

## MEMORANDUM

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**DATE:** July 19, 2022

**TO:** Honorable Mayor and City Commissioners

**VIA:** James Slaton, City Manager

**FROM:** Jose Lozada, Code Compliance Officer  
Mark J. Bennett, Development Services Director

**Public Hearing Required - Notice Requirements Have Been Met**

**RE:** Ordinance 2022-35 Updates to Chapter 12 Health, Sanitation, Nuisances, and Minimum Property Maintenance Standards – 2nd Reading and **Public Hearing**

**SYNOPSIS:** *Staff proposes amendments to sections of the Health, Sanitation, Nuisances, and Minimum Property Maintenance Standards (Chapter 12, Lake Wales Code of Ordinances).*

### **RECOMMENDATION**

Staff recommends approval at second and final reading of Ordinance 2022-35, following a public hearing.

### **Background.**

Staff recognizes the need to streamline and update this chapter to be cohesive with the latest versions of Chapter 162 of the Florida State Statute and the International Property Maintenance Code (IPMC). We are also reintroducing key portions that were previously removed from the Solid Waste ordinance (Chapter 17) back into chapter 12. These changes will be beneficial to the community and will aid staff in improving the Health, Safety and Welfare of our citizens

### **§ 12-2. Definitions and rules of construction.**

**Background and justification:** To update and modernize the language of this section in conjunction with Florida State Statute Chapter 162 for the purpose of clarity.

## **Article II. Nuisances**

### **Division 2. § 12-36 - § 12-41**

***Background and justification:*** To streamline by removing repeated portions of this section. These ordinances are either already located in another portion of this chapter or being moved to another more appropriate section of this chapter.

### **Division 5. Litter, Garbage and Refuse**

***Background and justification:*** To streamline by removing repeated portions of this section. These ordinances are either already located in another portion of this chapter or being moved to another more appropriate section of this chapter.

#### **§ 12-233. Exterior property areas**

***Background and justification:*** To update the language of this section and add clarity to the ordinances.

#### **§ 12-236. Interior structure**

***Background and justification:*** These ordinances are from the IPMC, (International property maintenance code) the purpose of adding them to Chapter 12 is for easier accessibility of the codes by staff and the community.

#### **§ 12-237. Rubbish and garbage**

***Background and justification:*** Ordinances of this section were previously found in the Solid Waste Ordinance Chapter 17. This section contains a set of important ordinances to help preserve and maintain the Health, Safety and Welfare of the community regarding the handling of waste and containers.

#### **§ 12-239 Plumbing facilities and fixture requirements.**

***Background and justification:*** These ordinances are from the IPMC, (International property maintenance code) the purpose of adding them to chapter 12 is for easier accessibility of the codes by staff and the community.

#### **§ 12-241. Mechanical and electrical requirements.**

***Background and justification:*** These ordinances are from the IPMC, (International property maintenance code) the purpose of adding them to chapter 12 is for easier accessibility of the codes by staff and the community.

**CODE REFERENCES AND REVIEW CRITERIA**

*Section 12-2. Definitions and rules of construction.*

*Section 12-7. Repeat violator status.*

*Section Article II. Nuisances / Division 2. Debris, Weeds, Wild Growth, Dangerous and unsanitary conditions.*

*Section Article II. Nuisances / Division 5. Litter, Garbage and Refuse.*

*Section 12-233. Exterior property area.*

*Section 12-236. Interior Property area.*

*Section 12-237. Rubbish and garbage.*

*Section 12-239. Sanitary drainage system.*

*Section 12-241. Electrical equipment.*

**FISCAL IMPACT**

None.

**ATTACHMENTS**

None.