

# Code Enforcement

## What is Code Enforcement?

*Code Enforcement works to promote, protect, and improve the health, safety, and welfare of citizens through the enforcement of [municipal codes and ordinances](#) in accordance with Chapter 162 of the Florida Statutes.*

**Common violations** include but not limited to overgrown property, open illegal storage, care of premises, disabled/abandoned or unlicensed vehicles, unauthorized signs, commercial vehicles in residential neighborhoods, junk/debris, animal nuisance, boat/trailer/RV's stored improperly, dilapidated fences in need of repair, operating a business without a license, unsanitary/unsafe conditions, pool fence/pool water unfit, and accumulation of garbage/rubbish.

## Code Compliance Procedures and Methods

### Procedures

Once a complaint is received alleging a violation a case is opened and assigned, Chapter 162 of the Florida Statutes states that an officer must have reasonable cause to believe that a person has committed a civil infraction in violation of a code of ordinance, and that reasonable cause must, through his or her own personal investigation, first verify that a violation exists at the property.

- If the officer is unable to verify a violation exists, the case is closed and unfounded.

After verifying that a violation does exist, the officer must make the determination as to how best to bring the property into compliance with the Ordinance.

- Keep in mind the City's desire to obtain voluntary compliance via education if at all possible. Each violation must be looked at on a case-by-case basis to determine which avenue would be the best to gain voluntary compliance in the least amount of time.

Since voluntary compliance is not always possible, each case must be worked with the understanding that it may end up in court before a County Judge or in front of the City's Special Magistrate.

## **Methods**

If after notifying the person in charge of the property that there is a violation on the property, how to correct the violation and is given a reasonable amount of time to make the corrections, and the property is still in violation the officer has a number of options to bring about compliance several actions can be taken by the officer: these actions can be a parking ticket, citation (goes to county court), notice of hearing (goes before the Special Magistrate) and or abatement (city hires a contractor to clean the property, cut the grass or tow a vehicle).

- **Special Magistrate:**

- Special Magistrate is a quasi-judicial body whose creation is enabled by Chapter 162, Florida Statutes, which was enacted into law by the Florida Legislature in 1980.
- The Special Magistrate hears the facts and determines under the law whether or not the alleged violator committed the alleged violation.
- The City of Deltona Special Magistrate is an attorney under contract with the City and is authorized to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances in force within the city. The maximum fine the Special Magistrate can apply is \$250.00 per day and \$500.00 per day for a repeated violation.
- Repeated violation is the same violator, the same violation. Not necessarily the same address.

- **Citations**

- Officers are authorized to issue citations under Chapter 162, Florida Statutes.
- A judge in a county civil court hears the facts and determines under the law whether or not the alleged violator committed the alleged violation.
- A violation of a code of ordinance is a civil infraction with a maximum civil penalty not to exceed \$500.00.

- **Abatelements:**

- Abatelements are authorized under Chapter 38 of the City Ordinance.
- Normally used for vacant properties and undeveloped lots with nuisance weeds, accumulation of waste, yard trash, rubble, and debris.
- Officer provided property owner notice and allows time to clean property. If the owner does not correct the violation the city contacts a contractor to abate/clean nuisance property.

**Code Enforcement Special Magistrate Hearings are held at 10:00 a.m. the second Tuesday of every month at Town Hall located at 100 Smith Ave, Lake Hamilton, FL 33851.**

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## **How to Report Violations**

- Use the "Ready 311 Mobile App" for **Andriod** or **IPhone**; or
  - **Call, Write To, or Email** Code Enforcement personnel directly; or
  - Use the online Code Enforcement form to [ **Report A Violation** ]
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**Animal Control:** The Town of Lake Hamilton works with Polk County Sheriff's Office Animal Control division for the enforcement of Polk County Animal Control Ordinances. PCSO Animal Control investigates bite cases, dangerous dog cases and also provides animal adoption programs, picks up sick or injured dogs and cats, and quarantines animals.

Please remember, County law requires:

- That all dogs and cats four months and older have a current rabies vaccination and have a valid license.
- All dogs and cats must wear a collar with a valid license tag on it at all times or implant the dog or cat with a RFID microchip, registered with Animal Control.
- Dogs must be confined to their owner's property or be under the owner's control when in public areas.

For more information, please visit the [PCSO Animal Control website](#).

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## **Code Enforcement Contact Information**

harrisl [at] townoflakehamilton.com

P.O. BOX 126, Lake Hamilton, Florida 33851  
Office: (863) 439-1910 Cell: (863) 207-1933

**[ TO REPORT A VIOLATION ]**

## Related Links

- [Lake Hamilton Code Of Ordinances](#)
- [SWFWMD Water Restrictions](#)
- [Internation Property Maintenance Code](#)
- [Polk County Property Appraiser](#)
- [Lien Search Request Form](#)