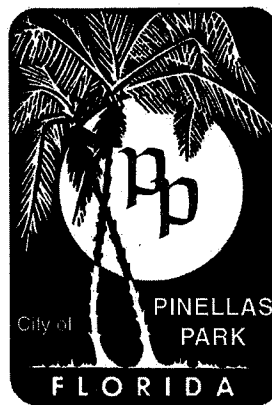


City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100

Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile



FLORIDA

PHONE • (727) 369-0700
FAX • (727) 544-7448

July 16, 2019

Ms. Carrie Moss
Community Compliance Supervisor
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #19-214
Code Enforcement Ordinance Update

Dear Ms. Moss:

I have received and reviewed the above-referenced proposed Ordinance to amend Section 2-1210 of the Code Enforcement Ordinance. I would suggest that the following changes be made to the Ordinance:

1. The word "BY" in the second line of the title should be deleted.
2. Since Florida Statute § 162.12(1)(a) has now been amended and liberalized by providing that notices shall be sent "to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database," I would suggest that while we are amending our Ordinance, we also add a provision that notices can be sent to the address listed in the county property appraiser's database. I would suggest the following wording for the first few lines of subparagraph (A):

All notices required by this act shall be provided to the alleged violator by certified mail, ~~return receipt requested,~~ to the owner of the property in question at the address listed in the tax collector's office for tax notices, or to the address listed in the county property appraiser's office database; and, at the option of the city, at any other address provided to the local government by such owner; by posting as described in this Article . . .



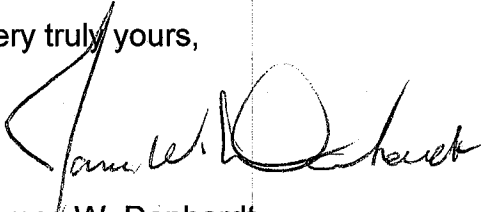
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Ms. Carrie Moss
Community Compliance Supervisor
City of Pinellas Park
July 16, 2019
Page 2

3. In Section Two, in lieu of the language proposed, I would suggest using the following: "All other provisions of Article XII of Chapter 2 of the Code of Ordinances of the City of Pinellas Park, Florida not hereby amended shall remain in full force and effect."

With these changes, I would approve of the proposed Ordinance, as to form and correctness.

Very truly yours,

A handwritten signature in black ink, appearing to read "James W. Denhardt". The signature is fluid and cursive, with a large loop at the end.

James W. Denhardt
City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Asst. City Manager
Susan Walker, Neighborhood Services Administrator

JWD/law

19-214.07162019.LCM.CEB Ord.wpd

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO CODE VIOLATIONS; AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE XII "CODE ENFORCEMENT BOARD", SECTION 2-1210 "NOTICES"; PROVIDING FOR THE INCLUSION OF SUCH ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA:

SECTION ONE: That Chapter 2 "Administration", Article XII "Code Enforcement Board", Section 2-1210 "Notices" of the Code of Ordinances of the City of Pinellas Park is hereby amended as follows:

CHAPTER 2

ADMINISTRATION

ARTICLE XII. CODE ENFORCEMENT BOARD

SECTION 2-1210. - Notices

- (A) All notices required by this act shall be provided to the alleged violator by certified mail, ~~return receipt requested,~~ to the owner of the property in question at the address listed in the tax collector's office for tax notices, or to the address listed in the county property appraiser's office database; and, at the option of the city, at any other address provided to the local government by such owner; by posting as described in this Article along with first class mail directed to the addresses furnished to the local government with a properly executed proof of mailing or affidavit confirming the first class mailing; by hand delivery by a process server, law enforcement officer or Community Compliance Specialist, or by leaving the notice at the alleged violator's usual place of residence with any person residing there who is above fifteen (15) years of age and informing such person of the contents of the notice or, in the case of commercial premises, leaving the notice with the Manager or other person in charge.

(B) In addition to providing notices as set forth in Subsection (A), at the option of the City Manager or his/her designee, a Special Magistrate or the code Enforcement Board, notice may also be served by publication or posting as follows:

1. Such notice shall be published once during each week for four (4) consecutive weeks (four (4) publications being sufficient) in a newspaper of general circulation in the County where the Code Enforcement Board is located. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements

Proof of publication shall be made as provided in F.S. §50.41 and §50.051.

2. Such notice may be posted at least ten (10) days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two (2) locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be the primary municipal government office. Proof of posting shall be 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.

(C) Notice of publication or posting may run concurrently with or may follow an attempt or attempts to provide notice by hand delivery or by certified mail. Evidence that an attempt has been made to hand deliver or mail notice in compliance with this Section, together with proof of publication or posting as required herein shall be sufficient to show that the notice requirements of this Article have been met without regard to whether or not the alleged violator actually received such notice.

SECTION TWO: All other provisions of Article XII of Chapter 2 of the Code of Ordinances of the City of Pinellas Park, Florida, not hereby amended shall remain in full force and effect.

SECTION THREE: The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Pinellas Park and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION FOUR: That this Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

FIRST READING THE _____ DAY OF _____, 2019.

PUBLISHED THE _____ DAY OF _____, 2019.

PUBLIC HEARING THE _____ DAY OF _____, 2019.

PASSED THIS _____ DAY OF _____, 2019.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2019.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK