

**ORDINANCE NUMBER: 2008- 49**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA RELATING TO THE ST. JOHNS COUNTY STANDARD UNSAFE BUILDING ABATEMENT CODE AND AMENDING ORDINANCE 2000-48 AS IT PERTAINS TO THE ABATEMENT FUND; THIS AMENDMENT REPEALS CHAPTER 5, SECTION 503 OF THE ST. JOHNS COUNTY STANDARD UNSAFE BUILDING ABATEMENT CODE; DISESTABLISHES THE ABATEMENT FUND; PROVIDES FOR THE APPROPRIATION OF FUNDS ASSOCIATED WITH ABATING UNSAFE CONDITIONS WITHIN THE COUNTY; PROVIDES FOR THE TRANSFER OF ANY REMAINING REVENUE IN THE ABATEMENT FUND TO THE COUNTY GENERAL FUND; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE.

**Recitals**

**WHEREAS**, on August 15, 2000, the St. Johns County Board of County Commissioners (“the Board”) adopted Ordinance Number 2000-48, which in sum, created the St. Johns County Standard Unsafe Building Abatement Code (“the Code”); and

**WHEREAS**, the Code authorizes the Board to establish a special revolving fund to be designated as the “Abatement Fund” where funds shall be used to defray the cost and expenses incurred by the County in abating unsafe conditions in accordance with the Code; and

**WHEREAS**, the Code further authorizes that, when deemed necessary, the Board may from time to time transfer money from the General Fund to the Abatement Fund to effectuate performance of work required to remedy unsafe conditions within the County; and

**WHEREAS**, the transfer of any such money shall be a loan to the Abatement Fund that is to be repaid from the proceeds of liens and assessments; and

**WHEREAS**, disbursements made directly from the County General Fund will more efficiently expedite the performance of work to remedy unsafe conditions within the County.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, that:**

**Section 1. Effective of Recitals.** The above Recitals are incorporated by reference into the body of this Ordinance and such Recitals are adopted as findings of fact.

**Section 2. Repeal.** Ordinance Number 2000-48 is hereby amended to repeal Chapter 5, Section 503 of the Standard Unsafe Building Abatement Code (“the Code”) as it pertains to establishment of the Abatement Fund.

**Section 3. Disestablishment of the Abatement Fund.** The Abatement Fund as set forth in Chapter 5, Section 503 of the Code, and established by Ordinance Number 2000-48 is hereby disestablished.

**Section 4. Appropriation of Funds.** Funds collected in association with the abatement of unsafe conditions within the County, including but not limited to, liens, assessments and the sale of property after delinquency shall be appropriated to the County General Fund.

**Section 5. Disbursement of Funds.** Payments made to defray the cost and expenses incurred by the County in abating unsafe conditions in accordance with the Code shall be made from the County General Fund.

**Section 6. Funds in Excess of Abatement Liens.** All funds collected as the result of the sale of property after delinquency shall be paid to the County and placed in the General Fund; provided however, any funds collected on any property in excess of the abatement lien thereon held by the County shall be paid to the Owner or other person lawfully entitled thereto.

**Section 7. Transfer of Revenue Funds.** Any revenues remaining in the Abatement Fund set forth in Chapter 5, Section 503 of the Code, and established by Ordinance Number 2000-48 shall be transferred to the County General Fund.

**Section 8. Severability.** If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such word, phrase, clause, section or portion shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 9. Effective Date.** This Ordinance shall become effective on October 1, 2008.

**PASSED AND ENACTED** by the Board of County Commissioners of St. Johns County, Florida, this 30<sup>th</sup> day of September, 2008.

**ST. JOHNS COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_

*Thomas G. Manuel*  
Thomas G. Manuel, Chairman

**ATTEST: Cheryl Strickland, Clerk**

Rendition Date: \_\_\_\_\_

10/01/08

By: \_\_\_\_\_

*Wenne King*  
Deputy Clerk

Effective Date: \_\_\_\_\_

10-01-08



# The St. Augustine Record

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**

who on oath says that she is an Employee 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 HEARING**

In/ the matter of **ORD 2008-\_\_\_\_\_ UNSAFE BLDG CODE**

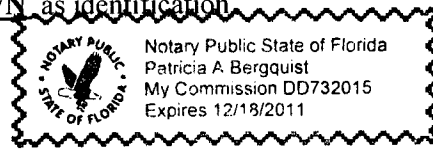
was published in said newspaper **SEPT 19, 2008.**

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 heretofore been continuously published in said St. Johns County, 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, for a period of one year preceding the first publication of the 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 this **22<sup>nd</sup>** day of **SEPTEMBER 2008.**

by *Sarah Selfridge* who is personally known to me  
or who has produced **PERSONALLY KNOWN** as identification

*Patricia A Bergquist*



(Signature of Notary Public)  
PATRICIA A BERGQUIST

(Seal)

### NOTICE OF PUBLIC HEARING OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, September 30, 2008, at 9:00 a.m. in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16-A and U.S. 1 North), St. Augustine, Florida, will hold a public hearing to consider adoption of the following proposed ordinance:

ORDINANCE 2008-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA RELATING TO THE ST. JOHNS COUNTY STANDARD UNSAFE BUILDING ABATEMENT CODE AND AMENDING ORDINANCE 2000-48 AS IT PERTAINS TO THE ABATEMENT FUND; THIS AMENDMENT REPEALS CHAPTER 5, SECTION 503 OF THE ST. JOHNS COUNTY STANDARD UNSAFE BUILDING ABATEMENT CODE; DISESTABLISHES THE ABATEMENT FUND; PROVIDES FOR THE APPROPRIATION OF FUNDS ASSOCIATED WITH ABATING UNSAFE CONDITIONS WITHIN THE COUNTY; PROVIDES FOR THE TRANSFER OF ANY REMAINING REVENUE IN THE ABATEMENT FUND TO THE COUNTY GENERAL FUND; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested prior to the said public hearing. Please take note that the proposed ordinance is subject to revision prior to the hearing or adoption. 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, such person 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 the proceedings should contact ADA Coordinator, at (904) 209-0650 at the St. Johns County Courthouse, 4010 Lewis Speedway, Room 276, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA  
CHERYL STRICKLAND, ITS CLERK  
By: Yvonne King, Deputy Clerk  
L2743-8 Sep 19, 2008

PUBLISHER AFFIDAVIT  
PONTE VEDRA RECORDER  
Published Weekly  
St. Johns County, Florida

STATE OF FLORIDA  
COUNTY OF St. Johns:

Before the undersigned authority personally appeared Charlotte Linville, who on oath says that she is the Regional Comptroller of the "Ponte Vedra Recorder" a newspaper published weekly at Ponte Vedra Beach, in St. Johns County, Florida; that the attached copy of advertisement being

a \_\_\_\_\_  
in the matter of

**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING - 9/30/08**

**Legal No. 13217**

was published in said newspaper in the issues

**SEPTEMBER 26, 2008**

Affiant further says that said "Ponte Vedra Recorder" is a newspaper published at Orange Park, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said Ponte Vedra Beach, Florida, weekly, and has been entered as Periodical material matter at the post office in Ponte Vedra Beach, in said St. Johns County, Florida, for period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Charlotte Linville*

Sworn to me and subscribed  
before me this 26th day of SEPTEMBER A.D. 2008

*Christie Low Wayne*  
NOTARY PUBLIC, STATE OF FLORIDA



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OF THE ST. JOHNS COUNTY  
BOARD OF COUNTY COMMISSIONERS**

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BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA  
CHERYL STRICKLAND, ITS CLERK  
By: Yvonne King, Deputy Clerk

Legal No. 13217 published September 26, 2008  
in St. Johns County's Ponte Vedra Recorder  
Newspaper. (MO 162626-01)

162626-01