

Code of the City of North Port

Part II Chapter 42: Nuisances ARTICLE II. - LOT CLEARING

(Strike through reflects existing content; Red underline reflects additions; Blue reflects notations)

- **Sec. 42-19. - Legislative intent and declaration.**

(a) The city commission hereby declares its intent and purpose in adopting this article to protect the health, safety and general welfare of its citizenry and to enhance the properties and premises within this municipality by eliminating excessive growth of grass and nuisance weeds ~~and underbrush~~ on developed lots, hazardous trees on any lot, the accumulation of unusable household items, trash lumber or any other building materials or equipment which have no further value, and the accumulation of tires, parts of vehicles or any other items which create a fire and/or health hazard or creates an unnatural breeding place for snakes, rats, mosquitoes or any vermin, emit noxious odors, ~~tires, inoperable vehicles or any other accumulation of items which provides or creates a breeding place or haven for snakes, rats and vermin of all kinds and character or a breeding place for mosquitoes, emits noxious odors, creates a public nuisance or other unsightly and/or unsanitary and unsafe conditions, creates a fire and/or health hazard and, in general appearance and condition, creates a slum appearance which tends to have a decreasing value effect on the neighboring properties and premises.~~

REWORDED FOR CLARITY AND INCLUSION OF ITEMS DESCRIBED IN OTHER SECTIONS.

(b) The city commission further declares such conditions to be a public nuisance and detrimental to the health, safety and general welfare of the citizenry of this municipality.

- **Sec. 40-20. Applicability**

All property owners who own a lot located within the corporate limits of this municipality shall be subject to and included under the provisions of this article.

ADDED THIS SECTION MOVING TEXT FROM 42-24 (a) IN PART. SUBSEQUENT SECTION NUMBERS HAVE BEEN REVISED ACCORDINGLY

- **Sec. 42-~~20~~ 21. - Definitions and word usage.**

(a) When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number; words in the singular number include the plural; and words in the male gender include the female gender. The word "shall" is always mandatory and not merely directory.

(b) For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings given herein:

Abate. To remove or otherwise remedy a condition by such means and in such manner and to such an extent as necessary in the interest of the general health, safety and welfare of the community as determined by the City.

~~Accumulation of debris.~~ Includes but is not limited to the accumulation of lumber, tires, parts of vehicles, inoperable vehicles, unusable household items, scraps of building materials of all kinds or any other accumulation of articles and/or equipment for which immediate use cannot be established.

Accumulation of debris. Includes but is not limited to the accumulation of unusable household items, trash, lumber or any other building materials or equipment which have no further value, tires, parts of vehicles or any other items which create a fire and/or health hazard or creates an unnatural breeding place for snakes, rats, mosquitoes or any vermin, emit noxious odors, or other unsanitary or unsafe conditions and in general appearance and condition, creates a slum appearance which tends to have a decreasing value effect on the neighboring property and premises.

CHANGED TO BE CONSISTENT WITH LANGUAGE IN SEC. 42-19

Commercial building. Includes any structure which is intended to be occupied for business; the rendering of professional services; the sale or display of merchandise; the supplying of food and drink; educational or instructional purposes; penal or correctional purposes, medical, charitable or other care or treatment purposes; amusement purposes; storage of goods, wares or merchandise; the performance of work or labor in connection with the fabrication, assembly, processing, etc., of products or materials; or any other purpose normally recognized as commercial and/or industrial.

Developed. A lot that has been improved and permitted for residential, business or recreational purposes or structures thereon.

Dwelling. Includes any structure in which families or households live or in which sleeping accommodations are provided, including, without limiting the generality of the foregoing, single-family homes, mobile homes, multiple dwellings, hotels, motels, dormitories, lodging houses, convents, apartments, condominiums and monasteries.

~~Excessive growth.~~ Any growth of cultivated grass, shrubs, bushes and/or the rank, wild, uncultivated obnoxious growth of vegetation in excess of 12 inches in height.

Excessive growth. Growth of grass and nuisance weeds in excess of 12 inches in height.

CHANGED TO CLARIFY NOT TO MEAN NATURAL WEEDS AND VEGETATION ON LAND AREAS IN THEIR NATURAL STATE NOR TO LIMIT SHRUBS AND BUSHES TO 12 INCHES (NUISANCE WEEDS DEFINED BELOW).

Hazardous tree. A live tree that is unstable due to structural defects, disease or other factors, or a dead tree, either of which a failure to all or part of the tree would be within striking distance of people, structures or other objects.

~~Included lots.~~ Lots on which an occupied dwelling or commercial building is located and all lots or portions of lots sharing a common boundary with the lot upon which the dwelling or commercial building is located and lying within 200 feet of the nearest wall of said dwelling or commercial building.

~~Lots separated by a dedicated street or road shall be considered to share a common boundary along the centerline of said dedicated street or road.~~

NO PURPOSE OR REFERENCE WITHIN THIS ARTICLE

~~Impinging growth.~~ The growth of shrubs, trees, branches, bushes or any natural vegetation upon a lot that extends beyond the legal boundaries of that lot.

~~Improved.~~ Land that its natural state has been altered.

~~Inoperable vehicle.~~ A vehicle which cannot be used or operated for the purpose intended and for which the owner of same does not possess a current registration and license plate.

COVERED IN AND APPLICABLE TO ULDC SECTION 25-19

~~Lots.~~ Refers to "lots" as shown by a plat of a subdivision, duly recorded in the public records of Sarasota County, Florida, or any other lot, parcel or tract of land located within the municipal boundaries of the City of North Port.

NOTE: EXISTING LANGUAGE USED THE TERMS LOT (DEFINED HERE) AND PROPERTY (UNDEFINED) INTERCHANGABLY. FOR CONSISTENCY, THE TERM LOT REPLACES THE WORD PROPERTY THROUGHOUT THE ARTICLE

~~Major units of a subdivision.~~ Plats or portions of a subdivision containing a separate dedication, recorded in the Public Records of Sarasota County, Florida, or plats of portions of a subdivision recorded on different dates, if such plats were recorded in the public records of Sarasota County, before the requirement of dedication became a prerequisite to such recording.

NO PURPOSE OR REFERENCE WITHIN THIS ARTICLE

~~Mowable.~~ Those lots which can be mowed with bushhog type equipment without damage to the lot or the equipment.

NO PURPOSE OR REFERENCE WITHIN THIS ARTICLE

~~Nuisance Weeds.~~ Uncultivated vegetation that is useless, unintended and invasive to cultivated grasses and landscaped areas.

ADDED AND CHANGED TO CLARIFY NOT MEAN WEEDS ON LAND AREAS IN THEIR NATURAL STATE.

~~Occupied.~~ Inhabited as a dwelling or used as a commercial building.

~~Plastic pipe flowliner.~~ A one-quarter portion of a 12-inch diameter corrugated smooth bore plastic pipe installed in the swale flowline.

~~Subdivision.~~ Only platted and recorded subdivisions as shown by the plats thereof recorded in the public records of Sarasota County, Florida.

NO PURPOSE OR REFERENCE WITHIN THIS ARTICLE

Swale. The depressed earthen sodded area immediately adjacent to the paved travel way and used for stormwater drainage purposes; usually located between a street/road and the private property line.

~~*Undeveloped.* A lot that does not have a dwelling and/or commercial structure constructed thereon but remains in its natural state.~~

NO PURPOSE OR REFERENCE WITHIN THIS ARTICLE

~~*Unoccupied.* The dwelling or structure constructed upon a lot that is not inhabited.~~

NO PURPOSE OR REFERENCE WITHIN THIS ARTICLE

~~*Weeds/undergrowth brush.* A rank, wild, uncultivated obnoxious growth of no value.~~

REVISED AND MOVED ABOVE

- ~~Sec. 42-21. 22. Excessive growths; dead trees.~~ Excessive and impinging growth; hazardous trees.

NEW TITLE REFLECTS PROVISIONS APPLICABLE

a) It shall be unlawful for any owner of a lot to permit the excessive growth of grass and nuisance weeds on sodded or seeded grass areas or within cultivated landscaped areas on a developed lot. ~~in~~ excess of 12 inches in height on an improved or developed lot.

CHANGES TO CLARIFY APPLICATION TO GRASSED AREAS ON ANY LOT OR LANDSCAPED AREAS OF A DEVELOPED LOT BUT NOT INTENDED WHERE A LOT HAS BEEN IMPROVED TO CLEAR SOME VEGETATION.

(b) It shall be unlawful for any owner of a developed or undeveloped any lot to permit the excessive impinging growth of shrubs, trees, bushes or any other natural or cultivated species of foliage vegetation beyond the legal confines of said lot so as to impinge upon a public improved City right-of-way such as, sidewalks and/or streets, or road right-of-way easement except that branches of trees at least eight (8) feet above the surface of the sidewalk area or at least fourteen (14) feet above the surface of the portion of the street used for vehicular traffic, whether planted in the right-of-way area or upon private property, may be permitted with authorization by the City and in accordance with any applicable City Code.

CHANGED TO CLARIFY APPLICATION AND RECOGNIZE THERE ARE ALLOWANCES WITHIN CITY CODES AND OR BY CITY AUTHORIZATION.

(c) It shall be unlawful for any owner of any lot to permit impinging growth upon an abutting improved or developed lot, provided that:

1) Enforcement of this provision is limited to verified complaints received by the city from an owner of a lot that abuts the rear or side of a lot where there is impinging growth.

2) Owners of any lot adjacent to an improved or developed lot may be exempt from this provision providing an affidavit is submitted to the city from an applicable adjacent improved or

developed lot owner indicating that said lot owner does not object to the encroachment of shrubs, trees, branches, bushes or any natural vegetation from the abutting lot.

(d) A hazardous tree on any lot that poses an actual hazard or damage to the public, rights-of-way or utilities as determined by the City or to an adjacent lot upon a complaint by the adjacent lot owner, tenants, lessees, or occupants, are hereby declared to be a public nuisance. Upon notice it shall be the responsibility of the owner of any lot to remove or cause to be removed any such hazardous tree on their lot, however the City is empowered at the owner's expense to immediately abate a hazardous tree if it is determined by the city to be an emergency hazardous situation.

(e) Owners of any lot shall not be required to remove nuisance weeds, grass, bushes, trees, or other vegetative material if such removal would destroy the existing habitat of the Florida Scrub Jay, gopher tortoise, black indigo snake, or any other state or federally endangered species.

(f) In the event the lot owner and or responsible party fails to properly maintain their lot in accordance with the standards herein, the City may abate the violation in whole or in part as may be necessary in accordance with sections 42-26 and 42-27 to bring the lot into compliance with this section. The City shall not be responsible for any damage to other vegetation that is in the vicinity of such abatement activity.

PROVISIONS (c) THROUGH (f) ADDED TO ADDRESS ISSUES AND CONCERNS RELATING TO IMPINGING GROWTH AND DEAD TREES.

- **Sec. 42-22 23 - Accumulation of debris.**

~~a) It shall be unlawful for any owner of an occupied or an unoccupied lot to accumulate or permit the accumulation of, including, but not limited to, lumber or any other building materials, tires, parts of vehicles, inoperable vehicles, unusable household items, or any other items or equipment which create a breeding place for any vermin or mosquitoes, emit noxious odors or create a public nuisance or other unsanitary or unsafe conditions or create a fire and/or health hazard or, in general appearance and condition, create a slum appearance which tends to have a decreasing value effect on the neighboring property and premises.~~

It shall be unlawful for any owner of any lot to accumulate or permit the accumulation of, including, but not limited to, unusable household items, trash, lumber or any other building materials or equipment which have no further value, tires, parts of vehicles or any other items which create a fire and/or health hazard or creates an unnatural breeding place for snakes, rats, mosquitoes or any vermin, emit noxious odors, or other unsanitary or unsafe conditions and in general appearance and condition, creates a slum appearance which tends to have a decreasing value effect on the neighboring property and premises.

CHANGED TO BE CONSISTENT WITH LANGUAGE IN SEC. 42-19

~~(b) It shall be unlawful for any owner of an undeveloped lot to use or permit said lot to be used as a disposal area for any lumber or any building materials, tires, parts of vehicles, inoperable vehicles, unusable household items or any other type or character of material and/or equipment or any other items or equipment which have no further value.~~

REMOVED, REDUNDANT WITH REVISION ABOVE

- **Sec. 42-23 24. - Responsibilities ~~with regard to property~~ of lots for sale or rent.**

a) ~~Property Owners~~ of any lot ~~occupied, unoccupied and/or undeveloped properties~~ shall continue to be responsible for the proper maintenance of such ~~properties~~ lot as prescribed herein even if said ~~properties~~ lot ~~have~~ has been listed for sale, rent or lease with any real estate agent or broker.

(b) Where a real estate agent or broker has contractually accepted any lot ~~improved occupied or unoccupied properties~~ for maintenance or management, said real estate agent or broker shall be responsible, together with owner of such ~~properties~~ lot, for the proper maintenance of said ~~properties~~ lot as prescribed herein for the duration of such contractual agreements.

(c) Upon failure of the owner or, where applicable, the real estate agent or broker to properly maintain said ~~properties~~ lot as prescribed herein, notice of an alleged violation of this article shall be given to both the owner and, where applicable, the real estate agent or broker of such alleged violation in accordance with sections 42-26 and 42-27.

- **Sec. 42-24 25. - Responsibilities of property owners; penalties for offenses; other remedies. Maintenance of stormwater drainage area**

TITLE CHANGED TO REFLECT CONTENTS OF THE SECTION, THE PENALTIES AND REMEDIES ARE FOUND IN SECTIONS 42-26 AND 42-27

~~a) All property owners who own lots or yards located within the corporate limits of this municipality shall be subject to and included under the provisions of this article and are hereby required to keep such lots cleared of weeds, high grass, brush, debris and any other noxious material of any kind which tend to be breeding places or havens for snakes, rats and vermin of all kinds and character or tend to be breeding places for mosquitoes or which tend to create a fire and health hazard and endanger the lives and property of the citizens of this City or which tend to create a nuisance or other unsightly or unsanitary conditions or, in general appearance and atmosphere, tend to have a decreasing value on the neighboring property and premises.~~

THE BEGINNING PART OF (a) WAS MOVED TO WHAT IS NOW 42-20 AND THE REST OF THE PARAGRAPH IS COVERED IN SEC. 42-23.

~~(b)~~ (a) Owners of all lots ~~improved properties~~ shall be responsible for maintaining stormwater drainage systems within the city's road rights-of-way except when otherwise specified in writing by the City. These responsibilities shall include, but shall not be limited to:

(1) *Open swale drainage (without sidewalk)* —From the edge of the pavement to the owner's ~~property~~ unencumbered lot line (see Exhibit A).

a. Maintain and replace as necessary the property owner's culvert pipe beneath any driveway crossing the swale in a manner such as not to impede or interfere with the stormwater drainage function of the swale. Provided, however, that the cost of culvert replacement as a result of a drainage improvement or modification initiated by the city, or damaged by public's use of right-of-way, shall be at the city's expense.

b. Properly mowing the grassed area to maintain a neat appearance free from excessive growth and impinging growth, including the removal of grass, weeds, bushes, sand, silt and debris at both ends of any driveway culvert pipe to effectively maintain flow of stormwater through the culvert, except as otherwise provided for in provision eight (8) of this section or by written agreement by the city or where the city owns the right-of-way in fee title.

c. ~~Property~~ Lot owners shall not be responsible for regrading swales within the road rights-of-way adjacent to their ~~properties~~ lot. Upon completion of construction, all regrading of swales to design elevation within city drainage or road rights-of-way (ROW), will be the responsibility of the department of public works. (See chapter 18, B, 7 of the city's Unified Land Development Code). Exception: A ~~property~~ lot owner is responsible for repairing damage which they have caused, i.e., ruts from their vehicle traversing the swale, but not for damage caused by the public's use of right-of-way.

(2) *Open swale drainage (with sidewalk)*— From the edge of the pavement to the owner's property unencumbered lot line (see exhibit B).

a. Maintain and replace as necessary the ~~property~~-lot owner's culvert pipe beneath any driveway crossing the swale in a manner such as not to impede or interfere with the stormwater drainage function of the swale. Provided, however, that the cost of culvert replacement as a result of a drainage improvement or modification initiated by the city or damage by public's use of right-of-way, shall be at the city's expense.

b. Properly mowing the grassed area to maintain a neat appearance free from excessive growth and impinging growth, including the removal of grass, weeds, bushes, sand, silt and debris at both ends of any driveway culvert pipe to effectively maintain flow of stormwater through the culvert, except as otherwise provided for in provision eight (8) of this section or by written agreement by the city or where the city owns the right-of-way in fee title.

c. Maintain the sidewalks adjoining the ~~property~~-lot, by keeping the sidewalks in a clean and sanitary condition which includes mowing and edging grass and weeds, both between the sidewalk joints and alongside the edge of pavement, except as otherwise provided for by written agreement or where the City owns right-of-way in fee title.

d. ~~Property~~ Lot owners shall not be responsible for regrading swales within the road rights-of-way adjacent to their ~~properties~~ lot. Upon completion of construction, all regrading of swales to design elevation within city drainage or road rights-of-way (ROW), will be the responsibility of the department of public works. (See chapter 18, B, 7 of the city's Unified Land Development Code). Exception: A ~~property~~ lot owner is responsible for repairing damage which they have caused, i.e., ruts from their vehicle traversing the swale but not for damage caused by the public's use of right-of-way.

(3) *Curb and gutter*— From the edge of the curb to the owner's unencumbered property line (See exhibit C). If there is an existing sidewalk, same requirements as in {subsection} (2) Open swale drainage (with sidewalk) above. In addition, curbs, gutters and catch basins shall be kept free of litter and debris.

(4) *Fully piped swale*— From the edge of the pavement to the owner's unencumbered ~~property~~ lot

line (See exhibit D). If there is an existing sidewalk, same requirements as in subsection (2) Open swale drainage (with sidewalk) above. In addition, ~~property~~ lot owners are responsible for the maintenance, repair and replacement of all specially benefitting structures, i.e. culvert pipes, catch basins, etc. which they install in the City's road rights-of-way.

(5) Removing trash, debris, ~~and~~ litter or other items from the swale area to prevent obstruction or partial obstruction of the driveway culvert and swale.

(6) Where a plastic pipe flowliner has been installed in the swale, remove silt, litter, debris, grass, and weed clippings from the liner so the flowliner remains unobstructed and allows the stormwater to freely flow downstream to the outfall.

(7) The tires of automobiles, trucks, boats, trailers, utility trailers, recreational vehicles and travel trailers shall not be parked directly over the plastic pipe flowliner material.

(8) Where a swale area has a slope greater than a two to one ratio and the ~~property~~ lot owner is unable to maintain the swale area, the ~~property~~ lot owner may make a written request to the public works director for public works department ~~staff~~ to maintain this swale area. The public works director or his or her designee shall conduct an on-site inspection of the subject swale area. Once there is confirmation that the swale area has a slope greater than a two to one ratio, the public works director will respond to the ~~property~~ lot owner's request in writing and also include a maintenance schedule.

CHANGES WITHIN 1 – 8 ADDRESS CONCERNS RELATING TO CIRCUMSTANCES OR AREAS WHERE THE REQUIREMENTS MAY NOT BE APPLICABLE.

~~(c) In addition to the remedies set forth herein, the city shall also be entitled to file a lien against the subject property for any costs, expenses, fines and monetary damages arising out of the violation and noncompliance by any person, firm or corporation of the provisions of this article.~~

THERE ARE NO REMEDIES SET FORTH IN THIS SECTION AND LIENS ARE COVERED IN SEC. 42-26 AND 42-27.

~~(d) Any lien filed hereunder may be enforced by filing an appropriate action for foreclosure and enforcement of same in the circuit court in and for Sarasota County, Florida, in accordance with the provisions of F.S. ch. 85.~~

MOVED TO SEC. 42-27 WHICH COVERS LIEN RIGHTS

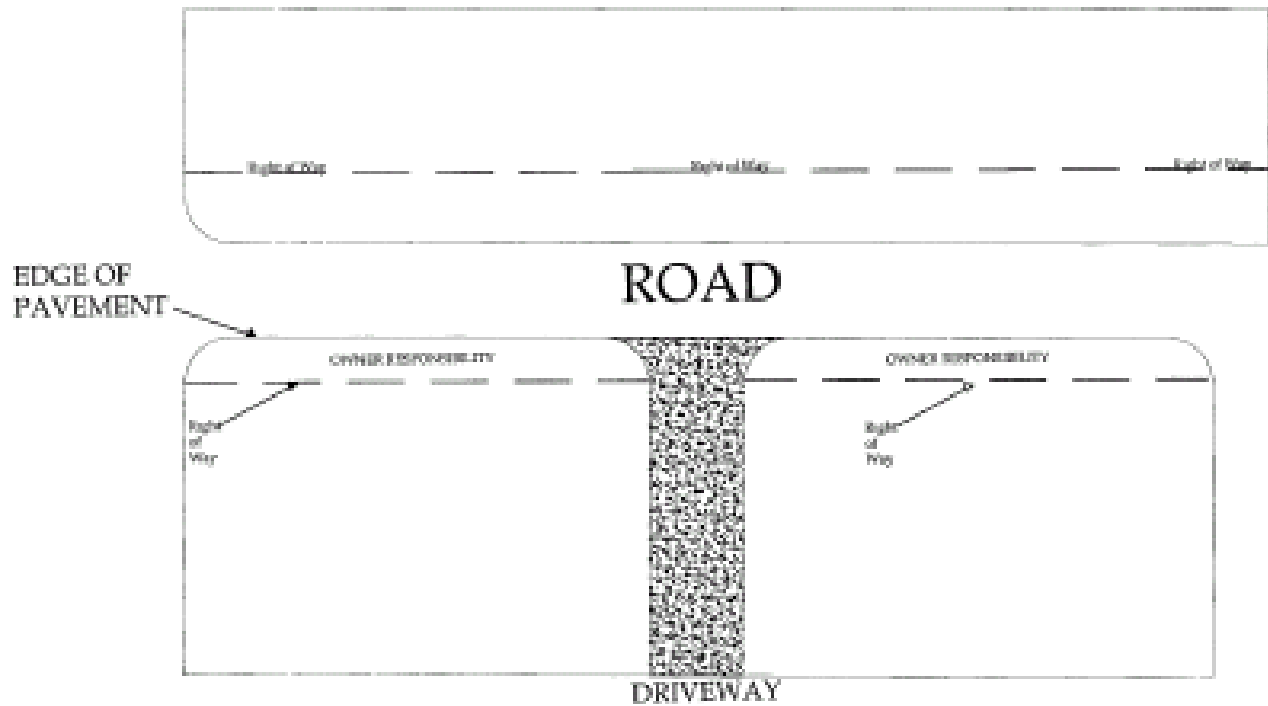



EXHIBIT A

| | | | | |
|---|---|----------------|-------------------------------|------------------------|
|  | Open Swale (without sidewalk) | | | |
| | | DATE APPROVED: | File name OPEN_SWALE | DATE DRAWN 12-08-09 |
| | CITY OF NORTH PORT PUBLIC WORKS ENGINEERING STANDARD | | Right of Way DETAIL | |
| | | | DRAWN BY: JON K. ENGINEER: | Sheet 1 OF 4 |

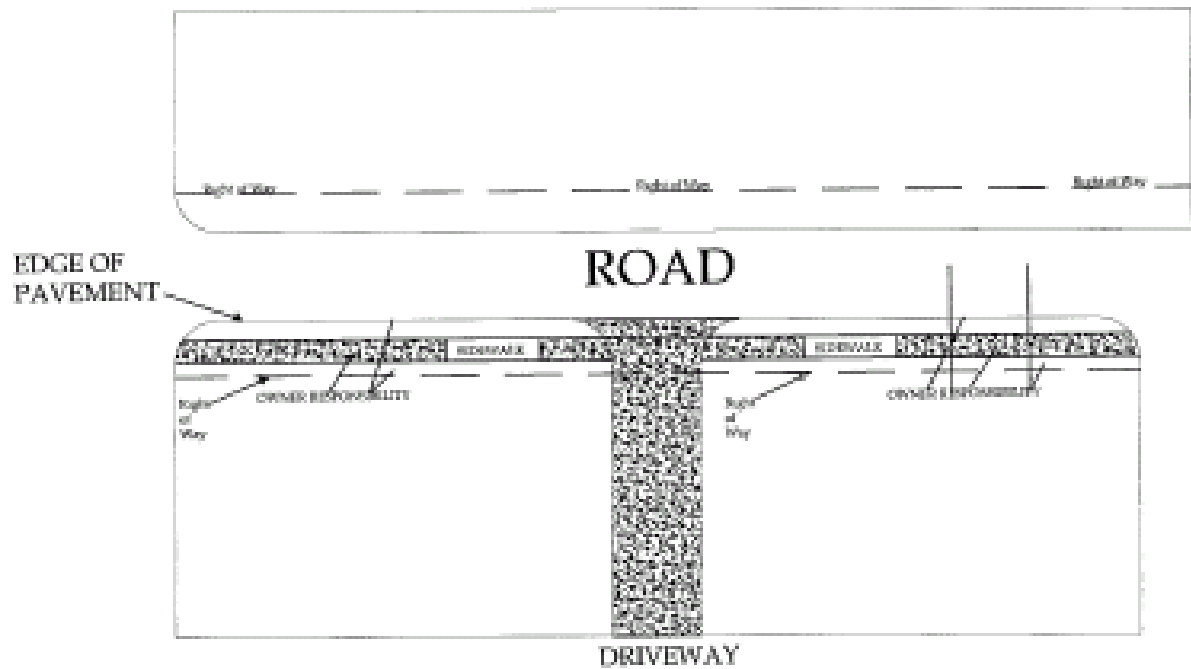



EXHIBIT B

| | | | | | |
|---|---|----------------|------------------------------|-------------------------|--------------|
|  | Open Swale (with Sidewalk) | | | | |
| | | DATE APPROVED: | File name OPEN_SWALE | DATE DRAWN: 12-08-09 | NTS |
| | CITY OF NORTH PORT PUBLIC WORKS ENGINEERING STANDARD | | Right of Way DETAIL | | |
| | | | DRAWN BY: JON K. ENGINEER | | Sheet 2 OF 4 |

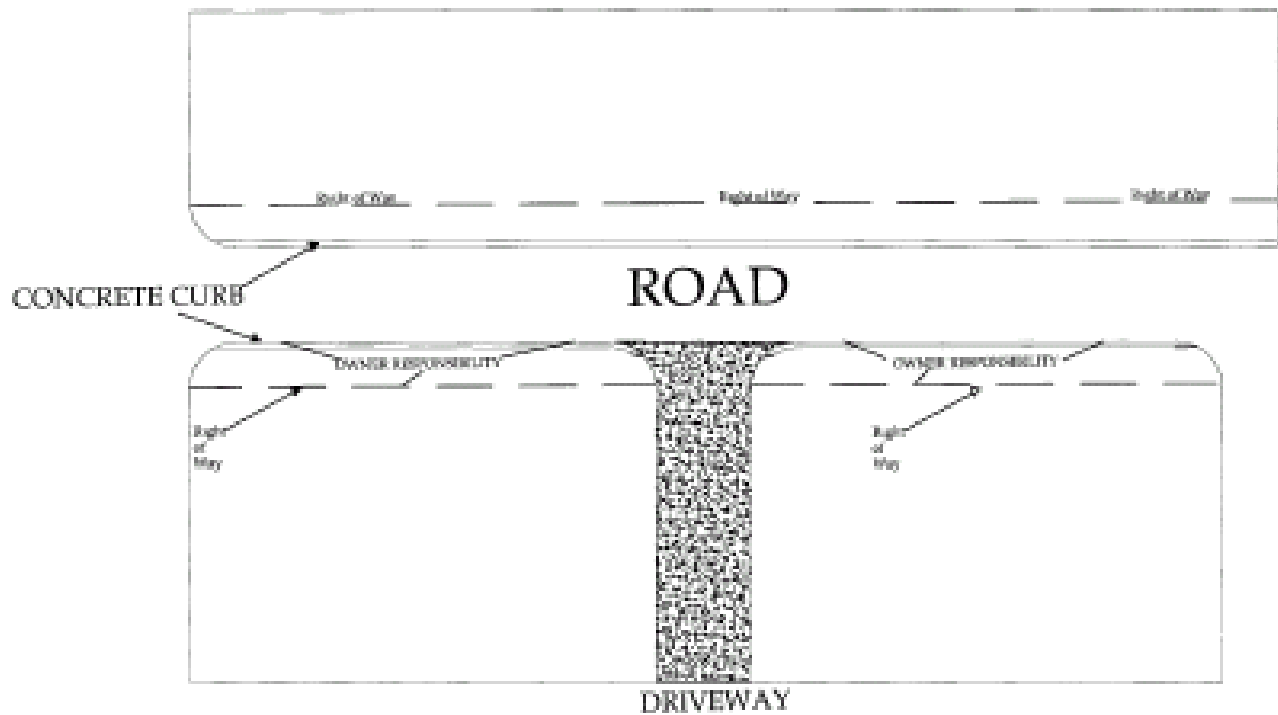



EXHIBIT C

| | | | | |
|---|---|----------------|--------------------------|-------------------------|
|  | Curb and Gutter | | | |
| | | DATE APPROVED: | File name CURB_GUTTER | DATE DRAWN: 12-08-09 |
| | Right of Way DETAIL | | | |
| | CITY OF NORTH PORT PUBLIC WORKS ENGINEERING STANDARD | | | Sheet 3 OF 4 |
| | DRAWN BY: JON K. ENGINEER: | | | |

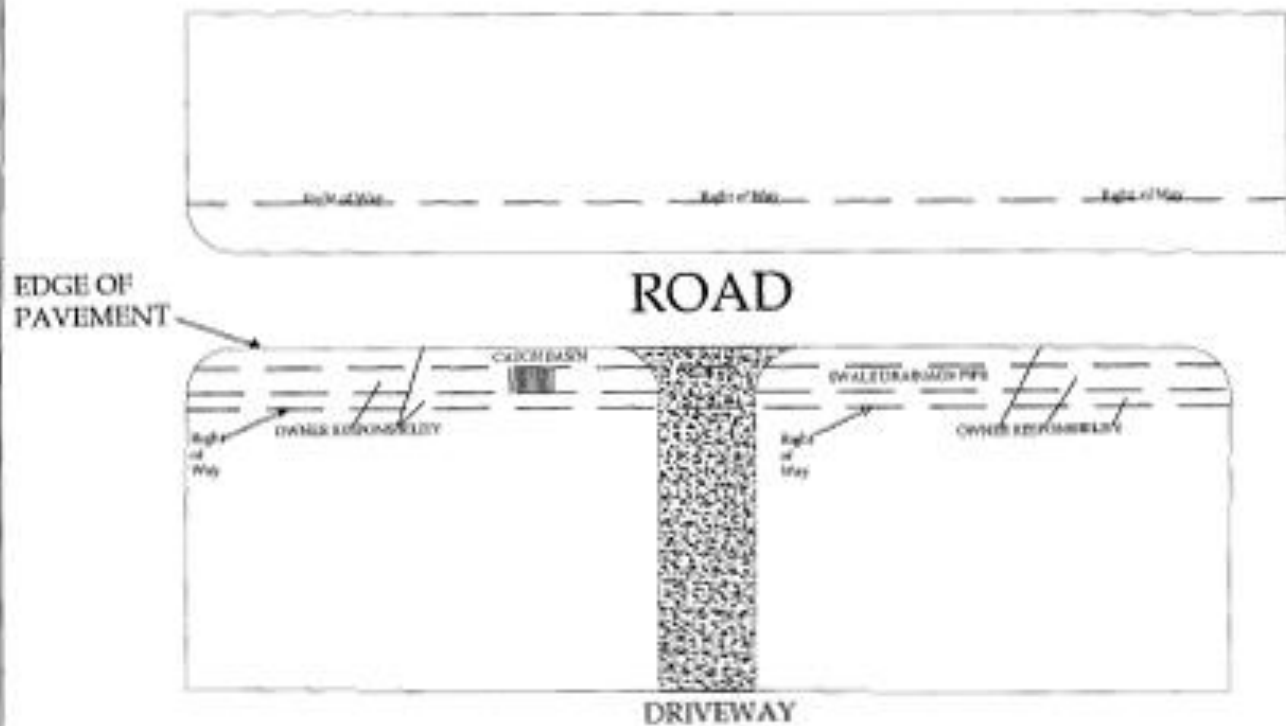



EXHIBIT D

| | | | | | |
|---|--|-------------------------------|--------------------------|-------------------------|--------------|
|  | | Fully Piped Swale | | | |
| | | DATE APPROVED: | File name PIPED_SWALE | DATE DRAWN: 12-08-09 | NTS |
| CITY OF NORTH PORT PUBLIC WORKS ENGINEERING STANDARD | | Right of Way DETAIL | | | |
| | | DRAWN BY: JON K. ENGINEER: | | | Sheet 4 OF 4 |

- **Sec. 42-25 ~~26~~. - Enforcement, notice of prohibited conditions.**

a) *Enforcement.* Property standards inspectors are directed and empowered to investigate and enforce the provisions of this article. They are authorized to inspect any ~~property~~ **lot** where a violation of this article is alleged to exist. Property standards inspectors are responsible for providing notices of public nuisance to ~~property~~ **lot** owners found to be in violation of this article and for taking any other actions necessary to enforce this article. Notices of public nuisance shall provide a reasonable period of time within which violations of this article must be corrected. In determining a reasonable period of time for compliance, the property standards inspector shall consider the following: practicality and ease of correction; the owner's ability to correct the violation; the severity of the violation; the nature, extent, and probability of danger to the public, and other relevant factors.

(b) *Notice procedure.* If a property standards inspector determines that a public nuisance exists in violation of this article, the property standards inspector shall serve a notice of public nuisance by one of the following methods:

- (1) Certified mail, return receipt requested;
- (2) By hand delivery by a North Port police officer, property standards inspector or other person authorized to serve process under F.S. ch. 48; or
- (3) By leaving the notice at the owner's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice.

In order to ensure proper notification, notice shall also be posted on ~~properties~~ **lots** found to be in violation of the ordinance from which this article is derived in a conspicuous and visible location.

(c) *Form of notice.* The notice of public nuisance provided pursuant to this section shall:

- (1) Be in writing;
- (2) Contain the name and address of the ~~property~~ **lot** owner;
- (3) Describe the ~~property~~ **lot** on which the public nuisance exists by address, parcel I.D. number, or legal description;
- (4) Contain a statement of the conditions existing on the ~~property~~ **lot** that constitute a public nuisance (a description of improper outdoor storage and/or excessive growth);
- (5) A statement that the conditions constitute a violation of the City of North Port environmental standards code;
- (6) Advise the ~~property~~ **lot** owner that if the violation is not corrected and abated within a specified reasonable period of time, the City of North Port may cause the violation to be corrected and abated, the cost of which may be imposed as a lien upon the ~~property~~ **lot**;
- (7) Contain a statement that within the period of time for compliance, the ~~property~~ **lot** owner may request a hearing to show that the condition alleged does not exist or that such a condition does not constitute a public nuisance in violation of the ordinance from which

this article is derived. Failure to file a hearing request within said period of time shall constitute a waiver of hearing; and

(8) Contain the name and business address of the property standards inspector.

- **Sec. 42-26 ~~27~~. - Condition may be abated by the city, and lien rights.**

a) If the ~~property~~ lot owner neither abates the nuisance nor requests a hearing within a reasonable period of time set forth in the notice of public nuisance, or if a hearing has been requested, held, and concluded adverse to the ~~property~~ lot owner, the property standards division is authorized to cause the condition to be abated at the expense of the ~~property~~ lot owner. The City manager is authorized to expend city funds as may be reasonably necessary and available to carry out the provisions of this article, the expenditure of such funds being declared a proper municipal purpose.

(b) After causing the condition to be abated, the property standards division shall submit a bill to the ~~property~~ lot owner for all expenses incurred abating the condition, and include a copy of the notice of public nuisance and a copy of the decision of the code enforcement board, when applicable. The bill shall be for actual abatement costs, including related administrative costs, or \$100.00, whichever is greater. It shall be payable within 30 days, after which a special assessment lien will be immediately made upon the ~~property~~ lot. Notice of such lien shall be filed in the office of the clerk of the circuit court and recorded in the public records of Sarasota County, Florida, and shall accrue interest at the legal rate from the time of such recording. Such liens shall be prior to all other liens except taxes and shall be of equal dignity with special assessments made for other public purposes. The owner of the assessed property shall be personally liable for the amount of the lien and the cost of collection provided for in this article. Such lien shall be in favor of the City of North Port and may be satisfied at any time by payment thereof, including accrued interest. Upon such payment, the city shall deposit the monies in the general fund line item and prepare a satisfaction and release of lien, which shall be recorded in the public records of Sarasota County, Florida.

(c) Any lien filed hereunder may be enforced by filing an appropriate action for foreclosure and enforcement of same in the circuit court in and for Sarasota County, Florida, in accordance with the provisions of F.S. ch. 85.

MOVED FROM PREVIOUS 42-24 (d)

- **Secs. 42-27 ~~28~~ —42-55. - Reserved.**

REFLECTS USGAGE OF 42-27