

# CITIZEN'S GUIDE TO CODE COMPLIANCE



## CODE COMPLIANCE/SPECIAL MAGISTRATE CLERK'S OFFICE

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**This guide was prepared by:**



**Calvin, Giordano & Associates, Inc. for  
Pompano Beach Code Compliance  
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# City of Pompano Beach Code Compliance

## Mission Statement



The Code Compliance Department  
will deliver superior services  
designed to promote, protect and  
improve the health, safety and  
welfare of the citizens of Pompano  
Beach.

Code Compliance will provide an  
equitable, expeditious, effective and  
inexpensive method of enforcing the  
Codes of the City of Pompano  
Beach to gain compliance.



## TABLE OF CONTENTS

<b>PREFACE.....</b>	<b>iv</b>
<b>Chapter</b>	<b>Page</b>
<b>1      WHAT IS CODE COMPLIANCE? .....</b>	<b>1-1</b>
<b>2      COMMON CODE VIOLATIONS .....</b>	<b>2-1</b>
Storage of Junk, Trash, Debris and Other Materials.....	2-1
Overgrowth of Grass, Weeds and Landscaping .....	2-1
Auto Repair Work.....	2-2
Junk and Abandoned Vehicles .....	2-2
Building Permits .....	2-3
Tree Removal .....	2-3
Sidewalks, Driveway Approaches and Swales .....	2-3
Garbage/Horticultural Trash/Bulk Trash Collection Regulations .....	2-3
<b>3      INSPECTION PROCESS .....</b>	<b>3-1</b>
<b>4      SPECIAL MAGISTRATE HEARING PROCESS.....</b>	<b>4-1</b>
<b>5      LIEN AMNESTY PROGRAM .....</b>	<b>5-1</b>
<b>6      CITIZEN INVOLVEMENT .....</b>	<b>6-1</b>
<b>7      CODE COMPLIANCE INFORMATION .....</b>	<b>7-1</b>
Code Compliance Zone Map.....	7-1
Important Phone Numbers .....	7-2

### **EDITOR'S NOTE: IMPORTANT**

**The information in this guide is intended only as a general summary of Code regulations.  
It is not intended as a substitute for the City of Pompano Beach Code of Ordinances.**

**Residents are encouraged to contact the Code Compliance Department at (954) 786-4361  
regarding specific ordinance requirements.**



## CODE COMPLIANCE

### PREFACE

The concept of Code Compliance is relatively new. In 1980, the State of Florida passed a law (State Statute 162) outlining the Code Compliance process. The idea was to take the enforcement of local ordinances out of the state court system and have violations handled by local Code Compliance Inspectors. This law also allows municipalities to establish the administrative process. The City of Pompano Beach has established the Special Magistrate process as its administrative process.

The City's code enforcement philosophy is that **compliance** is our primary goal and education is the key to reaching this goal. One of the greatest obstacles to gaining compliance is that many citizens do not realize that they are violating local ordinances. For instance, it is not at all unusual for a resident to be unaware that parking a vehicle on the swale without a valid tag, or parking an inoperable vehicle on your private property, violates city ordinances. Most people are willing to play by the rules if they know the rules.

Property maintenance laws are designed to promote neighborhood integrity, prevent property value decline, reduce visual clutter and blight, and preserve quality of life.

### IMPORTANT NOTICE

The purpose of this guide is to educate the citizens of Pompano Beach about the Code Compliance process. It is intended only as a general summary of code regulations and is not intended as a substitute for the actual City of Pompano Beach Code of Ordinances.

For specific ordinance requirements, citizens should contact the Code Compliance Department at (954) 786-4361 or visit the City's website at: <http://pompanobeachfl.gov/>



## CHAPTER ONE

### WHAT IS CODE COMPLIANCE?

Building Codes were created to protect our health, safety and welfare by ensuring that buildings are properly constructed. Local ordinances exist to protect our health, quality of life, and property values. The aim is to keep our neighborhoods neat, clean and preserving aesthetics and maintaining property values.

The City of Pompano Beach Code Compliance Department is committed to maintaining the health, safety and quality of life for our residents and business owners. The Code Compliance process regulates certain aspects of the Building Code, Fire Codes, Zoning Codes and minimum housing standards.



*Example of a well maintained single family home*



*Example of a poorly maintained home with several code violations*



## CHAPTER TWO COMMON CODE VIOLATIONS

### **STORAGE OF JUNK, TRASH, DEBRIS AND OTHER MATERIALS**

It is a violation of City Code to store any unauthorized accumulation of junk, construction debris, garbage, horticulture trash, refuse or any discarded or unused objects and/or equipment, including but not limited to furniture, stoves, refrigerators, freezers, tires, cans or containers.



### **OVERGROWTH OF GRASS, WEEDS AND LANDSCAPING**

It is a violation of the City Code for grass and/or weeds in excess of 12 inches in height from the ground up on any undeveloped non-residentially zoned property or 6 inches in height from the ground up on any developed property or on any undeveloped residentially zoned property.





## **AUTO REPAIR WORK**

It is a violation to conduct auto repair work in a residential area unless it's the property owner's personal vehicles and the repairs are conducted within their residential garage.



## **JUNK AND ABANDONED VEHICLES**

Storage of any wrecked, dismantled, partially dismantled or inoperable vehicle is prohibited. A vehicle is also considered to be inoperable if it is being stored or parked without having all wheels mounted and all tires inflated, or if it does not have a current license tag on the vehicle.





## **BUILDING PERMITS**

Permits are required for most construction work. For example, permits are required for fence construction, shed installation, screen enclosures, installation of a patio slab, gazebos, roofs, room additions, docks and seawalls. Many interior alterations also require a permit such as electrical wiring, drywall, plumbing changes, water heater installations, doors and windows to name a few. Please contact the Building Inspections Division at (954) 786-4670 before commencing construction to determine whether a permit is required.

## **TREE REMOVAL**

In many cases, a permit is required for tree removal in residential areas. Also, major trimming of a tree also requires a permit under certain circumstances. Please contact the Urban Forestry Division at (954) 786-4926 to determine whether a permit is required.

## **SIDEWALKS, DRIVEWAY APPROACHES AND SWALES**

Although the approach in front of your property is on the City's right-of-way, it is the duty of the owner of a property abutting the public streets to maintain the swale and to repair the driveway and approach when needed. The Engineering Division can provide the specifications to correctly install or repair an approach. Some approach repairs may not require a permit but installations of a new approach will require a permit. Please contact the Engineering Division at (954) 786-4060 before installing or repairing a driveway or approach.

## **GARBAGE/HORTICULTURAL TRASH/BULK TRASH COLLECTION REGULATIONS**

**Garbage:** Garbage receptacles shall not be placed for collection earlier than 5:00 p.m. on the day prior to the scheduled collection day or later than 7:00 a.m. on the scheduled collection day and all garbage receptacles shall be removed from curbside on the day of collection.

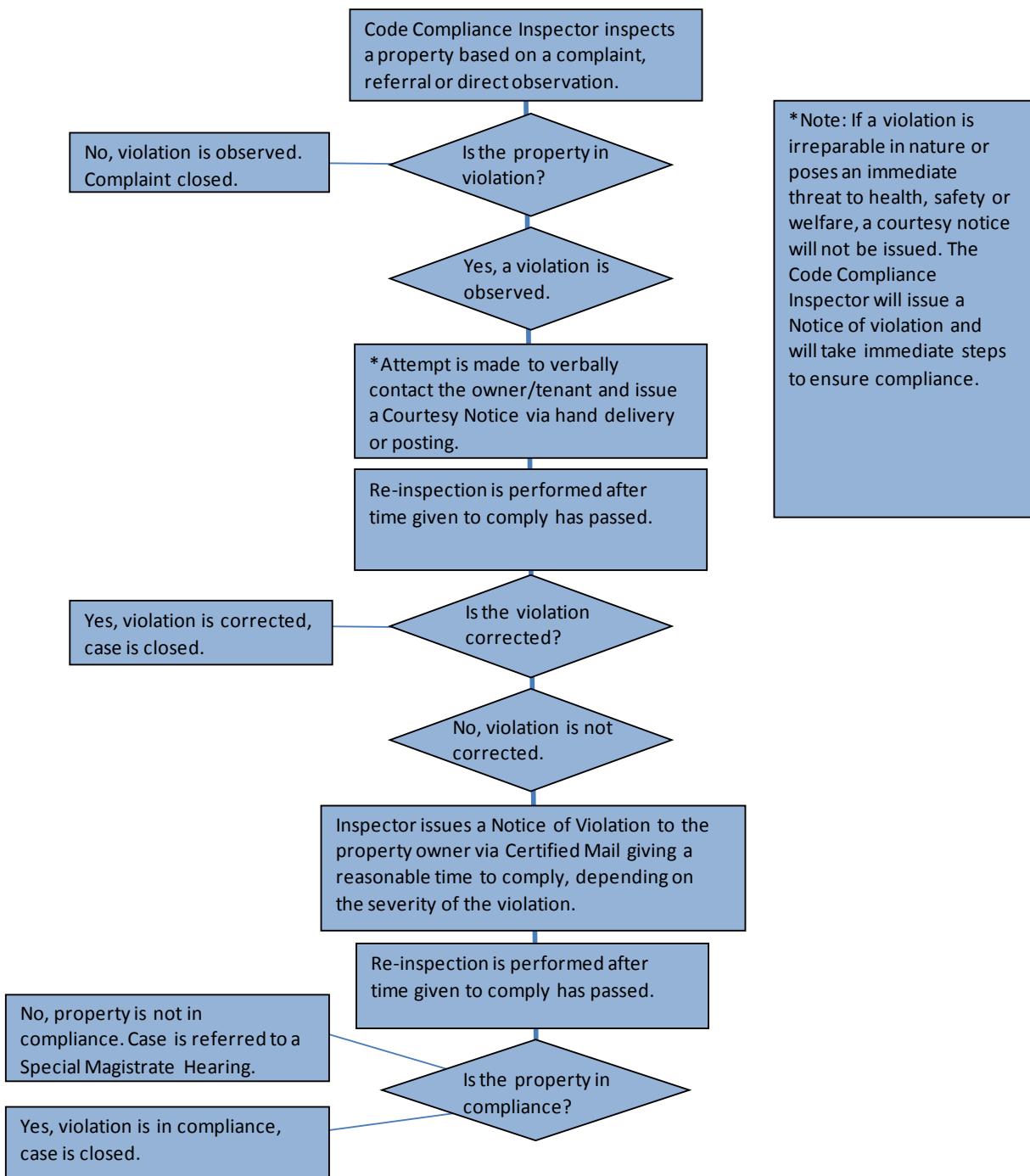
**Horticultural trash:** Trash receptacles or bundles of trash shall be placed for collection at a single, readily-accessible collection point at the front of one's own property within six feet of the roadway. Horticultural trash must be placed in a garbage can or tied in bundles not to exceed four feet in length or 50 pounds in weight. Tree branches may not exceed four inches in diameter. Bundles must be tied with rope of sufficient strength to be used to lift the bundle. Trash containers or bundles must be placed at the curbside prior to the arrival of the truck, which starts the route at 7:00 a.m. on the designated day of collection. There shall be no limit as to the number of trash containers or bundles that may be placed out for collection. Receptacles must be removed from curbside on the day of collection.

**Bulk trash:** Bulk trash shall be placed for collection at a single, readily-accessible location in an area adjacent to a driveway and not over five feet from the curb line or ten feet from the edge of the pavement or edge of a travel way. Bulk trash, with the exception of horticultural trash, shall not be placed for collection earlier than 5:00 p.m. on the day prior to the scheduled collection day or later than 7:00 a.m. on the scheduled collection day.



## CHAPTER THREE

### Inspection Process





## CHAPTER FOUR

### Special Magistrate Hearing Process

The Special Magistrate hearing process is a quasi-judicial process.

The Special Magistrate is a licensed attorney appointed by the City Commission to serve as an independent, third-party administrative hearing judge.

Special Magistrate hearings are scheduled for the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month. Hearings are conducted much like court proceedings with testimony and evidence presented by both the City (Code Compliance Inspector) and the respondent (property owner).

The Special Magistrate makes a finding of fact based on the evidence and determines whether the alleged violations did occur and whether the person named in the violation notice is legally responsible for the violation.

If the decision of the Special Magistrate affirms the Code Compliance Inspector's determination of violation, then fines may be imposed.

Any fines or penalties imposed may be recorded as a lien against all real property. Unpaid liens could result in a foreclosure or action for a money judgment.



## CHAPTER FIVE

### Lien Amnesty Program

By working together with property owners, the City's Code Compliance Department has brought numerous properties into compliance. However, many properties had to be taken through the progressive enforcement process which resulted in violation notices, fines and liens.

Given the current economic climate, the City established the Lien Amnesty Program which allows individuals with past fines to voluntarily pay 25% of the accumulated lien or amount or \$2000.00 whichever is less. Only liens resulting from Code violations are eligible under the Program. Liens arising from unsafe structure or nuisance abatement action or any other City regulatory program are **NOT ELIGIBLE** due to the City's out of pocket expenditures in these instances and must be paid in full. The applicant must first correct the conditions that triggered the initial violation notice(s). The goal of the program is to assist property owners with their efforts to achieve compliance during this period of economic uncertainty.

In order to take advantage of the Lien Amnesty Program, property owners should take the following steps:

#### Step One:

**Submit a Lien Amnesty Application if your property has outstanding liens and is currently in compliance.**



#### Step Two:

**Code Compliance will review the application, confirm compliance and provide the property owner with the total amount due.**



#### Step Three:

**An Affidavit of Compliance is issued, the property owner satisfies (pays) the lien and the lien is released.**

**NOTE: The current and final program is in effect from March 23, 2011 through September 23, 2011.**



## CHAPTER SIX

### CITIZEN INVOLVEMENT

The involvement of individual homeowners and Crime Watch and other neighborhood organizations in Code Compliance can be productive in many ways.

1. Information about code requirements can be distributed to a large number of people at local association or other group meetings.
2. Provides a direct line of communication with local government to assure the dissemination of correct information, promotes a sense of well being and dispels the notion of an impersonal bureaucracy.
3. Provides better relations, instills community pride and encourages the preservation of the community environment and property.

#### **HOW CAN YOU GET INVOLVED?**

1. Report violations in your neighborhood.

\*Call the Code Compliance Department to make a complaint at (954) 786-4361 or e-mail us at [pbcode@calvin-giordano.com](mailto:pbcode@calvin-giordano.com). You may remain anonymous.

2. Invite the Code Compliance Department to your neighborhood association meeting or community event to educate and disseminate information to your neighbors:

\* Contact the Code Compliance Department at (954) 786-4361 or e-mail us at [pbcode@calvin-giordano.com](mailto:pbcode@calvin-giordano.com).

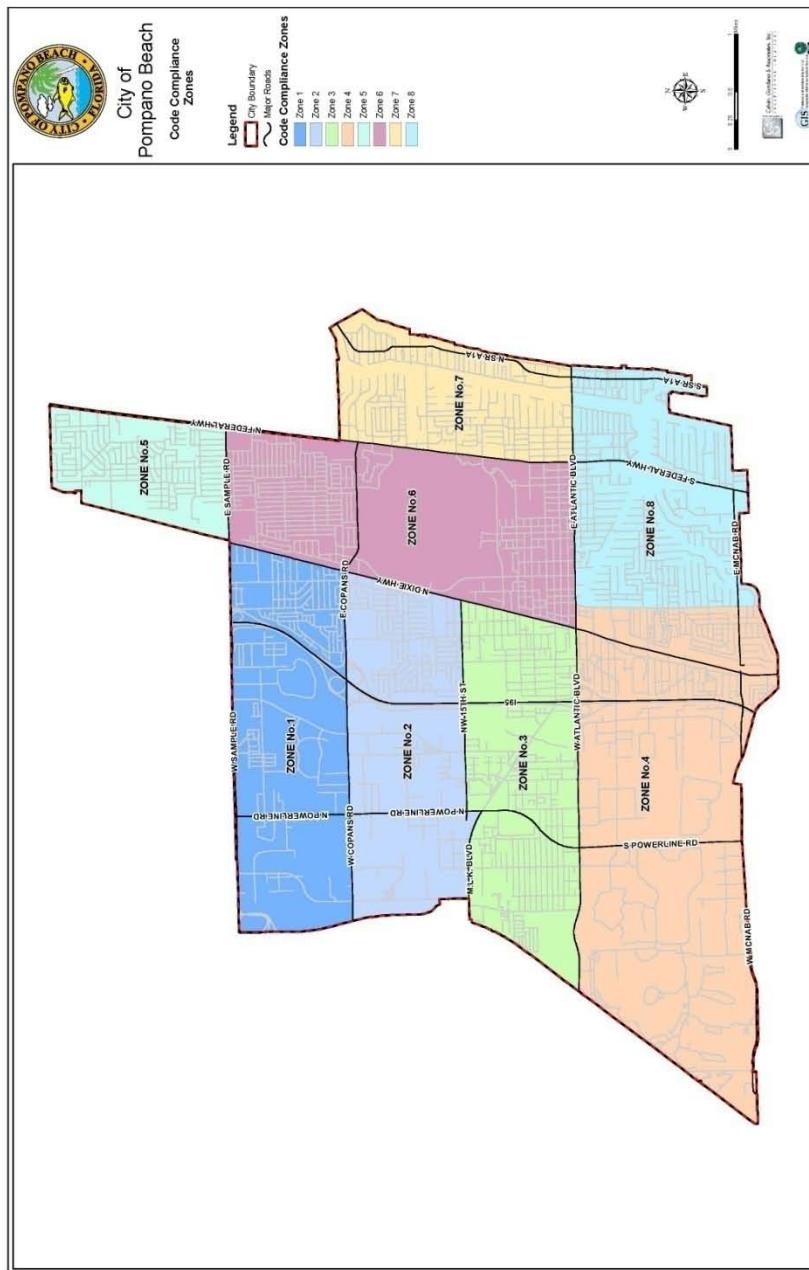




## CHAPTER 7

### Code Compliance Zone Map

For Zone Inspector contact information, please contact the Code Compliance Department at (954) 786-4361 or visit the City's website at <http://pompanobeachfl.gov/>





### **IMPORTANT PHONE NUMBERS**

<b>Code Compliance Department</b>	.....	<b>(954) 786-4361</b>
<b>Public Works Department</b>	.....	<b>(954) 786-4106</b>
<b>Building Inspection Division</b>	.....	<b>(954) 786-4670</b>
<b>Broward Sheriff's Office</b>	.....	<b>(954) 786-4201 (non-emergency)</b>
<b>Planning &amp; Zoning Division</b>	.....	<b>(954) 786-4634</b>
<b>Housing &amp; Urban Improvement</b>	.....	<b>(954) 786-4659</b>
<b>Urban Forestry Division</b>	.....	<b>(954) 786-4926</b>
<b>City Hall Main Line</b>	.....	<b>(954) 786-4600</b>



**Calvin, Giordano & Associates, Inc.**

EXCEPTIONAL SOLUTIONS