

ORDINANCE NO. 2021-3

AN ORDINANCE OF LIBERTY COUNTY, FLORIDA THAT DEFINES AND PROHIBITS NUISANCES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. DEFINITIONS. For this Ordinance, the following definitions apply:

Accumulation of overgrowth shall mean any grass, accumulation of invasive plants, weeds, vegetation, overgrowth, or other plant which is untended and which exceeds one foot in height.

Junk or abandoned motor vehicle or watercraft shall mean more than one motor vehicle, car, truck, trailer, or watercraft which is not under current registration with the Florida Department of Motor Vehicles or which by outward appearance is inoperable or partially dismantled.

Nuisance shall mean any of the following:

- (1) Any public nuisance known at common law or in equity jurisprudence or as provided by any state or federal statutes or county ordinances, including this chapter.
- (2) Any unsafe structure.
- (3) Any accumulation of rubbish, trash, refuse, junk, unscreened construction or demolition debris, appliances, fixtures, furniture or other unscreened or unused personal property, disabled, dilapidated, deteriorated or junk or abandoned motor vehicles or watercraft or parts thereof, metals, plastics, glass, lumber, wood, yard debris or other materials that is viewable from adjacent private or public property, and is not within an enclosed building
- (4) Any excessive accumulation of overgrowth upon any developed or improved property that is viewable from adjacent private or public property.
- (5) Any "attractive nuisance" or condition which may prove detrimental to the health and safety of children, whether on an improved or unimproved lot, tract or parcel of land including, but not limited to, unsecured swimming pools, wells, shafts, excavations, or appliances.
- (6) The carcasses of animals not disposed of within a reasonable time after death.
- (7) Any accumulation of stagnant water or sewage maintained on any improved or unimproved property.
- (8) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other cause that give rise to the emission or generation of such odors and stenches that can be smelled from adjacent public or private property.

Occupant means any individual, firm, corporation or entity who has a lawful agreement with the owner to be in possession and engage use of the property.

Owner means any individual, firm, corporation or entity who is named on the records of the Liberty County Property Appraiser as a title holder of any lot, tract or parcel of land within unincorporated Liberty County shall be deemed to be the owner.

Structure shall mean that or a part thereof which is built, constructed or under construction, rehabilitation or repair, and shall include buildings, trailers, mobile homes, manufactured buildings, docks, piers, sea-walls, retaining walls, fences, and towers, as well as the premises.

Unsafe shall mean constituting a danger to the health, safety or welfare of occupants or any member of the public due to improper condition, work, design, structural instability, inadequate exits, fire damage, fire hazard, exposure to weather, intrusion of moisture or mold, structural decay, improper anchoring, roof components that are significantly deteriorated, dilapidation, obsolescence, abandonment, or infestation by insects or vermin, and includes any structure not meeting the minimum requirements of the Florida Building Code.

SECTION 2. PROHIBITIONS

Any owner or occupant of any lot, tract, or parcel of land within unincorporated Liberty County who causes, creates, maintains, or allows any act, occurrence, or existence of any condition deemed a nuisance shall be in violation of this Ordinance and shall be subject to the procedures and penalties contained in Florida Statutes Chapter 162.

SECTION 3. REPEALER. That any other ordinance or provision or an ordinance in conflict with this Ordinance shall be repealed to the extent of, but only to the extent of, the explicit conflict with this Ordinance.

SECTION 4. SEVERABILITY. That in the event any part of this Ordinance is deemed to be unconstitutional or invalid for any reason, the remainder of the Ordinance shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective as provided by law.

PASSED AND ADOPTED BY LIBERTY COUNTY, FLORIDA ON THIS 5th DAY OF AUGUST, 2021.

BOARD OF COUNTY COMMISSIONERS OF
LIBERTY COUNTY, FLORIDA


HONORABLE JIM JOHNSON, VICE CHAIR


HONORABLE DANIEL STANLEY
County Clerk

APPROVED TO FORM:


County Attorney