

ORDINANCE NO. 2014-28

AN ORDINANCE AMENDING SECTION 14-74.04, REGISTRATION OF ABANDONED PROPERTY, OF ARTICLE V, ABANDONED REAL PROPERTY, OF CHAPTER 14, OFFENSES-MISCELLANEOUS; OF THE CITY OF ORMOND BEACH *CODE OF ORDINANCES*; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF ORMOND BEACH, FLORIDA, THAT:

SECTION ONE. Section 14-74.04, Registration of abandoned property, of Article V, Abandoned Real Property, of Chapter 14, Offenses-Miscellaneous, of the City of Ormond Beach, Florida *Code of Ordinances* is hereby amended to read:

Sec. 14-74.04. Registration of abandoned property.

- (a) Any mortgagee who holds a mortgage on real property located within the city shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, prior to the issue of a notice of default. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned and the mortgagee shall, within ten (10) days of the inspection, register the property with the city manager, or his or her designee, or the city's agent, on forms provided by the city. A registration is required for each vacant residential property, or vacant commercial property. Land that has not been cleared and is in its natural state is not considered improved property for the purposes of this section.
- (b) Registration pursuant to this article shall contain the name of the mortgagee, the direct mailing address of the mortgagee, a direct contact name and telephone number of mortgagee facsimile number and e-mail address and, in the case of a corporation or out-of-area mortgagee, the local property management company responsible for the security and maintenance of the property. The mailing address shall not be a post office box.
- (c) The local property management company will be named in the registration and available to be contacted by the city, or the city's agent, Monday through Friday between 9:00 a.m. and 5:00 p.m., holidays and lunch hours accepted.

- (d) An annual registration fee in the amount of ~~\$150.00~~ \$250.00 per property shall accompany the registration form(s).
- (e) This article shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- (f) Properties subject to this article shall remain under an annual registration requirement, security and maintenance standards of this section as long as they remain vacant or until mortgagee no longer has a security interest in the property.
- (g) Any person or corporation that has registered a property under this article must report any change of information contained in the registration to the city manager, or his or her designee, or the city's agent, within ten (10) days of the change.
- (h) If the property is owned by a corporate mortgagee, a local property management company shall be contracted to perform bi-weekly inspections to verify compliance with requirements of this section, and any other applicable laws.
- (i) The property shall be posted with the name and twenty-four (24) hour contact phone number of the local property management company. The posting shall be no less than an eight-inch by ten-inch sign. The posting shall contain the following language:

THIS PROPERTY IS MANAGED BY:
TO REPORT PROBLEMS OR CONCERNS CALL:

The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible, or secured to the exterior of the building/structure facing the street to the front of the property so it is visible or, if no such area exists, on a stake of sufficient size to support the posting in a location as close as possible to the main door entrance of the property. Exterior posting shall be constructed of and printed with weather-resistant materials.

- (j) Upon the request of the city, the local property management company shall provide a copy of the inspection reports to neighborhood improvement division.
- (k) Failure of the mortgagee and/or property owner of record to properly maintain the property shall constitute a violation of this article.

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed, to the extent of such conflict.

SECTION THREE. This Ordinance shall take effect immediately upon its adoption.

PASSED UPON at the first reading of the City Commission, this 17th day of June, 2014.


PASSED UPON at the second and final reading of the City Commission, this 29th day of July, 2014.



ED KELLEY

Mayor

ATTEST:


J. SCOTT MCKEE
City Clerk