



January 2009

## Code Enforcement's Process for Addressing Violations

Most Code Enforcement cases are initiated by Hillsborough County residents who report suspected violations. Cases can also be initiated by a Code Enforcement Officer in the field, or by another County agency who directly observes a violation of the Code. No matter how a case is initiated, the same general progression is followed until the violation is corrected and the case can be closed.

Before a notice of a violation is issued on a complaint, Officers perform an on-site inspection to verify there is a violation. If the inspection does not reveal a violation, the case is closed without further action.

However, if a violation is discovered, all responsible parties are then notified and a reasonable period of time is provided for corrections. In addition to the on-site inspection, the investigation also involves research of the property boundaries, zoning designation, ownership, and other parties who may have either a financial interest in the property, or who are contributing violators.

### Q. Are extensions available?

Yes. Experience has found that the most reliable method of achieving compliance is to develop partnerships with the community, including those who violate these Codes. Therefore, if a medical, or financial, hardship is demonstrated, or if the violator is making a concerted effort to correct the violation, the Code Enforcement Officer is authorized to grant up to 30 days of additional time to come into compliance.

### Q. What happens if the violations are not corrected?

After notice has been provided to the violator by certified letter, and if the subsequent inspection of the property reveals that the violations have not been corrected in the time allowed, the case will, in most instances, be forwarded to the Code Enforcement Board/Special Magistrate for a hearing. If the department is unable to obtain service through certified mail because the letter was returned as unclaimed or refused, the notice must then be sent first class mail and posted at the property in violation. This additional step can delay the process, but ultimately the case will be scheduled for a hearing.

### Q. What happens once the case has gone to a hearing?

The Code Enforcement Board/Special Magistrate is a quasi-judicial process where the County presents its case and the violator also has the opportunity to speak before the Board/Special Magistrate. Anyone found guilty by the Board/Special Magistrate faces fines of up to \$1,000 per day for each day the violation continues. Accrued fines are assessed as a lien against the offending property and all other properties owned by the violator. Once a case has been turned over to the Code Enforcement

Board/Special Magistrate, the Code Enforcement Department no longer maintains control over the case. In other words, once an order is issued at the hearing, it is a binding order and it cannot be extended or delayed by the Code Enforcement Department. The department will continue to perform inspections for the Board/Special Magistrate until compliance is achieved; no case is ever closed without compliance. Once a fine has accrued for 90 days the case is turned over to the County Attorney's Office where alternate methods of enforcement are considered.

### Q. How long does all of this process take?

The length of time it takes to bring a case to a hearing can vary greatly depending on a number of factors. These include meeting the notice requirements of the Statute, changes in property condition or ownership, efforts taken on the part of the violator, or legal actions which may muddy the waters. As for how long it takes for compliance to be achieved, that action, in most cases, rests with the violator. Code Enforcement can pursue cases vigorously to the fullest extent of its capabilities to include, fines, liens, and even the threat of foreclosure; however, with few exceptions, the responsibility to correct the violations lies exclusively with the violator.

### Q. What do I do if I've received a notice of violation from Code Enforcement?

If there are questions about what is required to achieve compliance with Hillsborough County's Code, contact the investigator assigned to the case. The investigator's name is listed at the bottom of the notice received. Code Enforcement's goal is to preserve the quality and value of public and private property and maintain a high standard of living by eliminating conditions that threaten the life, health, safety, and general welfare of the public. The department recognizes that this goal is most effectively achieved through the education of, and cooperation with, the citizens of Hillsborough County.

### Q. How can I report a suspected violation to the County?

Call the Hillsborough County Code Enforcement Department at (813)-274-6600 or through department's Web site [www.hillsboroughcounty.org/hcce](http://www.hillsboroughcounty.org/hcce).

Hillsborough County does not require that you provide any personal identifying information when registering your complaint. It should be noted that any information that is provided, including names, phone numbers, or email addresses, is subject to the Public Record Laws of the State of Florida, and must be provided to anyone who requests the information. If you wish to remain completely anonymous, do not provide any of this information to the department.

Sign-up to receive this e-newsletter or suggest topics by contacting

Kemly Green at [greenkj@hillsboroughcounty.org](mailto:greenkj@hillsboroughcounty.org)

Hillsborough County Code Enforcement Department

10119 Windhorst Rd., Tampa, FL 33619 | 813-274-6600 | [www.hillsboroughcounty.org/hcce](http://www.hillsboroughcounty.org/hcce)

