



## DIVISION 3. REGISTRATION OF ABANDONED REAL PROPERTY

### **Section 6-36. Registration required.**

- (a) Any mortgagee who holds a mortgage on real property located within the Town shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, or issuance of a notice of default. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned and the mortgagee shall, within ten (10) days of the inspection, register the property with the Town's Code Enforcement Officer, his/her designee, or the Town's authorized representative, on forms provided by the Town. A registration is required for each vacant property.
- (b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until either of the following occurs:
- (1) the mortgagor or other party remedies the default; or
  - (2) the property is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall within ten (10) days of that inspection, register the property with the Town's Code Enforcement Officer, his/her designee, or the Town's authorized representative, electronically via the Town's website on forms provided by the Town.
- (c) Registration pursuant to this section shall contain at least the following:
- (1) the name of the mortgagee;
  - (2) the direct mailing address of the mortgagee;
  - (3) a direct contact name, telephone and facsimile number of mortgagee;
  - (4) the local property management company responsible for the security and maintenance of the property if different than the mortgagee; and
  - (5) the direct contact name and telephone number of the property manager, facsimile number and email address, and mobile telephone number for direct contact.
- (d) An annual registration fee in the amount which shall be set by a resolution of the Town Council shall accompany the registration.
- (e) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- (f) Properties subject to this division shall remain under the annual registration requirement, security and maintenance standards of this division as long as they remain vacant.
- (g) Any person or corporation that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.

### **Sec. 6-37. Maintenance standards for abandoned real property**

- (a) In addition to the complying with the Town's Minimum Property Standards at Division 2., properties subject to this Division 3. shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state, or local law; and discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

- (b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yard landscaping shall be maintained in accordance with the Town's Code of Ordinances at Chapter 10.5, at the time of registration was required.
- (1) Landscape shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation.
  - (2) Landscape shall not show evidence of gravel, broken concrete, asphalt or similar material unless xeriscape plans incorporating same have been approved by the Town.
  - (3) Landscape maintenance shall include, but not be limited to, watering, irrigation, cutting, and mowing of required landscape and removal of all trimmings.
- (d) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris. Pools and spas shall comply with the enclosure requirements of the Town Code and Florida Building Code, as such may be amended from time to time.
- (e) Failure of the mortgagee and/or property owner of record to properly maintain the property may result in a violation of this Code and issuance of a citation or notice of violation/notice of hearing by a Town Code Enforcement Officer. Pursuant to a finding of violation and order of the Town's Code Special Magistrate, the Town may take the necessary abatement action to ensure compliance with this Article.

**Sec. 6-38. Security and notice requirements.**

- (a) Properties subject to this Article shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- (1) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property and/or structure.
  - (2) Broken windows shall be secured by re-glazing, not by boarding over.
- (b) The mortgagee and/or owner shall contract with a local property management company which shall perform bi-weekly inspections to verify compliance with the requirements of this Article and any other applicable regulations; and upon the request of the Town, the local property management company shall provide a copy of the inspection reports to the Code Enforcement Department.
- (c) The property shall be posted with the name and twenty-four (24) hour contact phone number of the local property management company. The posting shall be no less than an eight-inch (8") by ten-inch (10") sign. The posting shall contain the following language;

THIS PROPERTY IS MANAGED BY:

[Name of property management company]

TO REPORT PROBLEMS OR CONCERNS CALL

(Telephone number of property management company)

- (1) The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible, or secured to the exterior of the building/structure facing the street to the front of the property so it is visible; or
- (2) if no such area exists, the posting shall be placed on a stake of sufficient size to support the posting in a location as close as possible to the main door entrance of the property.
- (3) Exterior posting shall be constructed of and printed with weather-resistant materials.

(d) Failure of the mortgagee and/or property owner of record to properly secure and notice the property may result in a violation of this Code and issuance of a citation or notice of violation/notice of hearing by a Town Code Enforcement Officer. Pursuant to a finding of violation and order of the Town's Code Special Magistrate, the Town may take the necessary abatement action to ensure compliance with this Article.