOYEE LIABILITY; PROVIDING FOR APPEALS AND VARIANCES; REQUIRING INSPECTION FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; MANDATING MINIMUM STANDARDS FOR MAINTENANCE OF OUTSIDE PREMISES AREAS SUCH AS YARDS, FENCES, SIGNS AND DRIVEWAYS; MANDATING MINIMUM STANDARDS FOR MAINTENANCE OF THE EXTERIOR AND INTERIOR OF STRUCTURES AND BUILDINGS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA:

Section 1. Title. The provisions embraced within the parts, subparts and sections of this ordinance shall constitute, be known and be cited as the St. Johns County Property Maintenance Ordinance.

Section 2. Ordinance as Remedial Legislation. This ordinance is hereby declared to be remedial, and shall be construed to ensure regular maintenance and improvement to certain buildings and structures; to safeguard against blight and preserve property values and community standards; to establish minimum maintenance standards to safeguard life, limb, health, safety, property, and the public welfare; to assist in the continued revitalization of areas throughout the County; and to attract new businesses and promote the public interest in continued development, all in the best interest of the citizens of St. Johns County, Florida.

Section 3. Applicability and Jurisdiction.

(a) Every building, structure and portion thereof, and appurtenance thereto, and the premises on which it is situated, that is located within the unincorporated area of St. Johns County, Florida and which is used or intended to be used for commercial, business, institutional, multi-family residential or industrial purposes shall be constructed and maintained to comply with the provisions of this ordinance, whether or not the structure shall have been constructed, altered or repaired before or after the adoption of this ordinance, irrespective of any permits or licenses which shall have been issued for the use or occupancy of the structures or premises, and notwithstanding any permit which shall have been issued for the construction or repair of the structure, or for the installation or repair of

equipment or facilities prior to the effective date of this ordinance.

(b) This ordinance establishes certain minimum standards for the initial and continued occupancy, use and maintenance of all commercial, business, institutional, multi-family residential or industrial buildings and structures and does not replace or modify standards otherwise established for the construction, repair, alteration or use of such buildings and structures, the premises, or the equipment or facilities contained in the buildings or structures or on the premises. Where a provision of this ordinance is found to be in conflict with another applicable ordinance or regulation, the provision that establishes the higher standard, as determined by the Chief shall prevail.

Section 4. Maintenance. All buildings, structures and premises regulated by this ordinance, both existing and new, and all parts thereof, shall be maintained in a safe, sanitary and good condition, and so as not to constitute a blighting influence on the County nor an element leading to the progressive deterioration of the neighborhood in which they are situated. All devices or safeguards required by applicable ordinances when the building or structure was erected, altered or repaired shall be maintained in good working order. For purposes of this ordinance, owners and operators shall be responsible for the maintenance of buildings, structures and exterior premises as

required by this ordinance whether or not such responsibility has been assigned to and accepted by another party.

Section 5. Definitions. In this ordinance, unless the context otherwise requires:

(a) Apartment means a room or a suite of rooms occupied, or which is intended or designed to be occupied, as the residence of one individual, family or household, for housekeeping purposes as a tenant in a multi-family residential building or in a group of single family buildings owned by one common landlord.

(b) Blight, blighting influence or blighting factor means either: that which endangers life or property by fire or other causes or that which substantially impairs or arrests the sound growth of the county and is a menace to the public health, safety, morals, or welfare in its present condition and use. This may include, but not be limited to, the following factors:

- (1) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (2) Unsanitary or unsafe conditions;
- (3) Deterioration of site or other improvements;
- (4) Tax or special assessment delinquency exceeding the fair value of the land; and
- (5) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.

(c) Building or structure means that which is built or constructed, an edifice of any kind, or any piece of work artificially built or composed of parts joined together in some form. The terms "building" or "structure" shall be construed as if followed by the words "or part thereof". Accessory buildings, canopy, shelving, rack, and each and every type of portable equipment shall be considered buildings or structures within the meaning of the definition.

(d) Chief shall mean the St. Johns County Director of Building and Codes and such County employees to whom he has delegated authority to enforce this ordinance, and shall be referred to throughout this ordinance as if singular in number and masculine in gender.

(e) Code Enforcement Board shall mean the St. Johns County code enforcement board.

(f) County shall mean the unincorporated areas of St. Johns County, Florida.

(g) Deterioration shall mean the condition or appearance of a building or structure, characterized by holes, breaks, rot, crumbling, cracking, spalling, peeling, rusting, or other evidence of physical decay or neglect, excessive use, or lack of maintenance.

(h) Enforcement Officer shall mean the Chief or his duly authorized representative.

(i) Exposed to public view shall mean any premises, or open space, or any part thereof, or any building or structure that may be lawfully viewed by any member of the public from a sidewalk, street, alleyway, or from any adjoining or neighboring premises.

(j) Exterior premises shall mean those portions of a building or structure that are exposed to public view, and the open space of any premises outside of any building or structure erected thereon.

(k) Good state of repair shall mean and be a standard of maintenance that renders a building safe, serviceable, habitable, and possessed of a neat and orderly appearance.

(l) Good working condition shall mean the item is fully operable for the use for which it was intended.

(m) Multi-family residential building or structure shall mean a residential building or structure not used, or intended to be used, as a single family residence.

(n) Nuisance means any one (1) or combination of the following:

(1) Any public nuisance known at common law or in equity jurisprudence or as provided by statute, administrative rule, or ordinance of the County, including this ordinance;

(2) Any attractive nuisance which may prove detrimental to health or safety;

(3) Physical conditions dangerous to human life or property, or detrimental to health, or detrimental to property values, or which tend to degrade the appearance of a neighborhood;

(4) Conditions relating to private or public property which impede the free passage of persons on a public or private sidewalk, or which impede ingress or egress to property; or which impede safe passage of vehicles on a public alley or street;

(5) Fire hazards.

(o) Operator shall mean any person who has charge, care, or control of a building or structure or part thereof.

(p) Owner shall include any person having individual or joint or common title to property in any form defined by the laws of the State of Florida as an estate or interest, whether legal or equitable and however acquired, in real property.

(q) Person shall include an individual, a partnership, a joint venture, a corporation, an association, and any other organization recognized as an entity by the laws of the State of Florida.

(r) Premises shall mean building, structure and the grounds thereon situated.

(s) Property shall mean land and whatever is erected or growing upon, placed on, or affixed thereto.

(t) Repair means the replacement or alteration of existing work.

(u) Required means required by some provision of this ordinance or another applicable ordinance.

(v) Story means that portion of a building included between the upper surface of a floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

(w) Structure shall have the same meaning and definition as building.

(x) Words not defined in this section shall be as defined in the building code adopted by the County or, if not defined in the building code, shall have their ordinarily accepted meanings.

Section 6. Enforcement Officer. It shall be the duty and responsibility of the Chief to enforce the provisions of this ordinance. The Chief is authorized to interpret this ordinance and to promulgate such rules in conformity to this ordinance as he deems necessary to implement the requirements and intent hereof, subject to the appeal process provided herein. The Chief is authorized to delegate to subordinate employees any authority and duty under this ordinance and such delegated employees shall have full authority to act in behalf of the Chief. All delegation of authority and duty shall be consistent with the

qualifications required in the approved job descriptions of such subordinates.

Section 7. Inspections. The Chief, upon belief that a violation of this ordinance exists, may make an inspection to determine the conditions of a building, structure or premises in the interest of safeguarding the health, safety and general welfare of the public.

Section 8. Right of Entry.

(a) The Chief is authorized to enter any building, structure or premises at any reasonable time for the purpose of performing his duties under this ordinance. A reasonable time shall be deemed to be between the hours of 8:00 a.m. and 9:00 p.m., Monday through Saturday. If any owner, occupant or other person in charge of a building, structure or premises subject to the provisions of this ordinance refuses, impedes, inhibits, interferes with, restricts or obstructs lawful entry or access to any part of the building, structure or premises where an inspection authorized by this ordinance is sought, the Chief may seek an inspection warrant pursuant to State Statute.

(b) At the time of inspection, the Chief shall properly identify himself and shall advise the occupant of his right to refuse entry to the nonpublic areas of the building, structure or premises. He shall further advise the occupant that an inspection warrant may be obtained if entry is refused.

Section 9. Violation Notices. Whenever the Chief determines that any building, structure or premises fails to meet the requirements set forth in this ordinance or in applicable rules or regulations promulgated pursuant to this ordinance, he shall issue a notice setting forth the alleged violations and advising the owner or other responsible party, as appropriate, that such violation must be corrected within a specified reasonable time.

Section 10. Form and Service of Notice. Notices of violation issued pursuant to this ordinance shall:

- (a) Be in writing;
- (b) Describe the building, structure or premises where the violations are alleged to exist or to have been committed, with sufficient specificity to identify both the place and the violations;
- (c) Set forth the alleged violations of this ordinance or the applicable rules or regulations promulgated pursuant to this ordinance;
- (d) Provide a reasonable time, not less than twenty-four hours, for the correction of any alleged violation;
- (e) Include a statement that the owner and/or other responsible party shall be subject to the penalties provided in this ordinance, in ordinance 94-36 and/or in Chapter 162 Florida Statutes in the event that the violations are not remedied within the time specified; and

(f) Be served upon the owner, owner's agent, or other responsible party, as appropriate, of the building, structure or premises personally or by certified mail addressed to the last known mailing address of the owner as shown in the St. Johns County Property Appraiser's records. Notices may also be served by leaving the notice at the owner's or the owner's agent'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. Failure to give any notice as required by this ordinance to other persons included within the definition of the term "owner", as defined herein, shall not affect the notice to the owner so notified. If one or more persons to whom such notice is addressed cannot be served in a manner provided above after diligent effort to do so, service may be made upon such person or persons by posting a notice in or about the building, structure or premises described in the notice or by causing such notice to be published in a daily newspaper of general circulation in the County once a week for three successive weeks.

(g) Be served in such other manner as authorized by law.

Section 11. Unlawful to Provide Utility Service. It shall be unlawful for any person, by act or omission, to cause utility service to continue or to be reconnected to a building, structure or premises which remains in violation of this ordinance after a notice of violation has been issued when such

continuance or reconnection of utility service involves a change in occupancy, or reoccupancy, of the building, structure or premises. Notwithstanding, the Chief may authorize temporary utility service for the purpose of repairing or altering a building or structure to bring it into compliance with this ordinance. Notification of noncompliance and temporary authorization for utility service shall be in writing or through computer communication with utility companies.

Section 12. Vacant Substandard Buildings. Vacant buildings found to be in violation of this ordinance may be placarded as such and required to remain vacant until brought into compliance with the provisions of this ordinance. Provided, the Chief may approve a vacant building for occupancy pending repairs when such action is deemed by him to be in the best interest of the County. The reason for such approval must be documented in an appropriate County file.

Section 13. Unlawful to Remove Placard or Notice. It shall be unlawful for any person to deface or remove any notice or placard, posted pursuant to the provision of this ordinance, from any building, structure or premises except by authorization of the Chief.

Section 14. Unlawful to Rent, Lease or Occupy. It shall be unlawful for any owner, lessor or landlord, or any agent for any owner, lessor or landlord, to cause or permit the occupancy of any vacant building, structure or premises which has

been cited for violations of this ordinance and which remains in violation, unless given prior written approval by the Chief.

Section 15. Unlawful to Fail to Provide Notice to Renters, Lessees and Purchasers of Substandard Property. It shall be unlawful for any person who sells, leases or rents a building, structure or premises with respect to which a violation notice has been issued pursuant to this ordinance and which remains in violation of this ordinance, to fail to tender a copy of the violation notice to the prospective purchaser, lessee or renter of said property prior to the time any interest in the property passes to the purchaser, lessee or renter.

Section 16. Recording of Violation Notice. Whenever the violations specified in a violation notice have not been corrected within the time specified in the notice, the Chief may record a copy of such violation notice, or other appropriate instrument, in the public records of St. Johns County indicating the names of the record title owners of the property and the fact that violations of this ordinance exist upon the property involved. The recording of such violation notice or other appropriate instrument as herein provided shall constitute constructive notice to any subsequent purchasers, transferees, grantees, mortgagees, lessees, lienors and all persons having, claiming or acquiring any interest in the property described therein, or affected thereby.

Section 17. Appeals of Notices and Orders. No notice or order issued by the Chief pursuant to the provisions of this ordinance may be appealed after the expiration of thirty days from the day notice thereof is served (see Section 10) upon the owner or the owner's agent of the building, structure or premises, or upon the expiration of such lesser time period provided in the notice or order for compliance. Prior to the expiration of such period, an appeal of such notice or order may be commenced by filing a written petition of appeal to the Code Enforcement Board with the clerk of the Code Enforcement Board. Failure to file a timely petition of appeal shall result in the validity of such notice and/or order not being reviewable by the Code Enforcement Board unless such review is consented to by the Chief.

Section 18. Notices and Orders Binding. A notice or order issued by the Chief pursuant to the provisions of this ordinance shall not be diminished, cancelled or in anyway affected by the conveyance of the title to any real property, building or other structure, or of any interest in any real property, building or other structure. A person who acquires such an interest while a building, structure or premises is subject to a notice or order issued under this ordinance shall comply with that notice or order to the same extent as if he had held his interest at the time the notice or order was issued. Upon request, the Chief shall provide all persons acquiring such

interest with copies of records pertaining to all notices and orders previously served and issued with respect to the real property, building or other structure or premises conveyed at the expense of the person requesting the copies.

Section 19. Unlawful to Fail to Comply with Order. It shall be unlawful for a person to violate a provision of this ordinance or to fail to comply with an order issued by the Chief or the Code Enforcement Board pursuant to the provisions of this ordinance. A separate offense shall be deemed to have been committed for each day that a violation of this ordinance continues.

Section 20. Unlawful to Refuse or Restrict Lawful Entry. It shall be unlawful for any person to refuse, impede, inhibit, interfere with, restrict or obstruct lawful entry or access to any part of a building, structure or premises where an inspection authorized by this ordinance is sought.

Section 21. Penal Enforcement. The Chief is authorized to enforce the provisions of this ordinance by the use of courts, the Code Enforcement Board, special masters, the methods provided by St. Johns County Ordinance 94-36 and by all other means provided by law.

Section 22. Penalties and Enforcement.

(a) Any person firm, or corporation violating any of the provisions of this ordinance may be prosecuted in the same manner as misdemeanors are prosecuted and shall. Upon conviction,

be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail not to exceed sixty days, or by both such fine and imprisonment. A separate offense shall be deemed to have been committed for each day a violation of this ordinance shall continue.

(b) In lieu of subsection (a) above, the enforcement procedures and the fines, liens and penalties authorized by chapter 162 Florida Statutes, as amended, and or by St. Johns County Ordinance 94-36 may be used to enforce the provisions of this ordinance. A separate offense shall be deemed to have been committed for each fifteen days a violation of this ordinance shall continue.

Section 23. Separate Liability. The owner of a building, structure or premises where anything in violation of this ordinance shall be placed or shall exist, and any architect, builder, contractor, agent or other person who has knowingly assisted in the commission of such violation, shall each be guilty of an offense and upon conviction shall be punished as provided above. A separate offense shall deemed to have been committed for each day a violation of this ordinance continues.

Section 24. Access by Owner or Operator. Every occupant of a building, structure or premises subject to regulation by this ordinance shall give the owner or operator thereof, or his agent or employee, lawful access to any part of the premises, at reasonable times, for the purpose of making such

inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this ordinance. It shall be unlawful to refuse such access.

Section 25. Restrictions on Employees. No employee connected with the County Department of Building and Codes shall be financially interested in the furnishing of labor, material or appliances for the repair, alteration or maintenance of a building, structure or premises regulated by this ordinance or in the making of plans or specifications therefor, unless he is the owner of such property.

Section 26. Liability. Any officer or employee of the County or any member of the Code Enforcement Board who is charged with the enforcement of this ordinance in the discharge of his or her duties, shall not thereby render himself personally liable, and to the full extent allowed by law is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any such officer, employee or member because of this ordinance shall be defended by the County until the final termination of the proceedings.

Section 27. Records. The Chief shall keep, or cause to be kept, a record of the business done, inspections made and notices issued pursuant to the provisions of this ordinance.

Section 28. Appeals and Variances. Where it is alleged that there is error in any order, requirement, decision or determination made by the Chief in the enforcement of this ordinance; or a variance to this ordinance is sought which will not be contrary to the public interest because, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary and undue hardship; an appeal or request for a variance may be made to the Code Enforcement Board subject to the following conditions:

(a) An appeal or request for variance from this ordinance shall be filed with the clerk of the Code Enforcement Board within thirty days of service (see Section 10) of notice of violation or other written requirement of the Chief, or within the time specified for compliance with such notice or requirement, whichever is the lesser period of time. The clerk of the Code Enforcement Board shall then promptly provide the Chief with a copy of such appeal or request for variance.

(b) Except where a violation constitutes an immediate threat to health or safety, the filing of an appeal or a request for variance shall stay all administrative proceedings in furtherance of the matter appealed until such time as a final determination has been made by the Code Enforcement Board on such matters; provided, that the time during which such matter is pending before the Code Enforcement Board shall not be considered a part of the time given in the notice or other requirement by

the Chief to perform any action which is the subject of such appeal or request for a variance.

(c) The Chief shall provide, upon request, appropriate forms for the filing of an appeal or request for variance under this ordinance, and shall charge a fee of \$25 for the filing, which fee shall be paid at the time of filing.

Section 29. Initial and Compliance Inspections. One initial inspection and one compliance inspection shall be made without fee pursuant to a notice of violation issued under this ordinance. The third and subsequent inspections required to obtain compliance with the ordinance, or requested by or on behalf of a violator, shall be subject to a mandatory charge or fee of \$75 per inspection or reinspection. The amount of such charge or fee may be modified by resolution of the Board of County Commissioners.

Section 30. Special Service Inspections. Requests to approve temporary utility service or temporary occupancy for a structure under citation for violation of this ordinance shall require a current inspection. Such inspections shall be deemed special service inspections and shall bear a fee of \$75 per inspection. The amount of such fee may be modified by resolution of the Board of County Commissioners.

Section 31. Collection of Fees.

(a) Inspection fees required by this ordinance shall be paid to the County prior to the inspections being conducted.

(b) The Chief is authorized to accept payment for the fees provided for in this ordinance and shall issue a receipt for same. The Chief shall not make or authorize fee inspections unless the required fees have been paid and receipted prior to the inspection. All monies collected shall be promptly deposited with the Office of the Clerk of Courts.

Section 32. Severability. If any part, section, subsection or other portion of this ordinance or any application thereof to any person or circumstances is declared to be void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the proscribed application thereof, shall be severable and the remaining provisions of this ordinance and all applications thereof not having been declared void, unconstitutional or invalid shall remain in full force and effect.

Section 33. Saving Clause. This ordinance shall not affect violations of any other ordinance, code or regulation of the County existing prior to its adoption and such violations shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

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MINIMUM STANDARDS FOR MAINTENANCE

Exterior Premises

Section 34. Hazards and Nuisances. The exterior property areas of structures regulated by this ordinance shall be kept free of all nuisances, and any hazards to the safety of occupants, customers, pedestrians and other persons utilizing the premises, and free of unsanitary conditions, and any of the forgoing shall be promptly removed and abated by the owner or operator. It shall be the duty of the owner or operator to keep the premises free of hazards which include but are not limited to the following:

(a) Brush, weeds, broken glass and accumulations of filth, garbage, trash, refuse, debris and inoperative machinery;

(b) Dead and dying trees and limbs;

(c) Loose and overhanging objects which by reason of location above ground level constitute a danger of falling on persons or personal property in the vicinity thereof;

(d) Holes, excavations, breaks, projections, obstructions, and excretions of pets and other animals on paths, walks, driveways, parking lots and parking areas, and other parts of the premises which are accessible to or used by persons on the premises;

(e) Sources of infestation by insects or rodents.

Section 35. Maintenance of Exterior Property Areas. Exterior property areas shall be maintained so that their appearance shall not constitute a blighting factor for adjoining

property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood. As a minimum:

(a) Lawns, hedges and shrubbery shall be kept neatly trimmed;

(b) All permanent signs and billboards permitted by reason of other regulations or as a lawful nonconforming use, and exposed to public view, shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed or, if legally allowed, put into a good state of repair. All nonoperative or broken electrical signs shall be repaired or shall, with their supporting members, be removed;

(c) All outdoor salvage yards shall be screened from surrounding property as required by the County zoning code. Such screening shall be maintained in a good condition free from deterioration or other blighting conditions;

(d) Approved garbage storage containers or garbage disposal facilities, screened from public view with a sight-tight fence where space permits, shall be provided and maintained for the disposal of garbage at every occupied structure. Provision shall be made for regular pickup and disposal;

(e) All fences on property covered by this ordinance shall be kept in good repair, free from accident hazards, and

shall be protected by paint, preservative or other weather-resistant material. Fences constructed of noncorrosive metals or decay-resistant species of wood such as cypress and cedar are not required to be painted;

(f) Off-street parking for employees and visitors shall be a well-graded surface, covered with crushed stone or gravel or paved with suitable materials;

(g) Walkways and steps of concrete or other suitable paving materials shall be provided and maintained in good condition for access to entrance, parking areas, and other regular routes of pedestrian travel;

(h) Vehicular entrances from the street shall be provided with suitable curb cuts;

(i) No portion of a public sidewalk, alley or street shall be used for the storage or display of goods, material or equipment so as to constitute a nuisance as defined herein and in no case without a permit issued by the appropriate authority. Goods, material or equipment displayed or stored elsewhere on the premises shall be enclosed in a 90% sight-tight enclosure. Motor vehicle and boat sales lots shall be exempted from this requirement.

Exterior of Structures

Section 36. Maintenance of Structure Exteriors. The exterior of all structures regulated by this ordinance shall be maintained in good condition and appearance, and as a minimum:

(a) All windows exposed to public view shall be kept clean and free of marks or foreign substances except when necessary in the course of changing displays. Storage of materials, stock or inventory shall be prohibited in window display areas or other areas ordinarily exposed to public view unless said areas are first screened from the public view by drapes, vertical blinds or other permanent rendering of the windows opaque to public view. All screening of interiors shall be maintained in a clean and attractive manner and in a good state of repair. Nothing herein shall be construed to prohibit window displays which are attractive, neat, orderly and in keeping with community standards.

(b) All walls and other portions of buildings and structures exposed to public view shall be kept in a good state of repair and uniformly painted, whitewashed or finished in such other manner as to present a clean, neat and attractive appearance.

(c) Except for "For Rent" or "For Sale" signs, any temporary sign or other paper advertising glued or otherwise attached to a window or windows, or otherwise exposed to public view shall be removed at the expiration of the event or sale for which it is erected or within sixty days after erection, whichever shall sooner occur;

(d) Any awning or marquee or its accompanying structure members which extend over any street, sidewalk or any other

portion of the premises shall be maintained in a good state of repair. In the event said awnings or marquees are made of cloth, plastic or a similar material, said cloth or plastic, where exposed to public view, shall not show evidence of excessive weathering, discoloration, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain;

(e) All exterior appurtenances or accessory structures or portions of buildings which are in a deteriorated condition not economically repairable shall be removed;

(f) Chimneys and flue and vent attachments which are not safe, durable, smoke-tight and capable of withstanding the action of flue gases shall be repaired, replaced or removed;

(g) Exterior porches, landings, balconies, stairs and fire escapes shall be structurally sound and kept in good repair and shall be properly provided with proper banisters or railings;

(h) All roofs shall have an approved covering free of holes, cracks or excessively worn surfaces, which will prevent the entrance of moisture into the structure and provide reasonable durability. Metal roofs showing signs of corrosion shall be painted with an approved product, applied in accordance with the manufacturer's specifications;

(i) A balustrade shall be installed and maintained in good repair on the open side of a balcony, porch, landing,

stairwell and stairway, constructed in accordance with the County's building codes;

(j) Where repairs are undertaken to that part of a building which abuts a public street, the repairs shall be made with the same or similar type materials as used in the original construction, where possible. Any deviation or substitution must be approved by the Chief. Such repairs shall be made in a workmanlike manner so as to permanently repair the damaged area or areas;

(k) all reconstruction of walls and sidings shall conform to the requirements of the County's building codes and shall be finished in a manner such that the materials used will not be of a kind that by their appearance, under prevailing appraisal practices and standards, will depreciate the values of neighboring and adjoining premises.

Interior of Structures

Section 37. Maintenance of Structure Interiors. The interior premises of every structure and accessory structure regulated by this ordinance shall be maintained in a good state of repair and safe for employees, visitors and customers. As a minimum:

(a) Floors, interior walls and ceilings of every structure shall be structurally sound and maintained in a clean and sanitary condition. Floors shall be capable of carrying

their intended or likely loads and free of objectionable vibration;

(b) The floor of all basement or cellar furnace rooms shall be paved with permanent material. Concrete, brick or stone will be acceptable. The floor of all basement rooms used as work rooms shall be concrete and damp-proofed;

(c) Where mechanical ventilation is used, the ventilating duct which is on the exterior wall shall not be located closer than six feet from a window located in an adjoining building;

(d) Air conditioning equipment shall be equipped with proper devices for the prevention of condensate drainage upon sidewalks and other walkways;

(e) Approved garbage storage containers or garbage disposal facilities shall be provided and maintained for the temporary storage and disposal of garbage at every occupied structure where food is produced or consumed;

(f) Inflammable or combustible liquids or other materials may not be stored on the premises unless they are a type approved for storage by the County's fire code and then only in such quantities and in such fireproof storage containers as may be prescribed by the fire code;

(g) Buildings shall not contain rubbish or debris which constitutes a fire, health or accident hazard;

(h) Hallways shall provide adequate, safe and unobstructed circulation from offices, sales rooms, work rooms, storage rooms, and other spaces to various means of exit;

(i) Every structure shall have an unobstructed means of egress leading to open space at ground level;

(j) Sagging floors, partitions, stairs and bulging walls shall be restored to an acceptable level or plumb position. Stair railings shall be securely affixed and rigid. Individual structural members in a seriously deteriorated condition shall be replaced;

(k) Walls and ceilings shall be maintained in a good state of repair. Walls shall be provided with paint, paper, ceiling materials or other protective covering and shall be kept clean, free of visible foreign matter, and well-maintained at all times;

(l) All premises shall be properly connected to electric power through safely insulated conductors conforming to the County's electric code;

(m) All wiring or cables shall be properly affixed or attached to the structure, and kept in a good state of repair. No loose cords or loose extension lines in excess of six feet in length shall be permitted and no ceiling or wall fixture shall be used for supply and power to equipment other than that for which they are designed. Every electrical circuit in rooms containing

plumbing pipes or fixtures shall be equipped with at least one ground fault interrupter receptacle;

(n) Buildings where people work shall have a minimum of one water closet and one wash basin supplied with potable running water per floor, available to all employees, located in an enclosed room conveniently accessible to the employees;

(o) Buildings wherein food is served to the public shall provide sanitary facilities available to patrons in accordance with the requirements of the County's health code and all other applicable ordinances, codes and statutes;

(p) All toilet rooms shall be fully enclosed and with a door capable of being locked so as to provide privacy for the user;

(q) Each toilet room shall be provided with toilet paper, dispenser-type soap and individual towels or other means of drying. Bar soap is prohibited in toilet rooms accessible to the public;

(r) Wash room and water closet compartment floors shall be surfaced with water-resistant materials and floors, walls and ceilings shall be kept in a dry, clean and sanitary condition at all times;

(s) Every wash room and water closet compartment shall be provided with permanently installed artificial lighting fixtures with a switch and wall plate so located and maintained

that there is no danger from short-circuiting from water or plumbing;

(t) All toilet rooms shall be provided with natural or mechanical ventilation;

(u) Sufficient windows, sky lights and electrical lighting fixtures shall be provided and maintained so as to furnish adequate illumination for the intended use or occupancy of the building. Illumination of at least five foot candle power shall be provided in all passageways and stairways at all times the building is occupied;

(v) Levels of illumination shall be measured at the floor or stair tread level;

(w) Structures shall be kept free of rodents, vermin and insects at all times. A basement or cellar window used or required for ventilation and any other opening in a basement or cellar, including the floor drain, that might permit the entry of rodents, shall be screened with wire mesh, metal grille or other durable material as will effectively exclude rodents;

(x) No room heater shall be placed so as to cause a fire hazard to walls and any other equipment, nor to impede the free movement of persons within the room where the heater is located;

(y) Flues and vents shall be kept clear of obstruction, all open joints shall be sealed and all broken loose masonry shall be repaired. Every chimney, smoke pipe, flue and vent and

all connectors thereto shall be maintained so as to prevent gases from leaking into the structure;

(z) All plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connecting line to the sewage system shall be maintained in good working order and free from leaks and defects and all water pipes shall be protected from freezing;

(aa) Every basement and unheated crawl space shall be adequately vented to the outside air by means of screened windows which can be opened or by louvers with screened openings, the area of which shall not be less than one percent of the floor area for basements and one square foot per five-hundred square feet of crawl space area. An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

Section 38. Effective Date. This ordinance shall take effect immediately upon receipt by the Clerk of official acknowledgment from the Florida Department of State that same has been filed.

Adopted, Passed and Enacted by the Board of County Commissioners of St. Johns County, State of Florida this 8th day of November, 1994.

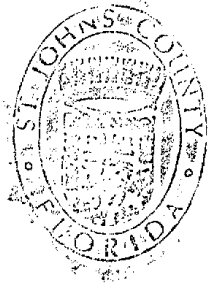
BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Deean Roberts
Its Chair - Allan Roberts

ATTEST: CARL "BUD" MARKEL, CLERK

By: Juanne Carter
Deputy Clerk

Effective Date: November 21, 1994



The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____
Barbara Dresslar _____ who on oath says that she is
Accounting Clerk _____ of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida; that
the attached copy of advertisement, being a _____
Notice of Intent _____
_____ in the matter of _____
Land Use Unincorporated Area _____
_____ in the _____ Court,
was published in said newspaper in the issues of _____
Oct. 18, 1994

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said
newspaper has heretofore been continuously published in said St. Johns Coun-
ty, Florida, each day and has been entered as second class mail matter at the
post office in the City of St. Augustine, in said St. Johns County, Florida, for a
period of one year next preceding the first publication of the attached copy of
advertisement; and affiant further says that she has neither paid nor promised
any person, firm or corporation any discount, rebate, commission or refund
for the purpose of securing the advertisement for publication in the said
newspaper.

Sworn to and subscribed before me Barbara Dresslar
Susan Hunt Mills
this _____ 18th _____ day of _____ Oct. _____
A.D. 19 _____ 94

Susan Hunt Mills
(SEAL) Notary Public

 **SUSAN HUNT MILLS**
MY COMMISSION # CC 177599 EXPIRES
February 3, 1998
BONDED THRU TROY FAIR INSURANCE, INC.

COPY OF ADVERTISEMENT

NOTICE OF INTENT
- TO CONSIDER
ADOPTION OF
ORDINANCE
NOTICE IS HEREBY
GIVEN that the Board of
County Commissioners of
St. Johns County, Florida,
at its regular meeting on
Tuesday, November 8, 1994,
at 1:30 p.m. in the County
Auditorium, at the County
Administration Complex,
4020 Lewis Speedway
(County Road 16-A) and
U.S. #1 North, St. Augus-
tine, Florida, will hold a
public hearing to consider
the passage of the following
ordinance:
AN ORDINANCE OF
ST. JOHNS COUNTY,
FLORIDA PROVIDING
REGULATIONS FOR THE
UNINCORPORATED ARE-
AS IF ST. JOHNS COUN-
TY THAT IMPOSE MAN-
DATORY DUTIES PERTAINING TO THE CON-
STRUCTION AND MAINTENANCE OF ALL
BUILDINGS AND STRUCTURES USED OR IN-
TENDED TO BE USED FOR COMMERCIAL,
BUSINESS, INSTITUTIONAL, MULTI-FAMILY RES-
IDENTIAL OR INDUSTRIAL PURPOSES; SETTING
FORTH THE SCOPE AND APPLICABILITY OF THE
REGULATIONS; PROVIDING DEFINITIONS; PRO-
VIDING FOR ENFORCEMENT, INSPECTION AND
RIGHT OF ENTRY; PROVIDING PROCEDURES;
PROVIDING PENALTIES AND REMEDIES; MAK-
ING IT UNLAWFUL UNDER CERTAIN CIRCUM-
STANCES TO PROVIDE UTILITY SERVICES TO
BUILDINGS AND STRUCTURES THAT REMAIN IN
VIOLATION OF THIS ORDINANCE; MAKING IT
UNLAWFUL UNDER CERTAIN CIRCUMSTANCES
TO RENT, LEASE OR OCCUPY BUILDINGS AND
STRUCTURES THAT REMAIN IN VIOLATION OF
THIS ORDINANCE; MAKING OTHER ACTIONS
AND CERTAIN INACTIONS UNLAWFUL; PRO-
VIDING FOR EXCEPTION; PROVIDING FOR
AND REQUIRING NOTICES; PROVIDING RE-
STRICTIONS ON CERTAIN COUNTY EMPLOY-
EES; ELIMINATING CERTAIN COUNTY EMPLOY-
EE LIABILITY; AND PROVIDING FOR AP-
PEALS AND VARIANCES; REQUIRING INSPECTION
FEES; PROVIDING A SAVINGS CLAUSE; PRO-
VIDING FOR SEVERABILITY; MANDATING
MINIMUM STANDARDS FOR MAINTENANCE OF
OUTSIDE PREMISES AREAS SUCH AS YARDS,
FENCES, SIGNS AND DRIVEWAYS; MANDAT-
ING MINIMUM STANDARDS FOR MAINTENANCE
OF THE EXTERIOR AND INTERIOR OF STRUC-
TURES AND BUILDINGS; AND PROVIDING AN
EFFECTIVE DATE.
The proposed Ordinance is on file in the office
of the Clerk of the Circuit Court, St. Johns
County, Florida, St. Johns County Adminis-
tration Complex, Lewis Speedway, and may
be examined by parties interested prior to
said public hearing.
All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made, with respect to any matter considered at the hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact ADA Coordinator, at (904) 923-2301 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): 823-2501 or Florida Relay Services: 1-800-955-8770, no later than 7 days prior to the date of this hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CARL "BUD" MARKEL
ITS CLERK
By Irma Paceffi
Deputy Clerk
L254 Oct. 18, 1994



FLORIDA DEPARTMENT OF STATE

Jim Smith, Secretary of State
DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
Tallahassee, Florida 32399-0250
(904) 488-8427

RECEIVED
ST. JOHNS COUNTY CLERK

'94 NOV 21 10:10

November 16, 1994

Carl Markel
CLERK, COUNTY COMMISSIONER

Honorable Carl Markel
Clerk to Board of County Commissioners
Saint Johns County
Post Office Drawer 300
Saint Augustine, Florida 32085-0300

Attention: Yvonne Carter, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of November 14, 1994 and certified copy each of Saint Johns County Ordinance Nos. 94-49 through 94-55, which were filed in this office on November 16, 1994.

For future use, our current address is:

Department of State
Bureau of Administrative Code
401 South Monroe Street
Tallahassee, Florida 32399-0250

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw