



46 the County from becoming blighted through the lack of adequate maintenance of  
47 abandoned or vacant commercial properties located within the County.  
48

49 Sec. 19-81. - Definitions.  
50

51 The following words, terms and phrases, when used in this article, shall have the  
52 meanings ascribed to them, except where the context clearly indicates a different  
53 meaning. Where the context will permit and no definitions are provided herein, the  
54 definitions provided in the Florida Building Codes shall apply:  
55

56 *Abandoned commercial property* means any commercial real property that is  
57 seventy-five percent (75%) or more vacant.  
58

59 *Accessible commercial property* means a commercial property that is accessible  
60 through a compromised or breached gate, fence, wall, etc., by unauthorized persons.  
61

62 *Accessible commercial structure* means a commercial structure that is unsecured or  
63 breached in such a way as to allow access to the interior space by unauthorized persons.  
64

65 *Default* exists where a mortgagee has declared a mortgage to be in default either in  
66 writing, by recording a lis pendens, by acceleration, or commences foreclosure  
67 proceedings.  
68

69 *Enforcement officer* means any full-time law enforcement officer, building official, fire  
70 inspector or code compliance officer employed by, contracted for, or servicing Citrus  
71 County.  
72

73 *Evidence of vacancy* means any condition that on its own or combined with other  
74 conditions present would lead a reasonable person to believe that the property is vacant.  
75 Such conditions may include, but not be limited to vacant or empty storefronts, overgrown  
76 or dead vegetation, electricity, water or other utilities turned off, or statements by  
77 government agents.  
78

79 *Foreclosure* means the judicial process by which a property, placed as security for a  
80 mortgage loan, after a judicial process, is to be sold at an auction to satisfy a debt upon  
81 which the borrower has defaulted.  
82

83 *Local property manager* means an individual property manager, lender  
84 representative, property management company, property maintenance company or  
85 similar entity located within Citrus County, designated by the owner or mortgagee which is  
86 responsible for the maintenance of abandoned real property.  
87

88 *Commercial building* means any improved commercial real property, or portion  
89 thereof, situated in Citrus County, designed or permitted to be used for commercial  
90 purposes, and shall include all buildings and structures located on such improved real  
91 property.  
92

93 *Vacant* means that at least 75% of any commercial building, structure, or unit thereof  
94 is not lawfully occupied or inhabited by a human being, tenant or active commercial  
95 operation.

96  
97 Sec. 19-82. - Applicability.

98  
99 This article relates to abandoned and vacant commercial property and to commercial  
100 property subject to a mortgage that has been determined by the mortgagee to be in  
101 default. This article shall be considered cumulative and is not superseding or subject to  
102 any other law or provision for same, but shall rather be an additional remedy available to  
103 Citrus County in addition to any other state, county and/or local provisions for same.

104  
105 Sec. 19-83. - Penalties.

106  
107 Any person who shall violate the provisions of this chapter shall be punished as  
108 provided in section 1-9 of the Citrus County Code of Ordinances as applicable. In  
109 addition, any violation of this section may be enforced by the code compliance special  
110 master as provided in chapter 19, article II, of the Citrus County Code of Ordinances.

111  
112 Sec. 19-84. - Registration of abandoned commercial real property.

113 1. Registration by owner.

114 (a) Any owner of commercial property that is at least seventy-five percent (75%)  
115 vacant shall register the property with the code compliance director, designee, or  
116 Authorized representative, on forms provided by Citrus County. A registration  
117 is required for each commercial property.

118 (b) Registration pursuant to this section shall contain at a minimum the name of the  
119 owner, mailing address, email address and telephone number of owner, and the  
120 name, address, email and phone number of the local property manager. The  
121 local property manager shall be responsible to inspect, secure and maintain the  
122 property.

123 (c) An annual registration fee, to be determined by resolution, per commercial  
124 property shall accompany the registration or a modification of registration. Any  
125 person or other legal entity that has registered a commercial property under this  
126 article must report any change of information contained in the registration within  
127 ten days of the change. There is no fee for modifying contact information within  
128 one year of the last registration payment if the organizational information remains  
129 the same. In addition to the annual registration fee, an annual external inspection  
130 fee, to be determined by resolution, shall be paid by the registrant for external  
131 inspection of the property by an Enforcement Officer. After the property has been  
132 vacant for three (3) years, an interior inspection shall be conducted by an  
133 Enforcement Officer and a fee, to be determined by resolution shall be paid by the  
134 registrant for the inspection. Citrus County may assign and delegate the

135 collection of such fees to an independent contractor, as noted on the registration  
136 form

137 2. Registration by mortgagee holding mortgages in default:

138 (a) Any mortgagee who holds a mortgage on commercial real property located within  
139 Citrus County shall perform an inspection of the property that is the security for the  
140 mortgage, upon default by the mortgagor, or issuance of a notice of default. If the  
141 property is found to be vacant or shows evidence of vacancy, it shall be deemed  
142 abandoned and the mortgagee shall, within ten days of the inspection, register the  
143 property with the code compliance director, designee, or authorized  
144 representative, on forms provided by Citrus County. A registration is required for  
145 each vacant property. The mortgagee shall also designate in writing a local  
146 property manager to inspect, maintain and secure the commercial real property  
147 subject to the mortgage in default.

148 (b) If the commercial property is occupied but remains in default, it shall be inspected  
149 by the mortgagee or his designee monthly until (1) the mortgagor or other party  
150 remedies the default, or (2) it is found to be vacant or shows evidence of vacancy  
151 at which time it is deemed abandoned. The mortgagee shall, within ten days of that  
152 inspection, register the property with the Citrus County Code Compliance Director,  
153 designee, or authorized representative, electronically via Citrus County's website  
154 ([www.citrusbocc.com](http://www.citrusbocc.com)) or on forms provided by Citrus County and shall designate  
155 in writing a local property manager to inspect, maintain and secure the commercial  
156 real property subject to the mortgage in default.

157 (c) Registration pursuant to this section shall contain at a minimum the name of the  
158 mortgagee and servicer along with the corresponding mailing addresses of both  
159 mortgagee/servicer, e-mail addresses, and telephone numbers and name of the  
160 local property manager and said person's address, e-mail address, and telephone  
161 number. The local property manager shall be responsible to inspect, secure and  
162 maintain the property. If the subject of the registration is investor or bank owned,  
163 the registration shall contain at the minimum the name of the owner, the mailing  
164 address of the owner, email address, and telephone numbers and name of the  
165 asset manager and said person's address, e-mail address and telephone number.

166 (d) An annual registration fee, to be determined by resolution, per commercial  
167 property shall accompany the registration or a modification of registration. In  
168 addition to the annual registration fee, an annual external inspection fee, to be  
169 determined by resolution, shall be paid by mortgagee for external inspection of the  
170 property by an Enforcement Officer. After the property has been vacant for three  
171 (3) years, an interior inspection shall be conducted by an Enforcement Officer and  
172 a fee, to be determined by resolution shall be paid by mortgagee for said  
173 inspection. Citrus County may assign and delegate the collection of such fees to  
174 an independent contractor, as noted on the registration form.

175 (e) This section shall also apply to commercial properties that have been the subject  
176 of a foreclosure sale where title is transferred to a beneficiary of a mortgage  
177 involved in the foreclosure and any properties transferred to the mortgagee under  
178 a deed in lieu of foreclosure/sale.

179 (f) Any person or other legal entity that has registered a commercial property under  
180 this article must report any change of information contained in the registration  
181 within ten days of the change. There is no fee for modifying contact information  
182 within one year of the last registration payment if the organizational information  
183 remains the same.

184 (g) Commercial properties subject to this section shall remain under the annual  
185 registration requirement, inspection, security, and maintenance standards of this  
186 section as long as they remain 75% vacant or subject to having been declared by a  
187 mortgagee to be in default or are being actively marketed.

188 3. Failure to Register. Failure of the mortgagee and/or property owner of record to  
189 properly register or to revise from time to time the registration to reflect a change of  
190 circumstances as required by this ordinance is a violation of this Code and may result in a  
191 citation by the code compliance division. Pursuant to a finding and determination by the  
192 code compliance special master that any property is in violation of the Citrus County  
193 Code, Citrus County may take the necessary action to ensure compliance with its Code.

194

195 Sec. 19-85. - Maintenance requirements as to abandoned properties.

196

197 (a) Abandoned properties subject to this article shall be kept free of weeds, overgrown  
198 brush, dead vegetation, trash, junk, debris, building materials, any accumulation of  
199 newspapers, circulars, flyers, notices, except those required by federal, state, or  
200 local law, discarded personal items including, but not limited to, furniture, clothing,  
201 large and small appliances, or any other items that give the appearance that the  
202 property is abandoned, unoccupied or not being properly maintained. Weeds,  
203 overgrown brush or dead vegetation over the height limitations imposed by the  
204 Citrus County Code are prohibited.

205 (b) The exteriors of commercial buildings, exterior light fixtures, signs and parking  
206 areas shall be maintained in good condition and in compliance with applicable  
207 building, health and life safety codes. The exterior of buildings may be inspected  
208 annually by an enforcement officer.

209 (c) The interiors of commercial buildings shall be maintained in good condition and in  
210 compliance with applicable building, health and life safety codes. The Interior of  
211 buildings may be inspected by an enforcement officer every four years.

212 (d) Failure of the property owner of record to properly maintain the commercial  
213 property is a violation of this Code and may result in the issuance of a citation by  
214 the code compliance division. Properties not in compliance will be reported to the  
215 code compliance special master. Upon a finding and determination of  
216 noncompliance by the code compliance special master, Citrus County may take  
217 the necessary action to ensure compliance with its Code and may place a lien on  
218 the property for the cost of work performed to bring the property into compliance  
219 and may assign or foreclose the lien(s) as provided by law.

220

221 Sec. 19-86. - Security requirements.

222

- 223 (a) To the extent possible, commercial properties subject to this article shall be  
224 maintained in a secure manner prohibiting access by unauthorized persons.
- 225 (b) A "secure manner" shall include, but not be limited to, the closure and locking of  
226 windows, doors, gates and other openings allowing access the interior of the  
227 property or structure. Broken windows or doors shall be secured.
- 228 (c) When a commercial property becomes vacant or abandoned, it shall be posted  
229 with the name and 24-hour contact telephone number of the local property  
230 manager. The posting shall be no less than 8½ inches × 12 inches, and shall be of  
231 a font that is legible from a distance of 45 feet. The posting shall be provided to  
232 Citrus County and shall contain the following language: **THIS PROPERTY IS**  
233 **MANAGED BY (Name of Local Property Manager). TO REPORT PROBLEMS**  
234 **OR CONCERNS CALL (Telephone number of Citrus County Code**  
235 **Compliance and Local Property Manager).**
- 236 (d) The posting shall be placed by the local property manager on the interior of a  
237 window facing the street to the front of the property so that it is visible from the  
238 street, or secured to the exterior of the building/structure facing the street to the  
239 front of the property so that it is visible from the street or if no such area exists, on  
240 a stake of sufficient size to support the posting in a location that is at all times visual  
241 from the street to the front of the property but not readily accessible to vandals.  
242 Exterior posting shall be constructed of and printed with weather-resistant  
243 materials.
- 244 (e) The local property manager shall inspect the property on an as needed basis to  
245 ensure that the property is in compliance with this section. Upon the request of  
246 Citrus County, or its authorized representative, the local property manager shall  
247 provide a copy of the inspection reports to the code compliance division.
- 248 (f) Failure of the mortgagee and/or property owner of record to properly inspect and  
249 secure the property, and post and maintain the signage noted in this section, is a  
250 violation of this article and may result in the issuance of a notice of violation by a  
251 code compliance officer. Pursuant to a finding and determination by the code  
252 compliance special master, Citrus County may take the necessary action to ensure  
253 compliance with this section, and may place a lien on the property for the cost of  
254 work performed to bring the property into compliance and assign or foreclose the  
255 lien(s) as provided by law.

256  
257 Sec. 19-87. - Supplemental provisions.  
258

259 Nothing contained in this article shall prohibit Citrus County from enforcing its codes  
260 by any other means, including, but not limited to, injunction, abatement or as otherwise  
261 provided by Code.

262 **Section 2. Severability.** If any section, sentence, clause, phrase or provision of this  
263 Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction,  
264 such invalidity or unconstitutionality shall not be construed as to render invalid or  
265 unconstitutional the remaining provisions of this Ordinance.

266 **Section 3. Codification.** The publisher of the County's Code of Ordinances, the

267 Municipal Code Corporation, is directed to incorporate this article into the Code of  
268 Ordinances where indicated.

269 **Section 4. Modification.** The provisions of this ordinance may be modified as a result  
270 of considerations that may arise during public hearings. Such modifications shall be  
271 incorporated into the final version of the ordinance adopted by the Board and filed with the  
272 Clerk.

273 **Section 5. Effective Date.** This Ordinance shall take effect twelve (12) months after  
274 adoption.

275 PASSED AND DULY ADOPTED, in open session, with a quorum present and voting, this  
276 \_\_\_\_\_ day of \_\_\_\_\_, 2018.

277

278

279

BOARD OF COUNTY COMMISSIONERS  
OF CITRUS COUNTY, FLORIDA

280

281 ATTEST:

282

283

284 \_\_\_\_\_

ANGELA VICK, Clerk

284 \_\_\_\_\_

RONALD E. KITCHEN, JR., Chairman

285

286 APPROVED AS TO FORM FOR THE  
287 RELIANCE OF CITRUS COUNTY ONLY:

288

289

290 \_\_\_\_\_

DENISE A. DYMOND LYN, County Attorney