

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 86-24**

Certified Mail
June 14, 2024

Owner: **Robert E Cox**
1204 Claire Dr.
Clearwater, FL 33755-2615

Violation Address: **1204 Claire Dr.**
10-29-15-85446-001-0100

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, July 24, 2024**, at **1:30 p.m.** there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, Clearwater Main Library at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section(s) **3-1502.B, 3-1502.D.1, 3-1503.B.1, 3-1503.B.2, 3-1503.B.3, and 3-1503.B.9** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent but represented at the hearing, your representative must present to the Board your letter authorizing your representative to speak on your behalf. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Board making a determination. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violations should you be found to be in violation of the City Code.

The case shall be presented to the Board even if the violations described in the attached Affidavit(s) of Violation are corrected prior to the Board hearing.

Should you be found in violation of the City Code, the Municipal Code Enforcement Board has the power by law to levy fines of up to \$250 a day per violation against you and your property for every day each violation continues beyond the date set for compliance in an Order of the Board.

If you wish to have any witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at 727-444-7155. If you have any questions regarding the cited violations or if the violations are corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit(s) of Violation.

Sincerely,


SECRETARY TO THE MUNICIPAL CODE ENFORCEMENT BOARD

The Municipal Code Enforcement Board was created pursuant to General Act 80-300, General Laws of Florida, 1979, and Ordinance 2169-80 of the City of Clearwater.

The City of Clearwater strongly supports and fully complies with the Americans with Disabilities Act (ADA). Please advise us at least 48 hours prior to the hearing if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. **Kindly refrain from private conversations, cellular phone use, etc. that distract meeting participants.**

Any party may appeal a final order of this Board by filing an appeal with the Circuit Court within 30 days of entry of the order. Appellants need a record of proceedings; a verbatim record of testimony and evidence that is the basis for the appeal may be required. F.S. § 286.0105, CDC Sec 7-104

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA
AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: ROBERT E COX
MAILING ADDRESS: 1204 CLAIRE DR
CLEARWATER, FL 33755-2615
CITY CASE#: CDC2024-00431

VIOLATION ADDRESS: 1204 CLAIRE DR
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 3/22/2024

LEGAL DESCRIPTION OF PROPERTY: STEVENSON'S HEIGHTS BLK A, LOT 10

PARCEL #: 10-29-15-85446-001-0100

DATE OF INSPECTION: 5/30/2024 3:11:00 PM

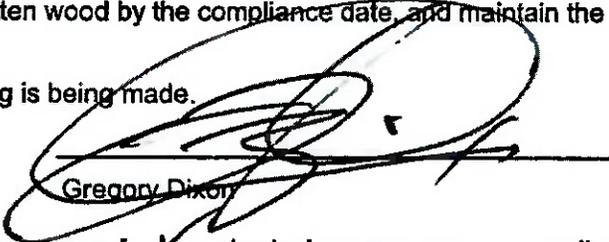
SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE
SECTION VIOLATED

3-1502.B. - ****EXTERIOR SURFACES**** All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. Exterior surfaces shall be free of mildew; rust; loose material including peeling paint; and patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to material, color, bond and joining. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained in accord with manufacturer's specifications and otherwise treated in a consistent manner.

SPECIFICALLY,

During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. To avoid further action and/or fines, please address any visible mildew and/or dirt, peeling or failing paint and/or damaged exterior surfaces and rotten wood by the compliance date, and maintain the property on a regular basis. Thank you.

A violation exists and a request for hearing is being made.


Gregory Dixon

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 30th day of May, 2024, by Gregory Dixon.

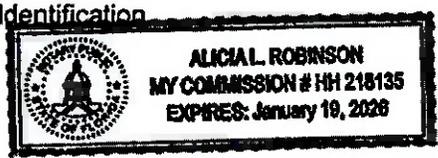
STATE OF FLORIDA
COUNTY OF PINELLAS

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION


(Notary Signature)

ALICIA L. ROBINSON
Name of Notary (typed, printed, stamped)

Type of Identification



FILED THIS 12th DAY OF June, 2024

MCEB CASE NO. 86-24

Wade Sprague

Secretary, Municipal Code Enforcement Board

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA
AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: ROBERT E COX
MAILING ADDRESS: 1204 CLAIRE DR
CLEARWATER, FL 33755-2615

CITY CASE#: CDC2024-00430

VIOLATION ADDRESS: 1204 CLAIRE DR
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 3/22/2024

LEGAL DESCRIPTION OF PROPERTY: STEVENSON'S HEIGHTS BLK A, LOT 10

PARCEL #: 10-29-15-85446-001-0100

DATE OF INSPECTION: 5/30/2024 3:10:00 PM

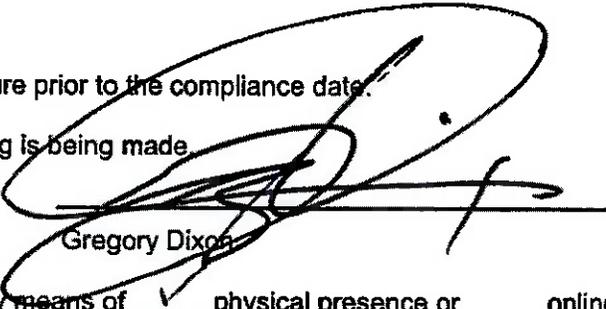
SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE
SECTION VIOLATED

3-1502.D.1. - ****ROOF MAINTENANCE**** All roofs shall be maintained in a safe, secure and watertight condition.

SPECIFICALLY,

Repair roof or demolish the structure prior to the compliance date.

A violation exists and a request for hearing is being made.

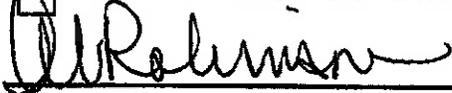

Gregory Dixon

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 30th day of May, 2024, by Gregory Dixon.

STATE OF FLORIDA
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

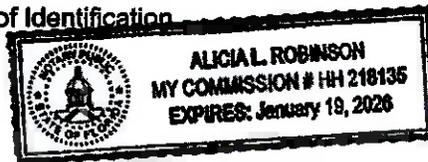


(Notary Signature)

ALICIA L. ROBINSON

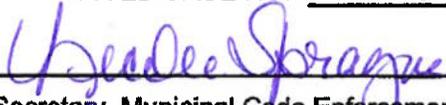
Name of Notary (typed, printed, stamped)

Type of Identification



FILED THIS 12th DAY OF June, 2024

MCEB CASE NO. 86:24


Secretary, Municipal Code Enforcement Board

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA
AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: ROBERT E COX
MAILING ADDRESS: 1204 CLAIRE DR
CLEARWATER, FL 33755-2615
CITY CASE#: PNU2024-00303

VIOLATION ADDRESS: 1204 CLAIRE DR
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 3/22/2024

LEGAL DESCRIPTION OF PROPERTY: STEVENSON'S HEIGHTS BLK A, LOT 10

PARCEL #: 10-29-15-85446-001-0100

DATE OF INSPECTION: 5/30/2024 3:13:00 PM

SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE
SECTION VIOLATED

3-1503.B.1. - ****PUBLIC NUISANCE CONDITION**** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - ****ABANDONED BUILDINGS**** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

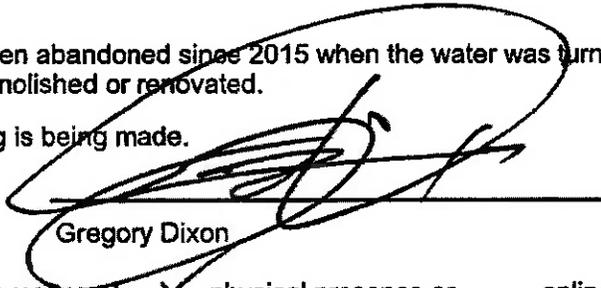
3-1503.B.3. - ****ATTRACTIVE NUISANCE**** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - ****Other Nuisance Condition**** Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.

SPECIFICALLY,

It appears that this property has been abandoned since 2015 when the water was turned off. This property needs to be sold, demolished or renovated.

A violation exists and a request for hearing is being made.

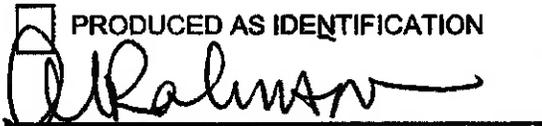


Gregory Dixon

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 30th day of May, 2024, by Gregory Dixon.

STATE OF FLORIDA
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION



(Notary Signature)

Alicia L. Robinson

Name of Notary (typed, printed, stamped)

Type of Identification



FILED THIS 12th DAY OF June, 20 24

MCEB CASE NO. 86-24

Whitney Sprague

Secretary, Municipal Code Enforcement Board



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4720 FAX (727) 562-4735

Notice of Violation

ROBERT E COX
1204 CLAIRE DR
CLEARWATER, FL 33755-2615

CDC2024-00431

ADDRESS OR LOCATION OF VIOLATION: 1204 CLAIRE DR

LEGAL DESCRIPTION: STEVENSON'S HEIGHTS BLK A, LOT 10

DATE OF INSPECTION: 3/21/2024

PARCEL: 10-29-15-85446-001-0100

Section of City Code Violated:

3-1502.B. - ****EXTERIOR SURFACES**** All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. Exterior surfaces shall be free of mildew; rust; loose material including peeling paint; and patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to material, color, bond and joining. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained in accord with manufacturer's specifications and otherwise treated in a consistent manner.

Specifically: During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. To avoid further action and/or fines, please address any visible mildew and/or dirt, peeling or failing paint and/or damaged exterior surfaces and rotten wood by the compliance date, and maintain the property on a regular basis. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 4/22/2024. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

Gregory Dixon Code Inspector
727-444-8717
gregory.dixon@myclearwater.com

Date Printed: 3/22/2024

NOV_PropOwn



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4720 FAX (727) 562-4735

Notice of Violation

ROBERT E COX
1204 CLAIRE DR
CLEARWATER, FL 33755-2615

CDC2024-00430

ADDRESS OR LOCATION OF VIOLATION: 1204 CLAIRE DR

LEGAL DESCRIPTION: STEVENSON'S HEIGHTS BLK A, LOT 10

DATE OF INSPECTION: 3/21/2024

PARCEL: 10-29-15-85446-001-0100

Section of City Code Violated:

3-1502.D.1. - ****ROOF MAINTENANCE**** All roofs shall be maintained in a safe, secure and watertight condition.

Specifically: Repair roof or demolish the structure prior to the compliance date.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 4/22/2024. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

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Notice of Violation

ROBERT E COX
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CLEARWATER, FL 33755-2615

PNU2024-00303

ADDRESS OR LOCATION OF VIOLATION: 1204 CLAIRE DR

LEGAL DESCRIPTION: STEVENSON'S HEIGHTS BLK A, LOT 10

DATE OF INSPECTION: 3/21/2024

PARCEL: 10-29-15-85446-001-0100

Section of City Code Violated:

3-1503.B.1. - ****PUBLIC NUISANCE CONDITION**** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - ****ABANDONED BUILDINGS**** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

3-1503.B.3. - ****ATTRACTIVE NUISANCE**** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - ****Other Nuisance Condition**** Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.

Specifically: It appears that this property has been abandoned since 2015 when the water was turned off. This property needs to be sold, demolished or renovated.

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Gregory Dixon Code Inspector
727-444-8717
gregory.dixon@myclearwater.com

Date Printed: 3/22/2024

NOV_PropOwn

DIVISION 15. - PROPERTY MAINTENANCE STANDARDS**Section 3-1501. - Purpose.**

The purpose of this division is to protect the comfort, health, repose, safety and general welfare of the citizens of the city by establishing minimum property and building maintenance standards for all properties and to provide for the abatement of nuisances affecting the general public.

Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Florida Building Code, the Florida Fire Prevention Code, and the International Property Maintenance Code.
- B. *Exterior surfaces.* All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. All exterior surfaces shall be free of:
1. Mildew;
 2. Rust;
 3. Loose material, including peeling paint; and
 4. Patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to materials, color, bond and joining.

All cornices, trim and window frames that are damaged, sagging or otherwise deteriorated shall be repaired or replaced to be made structurally sound. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained according to manufacturer's specifications and otherwise treated in a consistent manner.

C. *Door and window openings.*

1. All windows and doors shall be secured in a tight fitting and weatherproof manner and have sashes of proper size and design.
2. Sashes with rotten wood, broken joints or deteriorated mullions or muntins must be repaired or replaced.
3. Windows shall be maintained in an unbroken, and clean state. No windows shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building façade using wall materials and window detailing comparable with any upper floors and the building façade in general. All damaged or broken windows shall be promptly

restored, repaired or replaced. All awnings, screens or canopies facing or visible from the public right-of-way or any other parcel shall be maintained in a good and attractive condition and torn, loose and/or bleached awnings, screens or canopies shall be promptly replaced, repaired or removed.

4. Doors and windows not facing the public right-of-way and upper level window and door openings fronting a public right-of-way shall be similarly maintained and repaired as the doors and windows facing the public right-of-way, except that such doors and windows may be enclosed or removed provided the sills, lintels and frames are removed and the opening properly closed to match and be compatible with the design, material and finish of the adjoining wall of which the opening is a part.

D. *Roofs.*

1. All roofs shall be maintained in a safe, secure and watertight condition.
2. Any new mechanical equipment, including replacement equipment placed on a roof, shall be so located as to be screened from view from the public right-of-way at street level from adjoining properties.
3. Roofs shall be maintained in a clean, mildew-free condition and kept free of trash, loose shingles and debris or any other element, including grass or weeds, which is not a permanent part of the building or a functional element of its mechanical or electrical system.
4. Tile roofs with peeling paint shall be repainted or have the paint removed.
5. Any false roof, mansard or similar roof element or other auxiliary structure on the roof shall be finished and maintained in a condition comparable to and compatible with the exterior side of the building wall to which the roof element abuts.

E. *Auxiliary and appurtenant structures.*

1. Chimneys and elevator shafts, and mechanical and electrical structures shall be maintained in a satisfactory state of repair and their exterior finish must be architecturally consistent with the exterior side of the building wall from which they can be seen.
2. Freestanding walls and fences shall be maintained in accordance with the provisions of section 3-808 of this development code.
3. Fountains and other amenities shall be maintained in good working order and all structural components shall be maintained in a satisfactory state of repair, free of chipping, pitting, cracking, discoloration, peeling or fading.

F. *Exterior storage and display/ nonresidential properties.*

1. All equipment, materials and merchandise shall be stored and located at all times within an enclosed structure and no exterior storage of merchandise for sale shall be permitted unless expressly authorized pursuant to the provisions of this Development Code.
- 2.

Garbage and trash shall be deposited only in dumpsters or cans or other receptacles specifically manufactured and intended for such purpose, and secured at all times with a tight fitting cover or lid.

G. Exterior storage and display for residential properties.

1. As provided in Section 3-913 of this Development Code, outdoor storage is prohibited. For the purposes of this section, carports are subject to the outdoor storage provisions.
2. Equipment, materials or furnishings not designed for use outdoors, such as automobile parts and tires, building materials, and interior furniture, may not be stored outdoors.
3. Construction materials, unless such materials are related to an active building permit related to the property on which the materials are located, shall not be stored outdoors on a residentially zoned property.
4. Bulk items intended for pick up by the city may not be placed at the curb more than 24 hours prior to the scheduled pick up.
5. Any motor vehicle that is lawfully parked and is covered in a manner to protect the motor vehicle shall allow at least the bottom six inches of each tire to be visible. The required license plate shall be clearly visible from the right-of-way or the license plate number shall be printed legibly on the cover with characters not less than two inches in height so that it is clearly visible from the right-of-way. Covers shall not be faded and shall be in good condition, without tears, rips or holes.

H. Yards and landscape areas.

1. All required landscaping materials shall be maintained in accordance with the provisions of Article 3, Division 12.
 2. Any portion of a lot not covered by a building or structure or otherwise devoted to parking, a service drive or a walkway shall be landscaped with grass or other appropriate ground cover and shall be maintained in a neat and orderly manner.
 3. All landscape materials, including turf, shrubs, and trees, whether required or optional, shall be maintained in a healthy live condition so as to present a neat and attractive appearance and so as to discourage the accumulation of trash or debris and/or infestation by pests.
 4. No yard, landscape area or growth of landscape material shall encroach upon the public right-of-way so as to hinder safe and convenient vehicular or pedestrian movement in the public right-of-way.
 5. No yard shall be used for dumping or accumulation of any garbage, rubbish, dead animals, trash, waste vegetable or animal matter of any kind or construction debris.
- I. Signs.* All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling or fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired,

painted or replaced.

J. *Vacant parcels.*

1. Vacant parcels of land shall be properly maintained consistent with section 3-1502 H and be free of weeds, litter, rubble or debris.
2. Erosion and sedimentation mitigation measures may be required if it is determined that runoff from a vacant parcel causes harm to adjacent property, city drainage systems or navigable waters which receive the runoff.
3. No temporary or permanent storage of materials or equipment shall be allowed on any vacant parcel except in compliance with the regulations for the use of such property as set forth under Article 2 and Article 3 Division 9 of this Development Code.

K. *Public rights-of-way and sidewalks and parking surfaces.*

1. Public rights-of-way and sidewalks adjoining an improved parcel of land which, because of its location and character, is used as if it were appurtenant to or an extension of the parcel of land, shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such rights-of-way and sidewalks clear of litter, trash, debris, equipment, weeds, trees, shrubs and other vegetation and refuse and provide a height clearance of at least eight feet from the sidewalk pavement measured vertically from the pavement surface, unless an exception has been granted by the urban forester for protected trees. All unpaved areas shall be landscaped with grass or other ground cover and such areas shall be regularly mowed or otherwise maintained in a neat and attractive condition.
2. No person shall erect, place or locate any structure, display materials, merchandise, or similar objects within the limits of any street right-of-way unless specifically permitted pursuant to the provisions of this Development Code.
3. No trash receptacles, newspaper racks or other dispensing machines shall be located in a public right-of-way unless specifically authorized by the city and other applicable agencies.
4. Parking lot and driveway surfaces shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such surface free of pot holes, litter, trash, debris, equipment, weeds, dead vegetation and refuse and shall promptly repair cracked or heaved parking lot surfaces.
5. All sidewalks located on private property shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep sidewalks clear of litter, trash, debris, equipment, weeds, dead vegetation and refuse. Sidewalks that are cracked, heaved or otherwise unsafe for pedestrians shall be promptly replaced.

L. *Maintenance of seawalls.* All seawalls shall be maintained in structurally sound condition and shall comply with applicable building and coastal construction codes.

M.

Adoption of the International Property Maintenance Code, 2018 edition. There shall be enforced in the city, by the building official, the "International Property Maintenance Code," 2018 Edition, a copy of which is kept with the office of the city clerk, which is incorporated into the Code and adopted by reference with the following local amendments:

1. *General amendments.* The International Property Maintenance Code, 2018 addition is amended in that:
 - a. Wherever the terms "International Building Code," "International Energy Conservation Code," "International Existing Building Code," "International Fire Code," "International Fuel Gas Code," "International Mechanical Code," "International Plumbing Code," "International Residential Code," or "International Zoning Code" are found, the term "Florida Building Code" shall be substituted.
 - b. Whenever the term "code official" is found it shall be replaced with the term "building official."
2. Section 101.1 *"Title"* is amended to read as follows: These regulations shall be known as the City of Clearwater Property Maintenance Code, hereinafter referred to as "this code."
3. Section 102.1 *"General"* is amended to read as follows: Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the Clearwater Code of Ordinances or the Clearwater Community Development Code and any ordinance of the City which is not specifically set forth therein, the most restrictive shall apply. Where differences occur between provisions of this code and a referenced code other than the Clearwater Code of Ordinances or the Clearwater Community Development Code and any ordinance of the City which is not specifically set forth therein, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall apply.
4. Section 102.3 *"Application of other codes"* is amended to read as follows: Repairs, additions, or alterations to a structure or changes of occupancy shall be done in accordance with the provisions of the Florida Building Code, Florida Fuel Gas Code, Florida Mechanical Code, and the National Fire Protection Act 70. Any conflict between this code and Chapter 553, Florida Statutes, as may be amended, the Florida Building Code, and the Florida Fire Prevention Code shall be resolved in favor of Chapter 553, Florida Statutes, the Florida Building Code, or the Florida Fire Prevention Code and nothing herein shall be deemed to be an amendment to those provisions of Florida law.
5. Section 103.1 *"General"* is amended to read as follows: The provisions of this code shall be administered by the building official or such other person or persons designated by the building official or the community development coordinator.

6. Section 103.2 "*Appointment*" is deleted in its entirety.
7. Section 103.4 "*Liability*" is amended so that the term "board of appeals" is replaced with the terms "the municipal code enforcement board" and "the building/flood board of adjustment and appeals."
8. Section 103.5 "*Fees*" is deleted in its entirety.
9. Section 104.3 "*Right of entry*" is deleted in its entirety.
10. Section 106.3 "*Prosecution of violation*" is amended to read as follows: The building official may, in addition to or in alternative of, any criminal or civil penalties or seeking injunctive relief, bring violations of this code for prosecution before the municipal code enforcement board or the building/flood board of adjustment and appeals. In any case in which either board finds that a violation has occurred, the board may order corrective action to be taken by a date certain, which corrective action may include the repair, improvement, vacation, or demolition of the building or structure. Both boards may also enter an order declaring that the city has the right to enter the property and have such work done on behalf of the owner at the owner's cost, including administrative costs, which shall become a lien against the property as provided in Section 7-103(G) of the Clearwater Community Development Code.
11. Section 107.1 "*Notice to person responsible*" is amended to read as follows: Whenever the building official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the property owner for the violation as specified in this code. Notices for condemnation procedures shall comply with Section 108.3.
12. Section 107.2 "*Form*" is amended to read as follows: Such notice prescribed in Section 107.1 shall be in accordance with Section 7-102(B) of the Clearwater Community Development Code.
13. Section 107.3 "*Method of Service*" is amended to read as follows: Such notice prescribed in Section 107.3 shall be served upon the alleged violator as provided in Section 162.12, Florida Statutes (2018), and all subsequent amendments.
14. Section 107.6 "*Transfer of ownership*" is deleted in its entirety.
15. Section 108.2 "*Closing of vacant structures*" is deleted in its entirety.
16. Section 108.3 "*Notice*" is amended to read as follows: Whenever the building official has condemned a structure or equipment under the provisions of this section, notice shall be given to the person responsible in a form substantially similar to that found in Section 7-102(B) of the Clearwater Community Development Code and served upon the property owner as provided in Section 162.12, Florida Statutes, and all subsequent amendments.
- 17.

Section 109 *"Emergency Measures"* is deleted in its entirety except for Section 109.2 *"Temporary Safeguards"* which is amended to read as follows: Notwithstanding other provisions of this code, whenever in the opinion of the building official there is imminent danger due to an unsafe condition, the building official shall order the necessary work to be done, including the boarding of openings, to render such building or structure temporarily safe whether or not the legal procedure herein described has been instituted and shall cause such other action to be taken as the building official deems necessary to meet such emergency. Any costs associated with this, including administrative costs, which shall become a lien against the property as provided in Section 7-103(G) of the Clearwater Community Development Code.

18. Section 110.3 *"Failure to Comply"* is amended to read as follows: If the owner of a premises or the owner's authorized agent fails to comply with a demolition order or an unsafe notice given pursuant to Section 108.3 within the time prescribed, the building official in addition to or in alternative of any criminal or civil penalties or seeking injunctive relief, may request a hearing before the municipal code enforcement board or the building/flood board of adjustment and appeals. In any case in which either board finds that a building or structure is dangerous, unsafe, insanitary, or otherwise unfit for human habitation or occupancy, the board may order corrective action to be taken by a date certain, which corrective action may include the repair, improvement, vacation, or demolition of the building or structure. Both boards may also enter an order declaring that the city has the right to enter the property and have such work done on behalf of the owner at the owner's cost, including administrative costs, which shall become a lien against the property as provided in Section 7-103(G) of the Clearwater Community Development Code. Both boards may also issue fines as provided in Section 7-103(B) of the Clearwater Community Development Board.
19. Section 111 *"Means of Appeal"* is deleted in its entirety except for Section 111.1 *"Application for Appeal"* which is amended to read as follows: Any person directly affected by a decision of the building official shall have the right to appeal that decision to the building/flood board of adjustment and appeals as provided in section 47.035 of the Clearwater Community Development Code.
20. Section 112.2 *"Issuance"* is amended to read as follows: A stop work order shall be in writing and shall be given to the property owner. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.
21. Section 112.4 *"Failure to comply"* is amended to read as follows: any personal who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be prosecuted in any manner authorized by the Clearwater Code of Ordinances or the Clearwater Community Development Code.
22. Section 302 *"Exterior Property Areas"* is deleted in its entirety.

23. Section 303.2 *"Enclosures"* is deleted in its entirety.
24. Section 304.2 *"Protective Treatment"* is deleted in its entirety.
25. Section 304.3 *"Premises identification"* is deleted in its entirety.
26. Section 304.14 *"Insect screens"* is amended to read as follows: Every window in a residential structure that is capable of being opened and every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition. Screens shall not, however, be required where other approved means, such as air curtains or insect repellent fans, are employed.
27. Section 304.18.1 *"Doors"* is amended to read as follows: Doors providing access to a dwelling unit, rooming unit, or housekeeping unit that is rented, leased, or let shall be equipped with a lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort. Such locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable lock.
28. Section 308 *"Rubbish and Garbage"* is deleted in its entirety.
29. Section 602.2 *"Residential Occupancies"* is amended to read as follows: Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68° F (20° C) in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used as a means to provide required heating. If the heating facility is a portable electric space heater, then it must have a tip-over switch with automatic shut-off capability and overheat protection with automatic shut-off capability.
30. Section 602.3 *"Heat Supply"* is amended to require the supply of heat year-round and Exceptions Number 1 and 2 are hereby deleted in their entirety.
31. Section 602.4 *"Occupiable Work Spaces"* is amended to require the supply of heat year-round.
32. Section 603 *"Mechanical Equipment"* is deleted in its entirety.
33. Section 606 *"Elevators, escalators and dumbwaiters"* is deleted in its entirety.
34. Section 607 *"Duct Systems"* is deleted in its entirety.
35. Chapter 7 *"Fire Safety Requirements"* is deleted in its entirety except for Section 702 *"Means of Egress"* and Section 704.1 *"Inspection, testing and maintenance."* Further, Section 704.1.3 *"Fire protection systems"* is amended to read as follows: The following fire protection systems

shall be inspected, maintained, and tested in accordance with the Florida Building Code: 1) carbon monoxide alarms and carbon monoxide detection systems; and 2) single- and multiple-station smoke alarms.

36. Chapter 8 "*Referenced Standards*" is deleted in its entirety.

37. Appendix A101.1 "*General*" is amended to read as follows: Windows and doors shall be boarded in an approved manner to prevent entry by unauthorized persons.

38. Appendix A102 "*Materials*," Appendix A103 "Installation," and Appendix A104 "Referenced Standard" are deleted in their entirety and replaced with the following specifications:

To secure structures: materials to be used are as follows:

Wire mesh ½ inch hardware cloth 19 gauge, galvanized to resist rust. Edges must be finished with no sharp projections.

Frame 1"x4" pressure treated wood pre-drilled for screws.

Installation: Wire will cover window and or door with mitered corners wood frame on the outside 2 inches of the perimeter of wire and be screwed no more than 12 inches apart in center of run and at each end of wood, frame, and screwed to solid surface of metal, wood, and or concrete walls.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6928-02, §§ 71—75, 5-2-02; Ord. No. 7449-05, § 20, 12-15-05; Ord. No. 8211-10, § 11, 10-5-10; Ord. No. 8931-16, § 18, 9-1-16; Ord. No. 9349-20, § 1, 1-16-20)

Section 3-1503. - Nuisances.

- A. No person owning, leasing, operating, occupying or having control of any premises within the city shall maintain, keep or permit any nuisance affecting the citizens of the city.
- B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:
 1. A condition or use that causes a substantial diminution of value of property in the vicinity of the condition or use.
 2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.
 3. Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.
 - 4.

Overt blocking of drainage pipes, ditches, channels, and streams, so as to cause flooding and adversely affect surrounding property.

5. Accumulation and placement of nuisances.
 - a. Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.
 - b. The placement of trash, debris or other items on public property without authorization.
6. Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.
7. Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than 12 inches, or the accumulation of debris upon property within the City of Clearwater.
8. The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curblin or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.
9. Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.
10. The lack of maintenance by a property owner abutting any dedicated right-of-way or easement in the city where a height clearance of less than eight feet from the sidewalk pavement measured vertically from the pavement surface is maintained, unless an exception has been granted by the urban forester.

11. Any shopping carts, as defined in Florida Statutes Section 506.502(10), as amended from time to time, or parts of such carts, which are abandoned on public property including but not limited to streets, sidewalks, public rights-of-way, bus stops, municipal parking lots, parks, and similar places owned, leased, or operated by any public body, or are abandoned on private property where said carts or parts thereof are visible from public property may be removed by the city manager or designee. Such shopping carts or parts thereof shall be impounded and stored by the city at an appropriate location. Whenever the city shall impound a shopping cart of [or] part thereof containing identification of ownership or right to possession, a notice shall be sent by ordinary mail to such person advising that the shopping cart of [or] part thereof may be redeemed within thirty days upon payment of costs for removal and storage. Any shopping cart or part thereof so held shall be returned to its owner or person having right of possession upon proof of ownership or right to possession and payment of costs for removal and storage. If not claimed, a shopping cart or part thereof may be sold, destroyed, or otherwise disposed of by the city 31 days following impoundment. This section shall not be applicable to:
- a. Shopping carts or parts thereof which are located on private property and are completely enclosed within a building where they are not visible from public property;
 - b. Shopping carts which are stored in a lawful manner on public or private property owned or leased by a retail business in connection with which the shopping carts are authorized to be used;
 - c. Shopping carts or parts thereof which are stored in a lawful manner on private property in connection with the business of a licensed dismantler or junk dealer when such storage is necessary to the operation of a lawfully conducted business.
12. *Newsracks and vending machines.* Any newsrack on public property not in compliance with the provisions of section 3-909, other than subsection 3-909(A)(5), or any newsrack or vending machine installed, used or maintained at a location which constitutes an imminent danger or safety hazard to pedestrians or vehicles or otherwise unreasonably interferes with the safe use of any public right-of-way.
13. *Seawalls.* Any seawall in a condition where the structural integrity is not maintained.
14. *Graffiti.* Graffiti on any wall, post, column, or other building or structure, or to a tree, or other exterior surface, publicly or privately owned, within the City of Clearwater.
- C. Violations of this Section may be enforced by action before the municipal code enforcement board as "nuisance cases" or "non-nuisance cases" pursuant to the corresponding procedures set forth in Section 7-102, or by citation pursuant to Code of Ordinances Section 1.12.

(Ord. No. 6417-99, § 9, 8-19-99; Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6573-00, § 2, 8-3-00; Ord. No. 6928-02, §§ 76—79, 5-2-02; Ord. No. 7449-05, §§ 21—23, 12-15-05; Ord. No. 7605-06, § 27, 4-20-06; Ord. No. 8211-10, § 12, 10-5-10)

Section 3-1504. - Graffiti prohibited; removal required.

- A. No person may paint, draw, or otherwise apply graffiti to any wall, post, column, or other building or structure, or to a tree, or other exterior surface, publicly or privately owned, within the City of Clearwater.
- B. Graffiti found upon privately-owned property within the city shall be removed by the property owner or, if the owner is not in possession of the property, by the tenant or any adult person acting as the agent or property manager for the owner or the tenant, within ten (10) calendar days following service of notice to such person of the existence of graffiti upon such property.
- C. Graffiti found upon city-owned public property shall be removed by the appropriate city department within ten (10) calendar days following discovery of the existence of such graffiti. If graffiti is found upon public property not owned by the city, the city manager shall give notice of such graffiti to the owner and shall request the prompt removal of the graffiti.

Section 3-1505. - Foreclosure property registry.

- A. *Applicability.* These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the city above and beyond any other state, county or city provisions for the same.
- B. *Penalties.* Violations of this section shall be subject to enforcement by any enforcement means available to the city.
- C. *Registration of properties in foreclosure; duty to provide notice of properties in foreclosure.*
 1. Within ten (10) calendar days of the filing of a *lis pendens* and/or an action to foreclose upon a mortgage or similar instrument, regardless of occupancy, or after the mortgagee has notified the borrower of default and the mortgagee finds evidence that the property is vacant or is consistent with the definition of an abandoned building, the mortgagee shall register the property.
 2. If the property is found by the city to be vacant or is consistent with the definition of an abandoned building, the mortgagee shall register the property within fifteen (15) calendar days of notice by the city. The process for registration under this section shall be as specified by the community development coordinator.
 3. Mortgagees who have existing registrable property on the effective date of the ordinance from which this section derives shall have forty-five (45) calendar days from the effective date to register the property.

4. A separate registration is required for each property.
5. Registration pursuant to this section shall contain the direct mailing address, a direct contact name, telephone number, and e-mail address for the mortgagee/trustee, the servicer, and the name and the all-hours contact phone number of the local property management company responsible for the security and maintenance of the property who has the authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.
6. If the mortgage on a registrable property is sold or transferred, the new mortgagee is subject to all the terms of this section and must, within five (5) days of the transfer, register the property and pay a registration fee in accordance with this section. Any previous unpaid registration fees are the responsibility of the new mortgagee and are due and payable with their initial registration.
7. All property registrations are valid for one year, from the date of the first action requiring registration as determined by the city. In the case of foreclosure, the date of interest shall be the filing of a *lis pendens*, and in the case of abandoned buildings, the date of interest shall be when the property is found abandoned by the city. An annual registration fee as specified in Appendix A shall accompany each registration form, and each successive annual period thereafter. All registration fees collected pursuant to this section, less administrative costs, shall be placed in a fund restricted for nuisance abatement purposes throughout the city, including but not limited to abandoned buildings, unsafe structures, unsecured properties and structures, and demolition. Subsequent annual registrations and fees are due within thirty (30) days of the expiration of the previous registration.
8. Any person or other legal entity that has registered a property under this section must report any change of information contained in the registration within fifteen (15) calendar days of the change.
9. Registration of the property will no longer be required upon the occurrence of either of the events set forth below:
 - a. The property is transferred from the mortgagee to a third party intending to occupy or lease in an arm's length transaction and proof of the transfer is provided to the city.
 - b. The property becomes occupied and evidence of occupancy is provided to the city. If the property subsequently becomes vacant prior to the transfer of the property as contemplated in paragraph 8.a. above, registration of the property will again be required.There will not be a refund or prorating of any registration fee already paid to the city.
10. Pursuant to the city's determination that any property is in violation of this section, the city may take the necessary action to ensure compliance and/or place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

- 11. Property owned or subject to the control of the city or any other governmental body is not subject to the registration requirement. In accordance with Ch. 718, Florida Statutes, individual units in condominium ownership or other individual units in common-interest communities where all exterior elements and common areas are jointly owned and maintenance is the joint responsibility of a community association are not subject to the registration requirement.

D. *Maintenance and security requirements.*

- 1. All mortgagees and/or owner(s) of record are responsible for maintaining registrable properties in accordance with the provisions specified in this section and all other applicable city ordinances.
- 2. Unoccupied or vacant properties subject to this section shall maintain a visible posting with the name and all-hours contact number of the mortgagee's local agent. The sign shall be no less than 18 inches x 24 inches, and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall be secured to the exterior of the structure or affixed to the interior of a window so that the sign can be clearly read from the street. The posting shall contain the following language:

THIS PROPERTY IS MANAGED BY AND IS INSPECTED ON A REGULAR BASIS. THE PROPERTY MANAGER CAN BE REACHED AT () - _____ OR BY EMAIL AT _____.

- 3. Failure of the mortgagee, their agents, and/or owner(s) of record to properly maintain and secure the property and to post and maintain the signage specified is a violation of the Code and may be subject to enforcement by any means available to the city. Pursuant to a finding and determination, the City of Clearwater may take the necessary action to ensure compliance with its ordinances and place a lien(s) on the property and assign it as provided herein.

(Ord. No. 8996-17, § 1, 3-2-17)

Section 3-1506. - Exceptions.

The provisions of section 3-1503, relating to weeds, undergrowth or similar plant material shall not apply to the following:

- A. Any lands within the incorporated area of the city which are over five acres in area and in an undeveloped state; as used in this paragraph, the term "undeveloped state" shall mean land which is in a natural state and land which has never been cut or mowed;
- B. Wetlands and environmentally sensitive areas as designated in the city's comprehensive plan;
- C.

Any parcel of land within the incorporated area of the city which is undeveloped and which is primarily in a natural state of vegetation, and which is not otherwise in violation of section 3-1505.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 7449-05, § 24, 12-15-05)

Section 3-1507. - Inoperative vehicles on public property.

- A. The keeping, storing, or parking of an inoperative vehicle on any public property is hereby declared to be a nuisance. It shall be unlawful for any person to keep, store, park, or allow to remain on public property any inoperative vehicle.
- B. This section may be enforced by any law enforcement officer, traffic infraction officer, or code enforcement inspector. A law enforcement officer, traffic enforcement officer or code enforcement inspector is authorized to remove, have removed, or impounded any inoperative vehicle which reasonably appears to be in violation of this section. Any law enforcement officer, traffic infraction enforcement officer, or code enforcement inspector who intends to remove, have removed, or impounded any inoperative vehicle under this section shall comply with the procedures provided for in F.S. Ch. 705, as that chapter relates to the impounding of property located on public property. Traffic infraction enforcement officers and code enforcement inspectors are hereby authorized and designated by the city to administer the provisions of F.S. Ch. 705, as they relate to lost, abandoned or inoperative vehicles.
- C. The provisions of section 3-1505 shall not apply to abandoned or inoperative motor vehicles or boats found upon the public streets or public property within the city, which shall be subject to the notice and removal procedures set forth in F.S. §§ 705.102 through 705.104.

(Ord. No. 7605-06, § 28, 4-20-06)

Section 3-1508. - Noise.

- A. *Prohibited generally.* It shall be unlawful for any person to willfully make, continue or cause to be made or continued any loud and raucous noise that through unaided, ordinary auditory senses can be heard upon the public streets, sidewalks, or rights-of-way, in any public park, in any school or public building, in any church or hospital, or in any occupied dwelling and that can be heard at a distance of 100 feet or more from the source of the noise, measured in a straight line from the radio, loudspeaker, motor, horn, or other noise source. The term "loud and raucous noise" shall mean any sound which because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the city. The term includes, but is not limited to, the kinds of loud and raucous noise generated by the activities enumerated in subsection B. when the loud and raucous noise through unaided, ordinary auditory senses can be heard at a distance of 100 feet or more from the source of the noise, measured in a straight line from the radio, loudspeaker,

motor, horn, or other noise source, but not including activities enumerated in subsection D. of this section. It is the intent of this section to regulate unreasonably excessive noise and not to interfere with or unduly burden the exercise of a person's freedom of speech, expression, or religion.

B. *The following noises, as limited by Section 3-1508A, are declared to be public nuisances in violation of this section:*

1. *Engine exhaust.* The discharge into the open air of the exhaust of any steam engine or stationary internal combustion engine except through a muffler or other device that will effectively prevent loud and raucous noises therefrom.
2. *Pile drivers, etc.* The operation between the hours of 6:00 p.m. and 7:00 a.m. on any day or at any time on Sunday, of any pile driver, steam shovel, pneumatic hammer, derrick, dredge, steam or electric hoist or other heavy equipment so as to create a loud and raucous noise.
3. *Blowers, etc.* The operation of any blower or power fan or any internal combustion engine, unless the noise from such blower, fan or engine is equipped with a muffler device sufficient to prevent loud and raucous noise
4. *Horns, signaling devices, etc.* The repeated sounding of any horn, whistle or other audible signaling device so as to create a loud and raucous noise.
5. *Radios, amplifiers, phonographs, etc.* The using, operating or permitting to be played, used or operated any radio, amplifier, musical instrument, phonograph, music player, or other device for the producing or reproducing of sound such that the speech or music, including a rumbling or reverberating rhythmic bass type sound, emitted by the device creates a loud and raucous noise.
6. *Sound trucks.* No amplifier or loudspeaker in, upon or attached to a truck or other device for amplifying sound shall be operated or permitted to operate within the city such that speech or music emitted by the device is identifiable in terms of words or melody so as to create a loud and raucous noise.
7. *Yelling, shouting, etc.* Yelling, shouting, whistling or singing at any time or place so as to create a loud and raucous noise between the hours of 10:00 p.m. and 7:00 a.m. on any day.
8. *Animals, birds, etc.* The keeping of any animal or bird which habitually makes a loud and raucous noise.
9. *Defect in vehicle or load.* The use of any motor vehicle so out of repair, so loaded or in such manner as to create loud grating, grinding, rattling or other noise or disturbance which is not equipped with a muffler so as to prevent a loud and raucous noise.
10. *Construction or repairing of buildings.* The erection including excavation, demolition, alteration or repair of any building so as to create a loud and raucous noise other than between the hours of 7:00 a.m. and 6:00 p.m. on any day or at any time on Sunday, except in case of urgent necessity in the interest of public health and safety and then only with a permit

from the building official, which permit may be granted for a period not to exceed three working days or less while the emergency continues and which permit may be renewed for successive periods of three days or less while the emergency continues. If the building official should determine that the public health and safety necessitates the issuance of such a permit and will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m. or on Sunday, the building official may grant permission for such work to be done within such hours or within a shorter time period during such hours, upon application being made at the time the permit for the work is issued or during the progress of the work.

11. *Commercial deliveries on property adjacent to residential property.* Deliveries of goods and materials to commercial property adjacent to residentially zoned property other than between the hours of 7:00 a.m. and 9:00 p.m. so as to create a loud and raucous noise.
 12. *Property maintenance equipment.* The use of property maintenance equipment on any property adjacent to residentially zoned property other than between the hours of 7:00 a.m. and 9:00 p.m. so as to create a loud and raucous noise.
 13. *Noises heard within schools, public buildings, churches, hospitals.* The creation of any loud and raucous noise which when heard in a school, public building, church or hospital, or the grounds thereof, interferes with the workings of such institution, or which disturbs or annoys patients in the hospital.
 14. *Noises to attract attention.* The use of any drum or other instrument or device to attract attention that creates a loud and raucous noise.
- C. *Persons responsible.* Any person, owner, agent or supervisor in charge of operating, ordering, directing or allowing the operation or maintenance of a device, a machine, or any other noise source creating noise as prohibited in this section shall be subject to enforcement of the provision of this section as long as the person, owner, agent, or supervisor had knowledge or reason to know that the activity was occurring, failed to intervene in an attempt to prevent the activity from occurring, and had the power or authority to prevent the activity from occurring.
- D. *Exceptions.* The term "loud and raucous noise" does not include noise or sound generated by the following:
1. Radios, sirens, horns and bells on police, fire and other emergency response vehicles, including the emission of any other sound for the purpose of alerting a person of the existence of an emergency:
 2. Parades, fireworks displays, outdoor music performances and other special events for which a permit has been obtained from the City pursuant to Division 2, Article III of Chapter 22, Clearwater Code of Ordinances, within such hours as may be imposed as a condition for the issuance of the permit;

3. Activities on or in municipal and school athletic facilities and on or in publicly owned property and facilities, provided that such activities have been authorized by the owner of such property or facilities or its agent;
4. Fire alarms and burglar alarms, prior to the giving of notice and a reasonable opportunity for the owner or tenant in possession of the premises served by any such alarm to turn off the alarm;
5. Locomotives and other railroad equipment, and aircraft.

(Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 7099-03, § 1, 4-3-03; Ord. No. 7449-05, § 25, 12-15-05; Ord. No. 8570-14, § 1, 8-7-2014)

Section 3-1503. - Nuisances.

- A. No person owning, leasing, operating, occupying or having control of any premises within the city shall maintain, keep or permit any nuisance affecting the citizens of the city.
- B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:
1. A condition or use that causes a substantial diminution of value of property in the vicinity of the condition or use.
 2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.
 3. Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.
 4. Overt blocking of drainage pipes, ditches, channels, and streams, so as to cause flooding and adversely affect surrounding property.
 5. Accumulation and placement of nuisances.
 - a. Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.
 - b. The placement of trash, debris or other items on public property without authorization.
 6. Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

7. Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than 12 inches, or the accumulation of debris upon property within the City of Clearwater.
8. The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curblineline or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.
9. Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.
10. The lack of maintenance by a property owner abutting any dedicated right-of-way or easement in the city where a height clearance of less than eight feet from the sidewalk pavement measured vertically from the pavement surface is maintained, unless an exception has been granted by the urban forester.
11. Any shopping carts, as defined in Florida Statutes Section 506.502(10), as amended from time to time, or parts of such carts, which are abandoned on public property including but not limited to streets, sidewalks, public rights-of-way, bus stops, municipal parking lots, parks, and similar places owned, leased, or operated by any public body, or are abandoned on private property where said carts or parts thereof are visible from public property may be removed by the city manager or designee. Such shopping carts or parts thereof shall be impounded and stored by the city at an appropriate location. Whenever the city shall impound a shopping cart of [or] part thereof containing identification of ownership or right to possession, a notice shall be sent by ordinary mail to such person advising that the shopping cart of [or] part thereof may be redeemed within thirty days upon payment of costs for removal and storage. Any shopping cart or part thereof so held shall be returned to its owner or person having right of possession upon proof of ownership or right to possession and payment of costs for removal and storage. If not claimed, a shopping cart or part thereof may be sold, destroyed, or otherwise disposed of by the city 31 days following impoundment. This section shall not be applicable to:
 - a. Shopping carts or parts thereof which are located on private property and are completely enclosed within a building where they are not visible from public property;
 - b. Shopping carts which are stored in a lawful manner on public or private property owned or leased by a retail business in connection with which the shopping carts are authorized to be used;
 - c.

Shopping carts or parts thereof which are stored in a lawful manner on private property in connection with the business of a licensed dismantler or junk dealer when such storage is necessary to the operation of a lawfully conducted business.

12. *Newsracks and vending machines.* Any newsrack on public property not in compliance with the provisions of section 3-909, other than subsection 3-909(A)(5), or any newsrack or vending machine installed, used or maintained at a location which constitutes an imminent danger or safety hazard to pedestrians or vehicles or otherwise unreasonably interferes with the safe use of any public right-of-way.
13. *Seawalls.* Any seawall in a condition where the structural integrity is not maintained.
14. *Graffiti.* Graffiti on any wall, post, column, or other building or structure, or to a tree, or other exterior surface, publicly or privately owned, within the City of Clearwater.

C. Violations of this Section may be enforced by action before the municipal code enforcement board as "nuisance cases" or "non-nuisance cases" pursuant to the corresponding procedures set forth in Section 7-102, or by citation pursuant to Code of Ordinances Section 1.12.

(Ord. No. 6417-99, § 9, 8-19-99; Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6573-00, § 2, 8-3-00; Ord. No. 6928-02, §§ 76—79, 5-2-02; Ord. No. 7449-05, §§ 21—23, 12-15-05; Ord. No. 7605-06, § 27, 4-20-06; Ord. No. 8211-10, § 12, 10-5-10)

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: CDC2024-00431

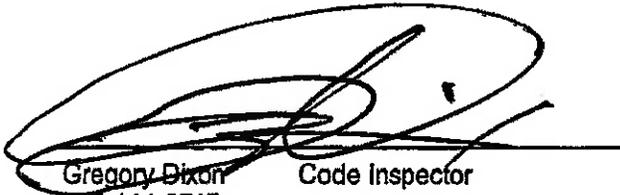
Site of Violation: 1204 CLAIRE DR

RECEIVED

MAR 22 2024

CITY CLERK DEPARTMENT

1. Gregory Dixon, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 22nd day of March, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1204 CLAIRE DR, Clearwater, Florida.



Gregory Dixon Code Inspector
727-444-8717
gregory.dixon@myclearwater.com

STATE OF FLORIDA
COUNTY OF PINELLAS

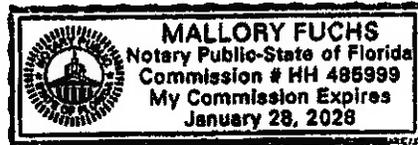
SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 22nd day of March, 2024, by Gregory Dixon.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Mallory Fuchs Type of Identification
(Notary Signature)

Mallory Fuchs
Name of Notary (typed, printed, stamped)



MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: CDC2024-00430

Site of Violation: 1204 CLAIRE DR

RECEIVED

MAR 22 2024

1. Gregory Dixon, being first duly sworn, deposes and says: CITY CLERK DEPARTMENT
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 22nd day of March, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1204 CLAIRE DR, Clearwater, Florida.



 Gregory Dixon Code Inspector
 727-444-8717
 gregory.dixon@myclearwater.com

STATE OF FLORIDA
COUNTY OF PINELLAS

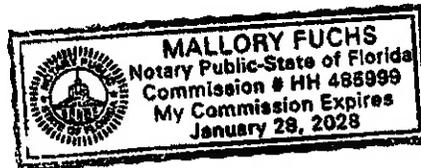
SWORN AND SUBSCRIBED before me by means of physical presence or _____ online notarization on this 22nd day of March, 2024, by Gregory Dixon.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Mallory Fuchs Type of Identification
 (Notary Signature)

 MALLORY FUCHS
 Name of Notary (typed, printed, stamped)



MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

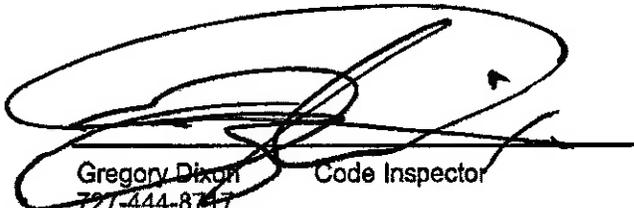
City Case Number: PNU2024-00303

Site of Violation: 1204 CLAIRE DR

RECEIVED

MAR 22 2024

1. Gregory Dixon, being first duly sworn, deposes and says: CITY CLERK DEPARTMENT
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 22nd day of March, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1204 CLAIRE DR, Clearwater, Florida.


 Gregory Dixon Code Inspector
 727-444-8747
 gregory.dixon@myclearwater.com

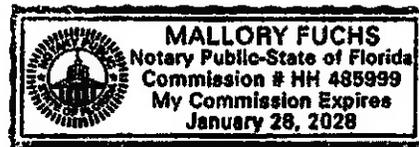
STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 22nd day of March, 2024, by Gregory Dixon.

- PERSONALLY KNOWN TO ME
 PRODUCED AS IDENTIFICATION

Mallory Fuchs _____
 (Notary Signature) Type of Identification

Mallory Fuchs
 Name of Notary (typed, printed, stamped)





Parcel Summary (as of 30-May-2024)				Parcel Map
Parcel Number 10-29-15-85446-001-0100				
Owner Name COX, ROBERT E				
Property Use 0110 Single Family Home				
Site Address 1204 CLAIRE DR CLEARWATER, FL 33755				
Mailing Address 1204 CLAIRE DR CLEARWATER, FL 33755-2615				
Legal Description STEVENSON'S HEIGHTS BLK A, LOT 10				
Current Tax District CLEARWATER (CW)				
Year Built 1955				
Living SF	Gross SF	Living Units	Buildings	
1,023	1,103	1	1	

Exemptions				Property Exemptions & Classifications No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
Year	Homestead	Use %	Status	
2025	No	0%		
2024	No	0%		
2023	No	0%		

Miscellaneous Parcel Info							
Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
03424/0697	\$169,200	<u>263.00</u>	C	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	34/13

2023 Final Values					
Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$144,431	\$133,800	\$133,800	\$144,431	\$133,800

Value History (yellow indicates corrected value)						
Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	N	\$121,636	\$121,636	\$121,636	\$121,636	\$121,636
2021	Y	\$90,032	\$38,079	\$13,079	\$13,079	\$13,079
2020	Y	\$86,267	\$37,553	\$12,553	\$12,553	\$12,553
2019	Y	\$83,737	\$36,709	\$11,709	\$11,709	\$11,709
2018	Y	\$49,639	\$36,025	\$11,025	\$11,025	\$11,025