RESOLUTION NO. 94-M-37

A RESOLUTION PERTAINING TO ORANGE COUNTY'S CODE ENFORCEMENT CITATION PROGRAM; PROVIDING FOR THE DESIGNATION OF CERTAIN ORANGE COUNTY EMPLOYEES AS CODE ENFORCEMENT OFFICERS; SETTING FORTH THE TRAINING AND QUALIFICATIONS FOR SAID DESIGNATED CODE ENFORCEMENT OFFICERS; PROVIDING FOR THE FORM OF THE CODE ENFORCEMENT CITATION, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Orange County enacted Ordinance No. 94-09 providing for a Code Enforcement Citation Program whereby Orange County Code Enforcement Officers were authorized to issue citations to persons who violate specified Orange County Codes and Ordinances; and

WHEREAS, Ordinance No. 94-09 requires Orange County to designate by resolution certain employees or agents as Code Enforcement Officers; and

WHEREAS, Ordinance No. 94-09 requires the Board of County Commissioners, hereinafter referred to as the "Board", to establish by Resolution the training and/or qualifications of said Code Enforcement Citation Officers; and

WHEREAS, the Board desires to approve the form of the Code Enforcement Citation to be utilized in connection with Ordinance No. 94-09.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

1. The Board hereby designates the Orange County employee positions, or their successors in function, listed in Exhibits "A" and "B", attached hereto and incorporated herein by reference, as Code Enforcement Citation Officers.

2. The Orange County employees who are designated as Code Enforcement Officers provided for in Exhibits "A" and
"B" shall be required to have the minimum training and qualifications corresponding to each employee position as set forth in Exhibits "A" and "B".

3. The training and qualifications set forth in this Resolution shall not conflict with Orange County's personnel policies or procedures.

4. The Board hereby approves the Code Enforcement Citation in substantially the same form as the citation attached hereto as Exhibit "C" and incorporated herein by reference.

5. The Board authorizes the County Chairman to approve any changes to the citation form pertaining to the location of the County Court Division Office where a citation must be contested in order to comply with the Orange County Chief Judge's Amended Order Revising Geographic Areas of County Court Divisions, dated February 28, 1990, as amended or supplemented from time to time.

6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application and to this end the provisions of this Resolution are declared severable.

7. This Resolution shall take effect on July 1, 1994.

ORANGE COUNTY, FLORIDA

BY: County Chairman

DATE: 6/16/94

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

BY: Deputy Clerk

113 CLR190 05/04/94
CODE ENFORCEMENT OFFICERS TRAINING AND QUALIFICATIONS FOR CITATION ORDINANCE (ZONING DEPARTMENT)

TITLE: ORANGE COUNTY CODE ENFORCEMENT INSPECTOR

BASIC REQUIREMENTS
Must have the ability to communicate well with the general public while discussing, explaining, and interpreting standards and codes.

High school graduate or equivalent and three (3) years of public contact experience investigating and resolving complaints, which also includes enforcing compliance with written rules and procedures.

ADDITIONAL REQUIREMENTS
Minimum one year progressive code enforcement experience in the Orange County Zoning Department.

Minimum Level II Certification by Florida Association of Code Enforcement.

Before any such inspector is authorized to issue a citation, the Zoning Manager (sometimes called Director) must first authorize in writing said employee as a Code Enforcement Citation Officer. At the discretion of the Zoning Manager said authorization may be revoked if abuse of power is evident.
(Exhibit B)

CODE ENFORCEMENT OFFICERS TRAINING AND QUALIFICATIONS FOR CITATION ORDINANCE (BUILDING DEPARTMENT)

TITLE: ORANGE COUNTY BUILDING INSPECTOR

BASIC REQUIREMENTS

Must have the ability to communicate well with the general public while discussing, explaining, and interpreting standards and codes.

High school graduate or equivalent and three (3) years of public contact experience investigating and resolving complaints, which also includes enforcing compliance with written rules and procedures.

ADDITIONAL REQUIREMENTS

Minimum one year code enforcement experience in the Orange County Building Department. Building Inspector certification pursuant to the Florida Statutes, Chapter 468, Part XIII.

Before any such inspector is authorized to issue a citation, the Building Department Director or Building Official must first authorize said employee, in writing, as a Building Inspector Citation Officer. At the discretion of the Building Department Director or Building Official, said authorization may be revoked if abuse of power is evident.
EXHIBIT C
CITATION FORMS
CITATION

Orange County Zoning
201 S. Rosalind Avenue
Orlando, FL 32801
Telephone: (407) 836-5505

Offense Date: Month ___________ Day ___________ Year ___________ Time ___________ a.m./p.m.
Name: Last ___________________ First ___________________ Middle ___________________
Street Address ___________________ City ___________________ State ___________________ Zip Code _________
DOB ___________________ Sex ___________________ Race ___________________ Phone (________) _______ _______ _______
Hair ___________________ Eyes ___________________ Driver's License # ___________________
Code Section(s)/ Ordinance Number(s) Violated ___________________
Violation Class ___________________ Amount of Fine (reduced civil penalty) ___________________
Location and Facts Constituting Reasonable Cause: ___________________

Issued By (Enforcement Officer) ___________________ ID# ___________________ Date of Issuance ___________ Time of Issuance ___________ a.m./p.m.

WARNING NOTICE ISSUED
Date/Time of Notice: Mo. ________ Day ________ Year ________ Time ________ a.m./p.m.
Name of Officer ___________________

WARNING NOTICE NOT REQUIRED
Violation represents a serious threat to public health/safety/welfare or is irrepairable or irreversible.

NOTICE TO INDIVIDUAL
If you elect not to contest the citation and admit to the violation, you may present this citation by mail or by person from 9 a.m. to 5 p.m. to the Clerk of the County Court, Orange County Court House, 65 East Central Blvd., room 171, Orlando, Fl 32801, Phone # (407) 836-2066 and pay the fine (reduced civil penalty). Payment must be made by cash, money order, or certified check made payable to the County Court of Orange County (no personal checks accepted, do not mail cash) by mo. ________ day ________ yr. ________.

If you elect to contest the citation you must appear in court at ________ a.m./p.m., mo. ________ day ________ yr. ________ at the location checked below:

- Apopka County Service Building, County Court: 1111 N. Rock Springs Rd., Room 15, Apopka, Florida 32703, Phone (407) 889-4176
- Ocoee County Service Building, County Court: 475 W. Story Rd., Room 15, Ocoee, Florida 34761, Phone (407) 656-3229
- Orlando County Court: House: 65 E. Central Blvd., Room 171, Orlando, Florida 32801, Phone (407) 836-2066
- Winter Park County Court: 450 N. Lakemont Ave., Room 171, Winter Park, Florida 32791, Phone (407) 671-1116

If you fail to pay the reduced civil penalty within the time allowed, or appear in court as indicated, you shall have waived your right to contest the citation and a judgement may be entered against you for an amount up to $500.00 per violation.

If you contest the violation you will have to appear in court as indicated and if you choose this alternative you waive the right to pay the reduced civil penalty and, if found in violation, the Judge may impose a penalty up to $500.00 per violation and any applicable court costs.

NOTIFICATION
IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, persons with disabilities needing a special accommodation to participate in this proceeding should contact Court Administration at 37 North Orange Avenue, Suite 1130, Orlando, Florida 32801, Telephone (407) 836-2303 not later than SEVEN (7) days prior to the proceeding. If hearing impaired, (TDD) 1-800-955-8771, or VOICE (V) 1-800-955-8770, via Florida Relay Service.

Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer shall be guilty of a misdemeanor of the second degree which may be punishable by a fine not to exceed five hundred and no/100 dollars ($500.00) or imprisonment not to exceed sixty (60) days or both. I hereby certify by my signature that the address listed above is my correct mailing address and that all other identifying information is true and correct.

Signature of person cited ___________________

Form number W- Court P- ______ Y- ______ G- ______
CITATION

Orange County Building
201 S. Rosalind Avenue
Orlando, FL 32801
Telephone: (407) 836-5550

Offense Date: Month Day Year Time a.m./p.m.
Name: Last First Middle
Street Address
City State Zip Code Phone (____)______
DOB Sex Race Ht Wt
Hair Eyes Driver's License #
Code Section(s)/ Ordinance Number(s) Violated
Violation Class Amount of Fine (reduced civil penalty) $
Location and Facts Constituting Reasonable Cause:

Issued By (Enforcement Officer) ID# Date of Issuance Time of Issuance a.m./p.m.

□ WARNING NOTICE ISSUED
Date/Time of Notice: Mo. Day Year Time a.m./p.m.
Name of Officer

□ WARNING NOTICE NOT REQUIRED
Violation represents a serious threat to public health/safety/welfare or is irreparable or irreversible.

NOTICE TO INDIVIDUAL

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____________________________
Signature of person cited
Form number W- Court P-____ Y-____ G-____