

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date: March 8, 2022**

☐ Consent      ☒ Regular  
☐ Public Hearing

**Department: Planning, Zoning, and Building**

**Submitted By: Code Enforcement**

## **I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve on preliminary reading and advertise for public hearing on March 22, 2022, at 9:30 a.m.:** An Ordinance of the Board of County Commissioners of Palm Beach County, Florida; amending Palm Beach County Code Chapter 17 (Ordinance 2011-015) pertaining to Mortgage Foreclosure Registration, Section 17-395, Providing for Repeal of Laws in Conflict; Providing for a Savings Clause; Providing for Severability; Providing for Inclusion in the Code of Laws and Ordinances; Providing for Enforcement; Providing for Penalty; Providing for Captions; and Providing for an Effective Date.

**Summary:** The Palm Beach County ("County") Mortgage Foreclosure Registration Ordinance ("Ordinance") requires banks and mortgage companies to register properties in default or foreclosure with the County or its designee, to make inspections of the properties, and to identify a property manager or maintenance company as a point of local contact for each property. The County Ordinance and fee were established in 2011 in response to the impacts the mortgage foreclosure crisis of 2008 had on properties and neighborhoods due to resulting property vacancies, decreases in property maintenance, and other negative impacts that stem from a financial crisis. The County was challenged to identify and/or locate responsible parties to notify if a property was in disrepair or to secure and maintain the properties while going through the foreclosure process and this Ordinance addressed these issues. Currently, and since implemented, the County has used a vendor to register the applicable properties and to maintain a property status and contact database that is accessible by the County Code Enforcement Division. Per the Ordinance, the bank or mortgage holder pays the fee to register and annually renew, if applicable, each property. The volume of properties registering has significantly decreased and in reviewing the utility of the program it is advised that the registration fee should be amended to cover only the cost of registration. This amendment revises the annual registration fee imposed to clearly reflect that the fee that is collected by the County or its designee is to cover the cost of the registration program. Unincorporated (SF)

**Background and Policy Issues: (Continued on Page 3)**

**Attachments:**

1. Amendment to Ordinance 2011-015
2. Ordinance 2011-015

**Recommended by:**

Date \_\_\_\_\_

**Approved by:**

Date \_\_\_\_\_

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:


Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
 NET FISCAL IMPACT	_____	_____	_____	_____	_____
 # ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_


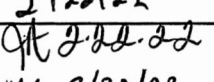
Reporting Category \_\_\_\_\_


**B. Recommended Sources of Funds/Summary of Fiscal Impact:** Fiscal Impact from the adoption of this Ordinance is undeterminable at this time, as fees are based on the number of registrations in the program.

**C. Departmental Fiscal Review:** 

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Development and Control Comments:

 2/22/22  
OFMB   
MG 2/22/22

 2/24/22  
Contract Development and Control  
2-23-22 

### B. Legal Sufficiency:

  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

**THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.**

**Background and Policy Issues:** The Palm Beach County Mortgage Foreclosure Registration Ordinance as adopted in 2011 was similar in scope and application to registrations enacted in other municipalities and counties that were responding to the impacts of the 2008 mortgage crisis and its impacts on properties and communities. This Ordinance provided a mechanism to define the properties (occupied or abandoned and/or vacant) that would be subject to the registration requirements, the timing of the registration, the required information to be provided upon registration, the registrant's own inspection requirements, the local contact requirements and the permissible fee. By Resolution, the County established the fee that would be imposed for each property. The County entered into a contract with a vendor, who at the time was a sole source provider, to be its designee to provide the necessary services for registering the applicable properties and maintaining the records through a database.

To date, approximately 70,000 registrations have been logged, this accounts for first time property registrations and subsequent renewals, as applicable. The PZB records indicate that the number of registrations have progressively decreased. This is either due to the improved economy or to the utility of the program or a combination of both. The PZB Code Enforcement Division uses the vendor database as a tool if citing applicable properties. If the property is in the database the Notice of Violation, (NOV) is entered and the NOV is sent directly to the registered property manager who then responds and works with the Code Enforcement Officer to achieve compliance. This has improved the enforcement of applicable codes where violations are quickly addressed. It is the intention to continue working with the current registration vendor for the immediate future while the program is further analyzed and possibly solicit these registration services to ensure the County has the best information available on how or if to continue with this program. This amendment revises the fee imposed to cover only the cost of the services related to registration while the County reevaluates the need for the program. In addition, the current Code Enforcement fee schedule (Resolution No. 2018-0346) is proposed to be replaced to revise the fee schedule to reflect a 50% reduction to the overall Mortgage Registration fee imposed.

## ORDINANCE NO. 20\_\_\_\_-\_\_\_\_\_

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE CHAPTER 17 (ORDINANCE 2011-015) PERTAINING TO MORTGAGE FORECLOSURE REGISTRATION, SECTION 17-385, PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTY; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Palm Beach County to adopt ordinances to protect the health, safety, and welfare of the citizens of Palm Beach County; and

**WHEREAS**, pursuant to its authority, the Board of County Commissioners (the "Board") enacted Palm Beach County Mortgage Foreclosure Registration 2011-015 ("Ordinance"); and

**WHEREAS**, the Ordinance is being amended to reflect that the fees will be collected by the County or the County's designee to cover the cost of the registration program.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Section 1. ANNUAL REGISTRATION FEE. Section 17-385 of the Palm Beach County Code is amended as follows:**

An annual registration fee in an amount approved by the board of county commissioners, per property, shall accompany the registration. The fees established shall cover the costs of the registration program.

**Section 2. REPEAL OF LAWS IN CONFLICT:**

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 3. SAVINGS CLAUSE:**

Notwithstanding anything to the contrary, all provisions of Palm Beach County Code Section 17-381 through 17-391, codifying Palm Beach County Ordinance No. 2011-015 are specifically preserved and remain in full force and effect and this amendment does not affect any registration issued or fees collected prior to the effective date of this ordinance.



**Section 4. SEVERABILITY:**

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

**Section 5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

The provisions of this Ordinance shall become and be made a part of the Palm Beach County Code. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word ordinance may be changed to section, article, or other appropriate word.

**Section 6. ENFORCEMENT:**

This Ordinance is enforceable by all means provided by law. Additionally, the County may choose to enforce this Ordinance by seeking injunctive relief in the Circuit Court of Palm Beach County.

**Section 7. PENALTY:**

Any violation of any portion of this Ordinance shall be punishable as provided by law.

**Section 8. CAPTIONS:**

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

**Section 9. EFFECTIVE DATE:**

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the \_\_\_\_ day of \_\_\_\_\_, 2022.

**SHARON R. BOCK, CLERK**

**PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Robert S. Weinroth, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
County Attorney

**EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

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WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Palm Beach County to adopt ordinances to protect the health, safety, and welfare of the citizens of Palm Beach County; and

WHEREAS, pursuant to its authority, the Board of County Commissioners (the "Board") enacted Palm Beach County Mortgage Foreclosure Registration 2011-015 ("Ordinance"); and

WHEREAS, the Ordinance is being amended to reflect that the fees will be collected by the County or the County's designee to cover the cost of the registration program.

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An annual registration fee in an amount approved by the board of county commissioners, per property, shall accompany the registration. The fees established shall cover the costs of the registration program. ~~Fees shall be deposited into a special revenue account, which account shall be for the purpose of enforcement of the county property maintenance code, the Florida Building Code and other related property codes.~~

**Section 2. REPEAL OF LAWS IN CONFLICT:**

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 3. SAVINGS CLAUSE:**

Notwithstanding anything to the contrary, all provisions of Palm Beach County Code Section 17-381 through 17-391, codifying Palm Beach County Ordinance No. 2011-015 are specifically preserved and remain in full force and effect and this amendment does not affect any registration issued or fees collected prior to the effective date of this ordinance.

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**Section 9. EFFECTIVE DATE:**

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APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the \_\_\_\_ day of \_\_\_\_\_, 2022.

**SHARON R. BOCK, CLERK**

**PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Robert S. Weinroth, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
County Attorney

**EFFECTIVE DATE:** Filed with the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

## ORDINANCE 2011 -015

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY RELATING TO MORTGAGED REAL PROPERTY; CREATING ARTICLE XII OF CHAPTER 17 OF THE PALM BEACH COUNTY CODE (MORTGAGE FORECLOSURE REGISTRATION); PROVIDING FOR THE PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICABILITY OF THE ORDINANCE; REQUIRING INSPECTION AND REGISTRATION OF REAL PROPERTY MORTGAGES IN DEFAULT; PROVIDING FOR ANNUAL REGISTRATION FEES; PROVIDING FOR ENFORCEMENT; REQUIRING MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR SECURITY REQUIREMENTS; PROVIDING FOR POSTING OF PROPERTY; PROVIDING FOR ADDITIONAL AUTHORITY; PROVIDING PROVISIONS ARE SUPPLEMENTAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the resulting property vacancies, decreases in property values, lack of maintenance, and other problems that stem from the financial crisis; and

**WHEREAS**, foreclosed homes quickly succumb to the forces of nature and the elements, grass and weeds grow, swimming pools become stagnant public health hazards, landscaping dies from lack of attention or grows out of control, windows are broken, exteriors suffer damage from normal wear-and-tear and vandalism, communities suffer, and these consequences have a negative impact first on neighboring residences and then on entire neighborhoods; and

**WHEREAS**, the conditions identified above negatively impact Palm Beach County and blight neighborhoods; and

**WHEREAS**, Palm Beach County is challenged to identify and locate owners or foreclosing parties who can correct negative

1 impacts and maintain the properties that are in the foreclosure  
2 process or that have been foreclosed; and

3 **WHEREAS,** Palm Beach County finds that neighborhoods should be  
4 protected from becoming blighted through the lack of adequate  
5 maintenance and security of vacant properties or properties that  
6 are subject to mortgages that are in default; and

7 **WHEREAS,** Palm Beach County has adopted property maintenance  
8 codes to regulate standards for the interior and exterior of  
9 structures and the condition of property as a whole; and

10 **WHEREAS,** a foreclosed property registration process is  
11 necessary for Palm Beach County to provide a monitoring mechanism  
12 and additional enforcement for defaulted properties; and

13 **WHEREAS,** Palm Beach County finds that the registration process  
14 would include properties that have already been foreclosed upon,  
15 are currently in the foreclosure process, or may be in the  
16 foreclosure process in the future; and

17 **WHEREAS,** the Palm Beach County Board of County Commissioners  
18 has determined that the following additions to the County's code  
19 will serve and contribute to promoting and protecting the general  
20 health, safety and welfare of the residents of the Palm Beach  
21 County.

22

23 NOW THEREFORE BE IT ORDAINED by the Board of County  
24 Commissioners of Palm Beach County, Florida:

25 **Section 1. Recitals Incorporated.** The above recitals are  
26 true and correct and by this reference are incorporated herein  
27 and made an integral part hereof.

28 **Section 2. Mortgage Foreclosure Registration enacted.**  
29 Title VI (Businesses, Trades and Occupations) is amended to add a  
30 new ARTICLE XII of Chapter 17 of the Palm Beach County Code  
31 (Mortgage Foreclosure Registration) to read as follows:

32 CHAPTER 17 - LICENSING, TAXATION AND MISCELLANEOUS BUSINESS  
33 REGULATIONS

34 **ARTICLE XII. MORTGAGE FORECLOSURE REGISTRATION**

35

36 **Section 1. Purpose and intent.**

37 It is the purpose and intent of this Ordinance to establish a  
38 process to limit and reduce the deterioration of property located  
39 within unincorporated Palm Beach County, which property is in  
40 mortgage foreclosure, where ownership has been transferred to a

1 lender or mortgagee by any legal method or where property is deemed  
2 to be vacant or abandoned. It is further intended to establish a  
3 registration program as a mechanism to protect neighborhoods from  
4 becoming blighted through the lack of adequate maintenance or  
5 through abandoned and/or vacated properties which are subject to  
6 mortgages that are in default.

7

8 **Section 2. Definitions.**

9 The following words, terms and phrases, when used in this  
10 Ordinance, shall have the meanings ascribed to them, except where  
11 the context clearly indicates a different meaning. Where the  
12 context will permit and no definitions are provided herein, the  
13 definitions provided in the Florida Building Code shall apply.

14 *Abandoned real property* means any real property that is  
15 vacant, or is under notice of default, or is pending a mortgage  
16 foreclosure, or notice of mortgagee's sale, or lien sale and/or  
17 properties that have been the subject of a mortgage foreclosure  
18 sale where title is retained by the mortgagee, and/or any  
19 properties transferred under a deed-in-lieu of foreclosure sale, a  
20 short sale or any other legal means.

21 *Default* means that the mortgagee has filed a foreclosure  
22 action or notice of default on the mortgage. A mortgage shall be  
23 considered in default at such time as the mortgagee declares said  
24 mortgage to be in default either by letter or notice to property  
25 owner, by recording a lis pendens, by commencing foreclosure  
26 proceedings; or by any other actions demonstrating a breach of a  
27 security covenant on a property.

28 *Enforcement officer* means any fulltime law enforcement  
29 officer, building official, fire inspector or code enforcement  
30 officer employed by Palm Beach County.

31 *Evidence of vacancy* means any condition that on its own, or  
32 combined with other conditions present, would lead a reasonable  
33 person to believe that the property is vacant. Such conditions may  
34 include, but are not limited to: overgrown and/or dead vegetation;  
35 electricity, water or other utilities turned off; stagnant swimming  
36 pool; or statements by neighbors, passers-by, delivery agents or  
37 government agents.

38 *Foreclosure* means the judicial process by which a property,  
39 placed as security for a mortgage loan, after a judicial process,



1 is to be sold at an auction to satisfy a debt upon which the  
2 borrower has defaulted.

3 Vacant means any building or structure that is not  
4 lawfully occupied or inhabited as evidenced by the conditions set  
5 forth in the definition of "Evidence of Vacancy" above.

6  
7 **Section 3. Applicability.**

8 This Ordinance applies to occupied or abandoned and/or vacant  
9 property which is in default located within unincorporated Palm  
10 Beach County, or which property is in or has been in mortgage  
11 foreclosure, or where ownership has been transferred to a lender or  
12 mortgagee by any legal method.

13  
14 **Section 4. Inspection and registration of real property by**  
15 **mortgagee holding mortgages in default.**

16 (a) Within ten (10) days of the date any mortgagee declares  
17 its mortgage to be in default, the mortgagee shall register the  
18 real property with Palm Beach County Planning, Zoning & Building  
19 Department, or its designee, or the County's authorized  
20 representative. At the time of registration, a local property  
21 manager shall be designated to inspect, maintain and secure the  
22 real property subject to the mortgage in default. A registration is  
23 required for each property.

24 (b) Any mortgagee who holds a mortgage on real property  
25 located within unincorporated Palm Beach County shall perform an  
26 inspection of the property within five (5) days of the registration  
27 pursuant to subsection (a) above.

28 (c) Property inspected pursuant to subsection (b) above that  
29 is occupied but remains in default, shall be inspected quarterly  
30 by the mortgagee or mortgagee's designee.

31 (d) Property which is found to be vacant, or which shows  
32 evidence of vacancy shall be inspected at least every sixty (60)  
33 days by the mortgagee or mortgagee's designee.

34 (e) Registration pursuant to this section shall contain at a  
35 minimum the name of the mortgagee, the mailing address of the  
36 mortgagee, e-mail address and telephone number of the mortgagee,  
37 and the name of the local property manager and said person's  
38 address, e-mail address, and telephone number. The local property  
39 manager shall be responsible to inspect, secure and maintain the  
40 property. The property manager named in the registration shall be

1 located within twenty (20) miles of Palm Beach County and available  
2 to be contacted by the County, Monday through Friday between 9:00  
3 a.m. and 5:00 p.m., holidays and lunch hours excepted.

4 (g) This section shall also apply to properties that have  
5 been the subject of a foreclosure sale where title is transferred  
6 to the mortgagee as well as any properties transferred to the  
7 mortgagee under a deed in lieu of foreclosure.

8 (h) Properties subject to this section shall remain under the  
9 registration requirement, and the inspection, security, and  
10 maintenance standards of this ordinance as long as they remain  
11 vacant or subject to having been declared by a mortgagee to be in  
12 default.

13 (i) Any person or other legal entity that has registered a  
14 property under this ordinance must report any change of information  
15 contained in the registration within ten (10) days of the change.  
16

#### 17 **Section 5 - Annual Registration Fee**

18 An annual registration fee in an amount approved by the Board  
19 of County Commissioners, per property, shall accompany the  
20 registration. Fees shall be deposited into a Special Revenue  
21 Account, which account shall be for the purpose of enforcement of  
22 the Palm Beach County Property Maintenance Code, the Florida  
23 Building Code and other related property codes.  
24

#### 25 **Section 6 - Enforcement**

26 (a) Failure of the mortgagee and/or property owner of record  
27 to properly register or to modify the registration from time to  
28 time to reflect a change of circumstances as required by this  
29 ordinance is a violation of this Ordinance and shall be subject to  
30 enforcement by any of the enforcement means available to Palm Beach  
31 County.

32 (b) Pursuant to any judicial finding and determination,  
33 including any administrative proceeding, that any property which is  
34 in violation of this Ordinance, Palm Beach County may take the  
35 necessary action to ensure compliance with and place a lien on the  
36 property for the cost of the work performed, including an  
37 administrative fee, to benefit the property and to bring it into  
38 compliance.

39 (c) Failure of the mortgagee and/or property owner of record  
40 to properly inspect and secure a property subject to this

1 Ordinance, and post and maintain the signage noted in this section,  
2 is a violation of this Ordinance and shall be subject to  
3 enforcement by any of the enforcement means available to Palm Beach  
4 County. Pursuant to a finding and determination, Palm Beach County  
5 may take the necessary action to ensure compliance with this  
6 section, and recover costs and expenses in support thereof.

7

8 **Section 7. Maintenance requirements.**

9 Properties subject to this Ordinance shall be maintained in  
10 accordance with all relevant County regulations, including the  
11 County's Property Maintenance Code (Ordinance 2003-051, as  
12 amended).

13

14 **Section 8. Security requirements.**

15 (a) Properties subject to this Ordinance shall be maintained  
16 in a secure manner so as not to be accessible to unauthorized  
17 persons.

18 (b) A "secure manner" shall include, but not be limited to,  
19 the closure and locking of all windows, doors, gates and other  
20 openings of such size that will not allow a child or adult to  
21 access the interior of the structure and pool area, if any. Broken  
22 windows or doors shall be secured by reglazing or boarding.

23 **Section 9 - Posting of Property**

24 (a) When a property subject to this Ordinance becomes  
25 vacant or abandoned, unless prohibited by recorded covenants and  
26 restrictions, it shall be posted with the name and twenty four (24)  
27 hour contact telephone number of the local property manager. The  
28 posting shall be no less than 18 inches x 24 inches and shall be of  
29 a font that is legible from a distance of 45 feet. The posting  
30 shall contain the following language, at a minimum, with supporting  
31 information:

32 THIS PROPERTY IS MANAGED BY \_\_\_\_\_  
33 AND IS INSPECTED ON A REGULAR BASIS.  
34 THE PROPERTY MANAGER CAN BE CONTACTED  
35 BY TELEPHONE AT \_\_\_\_\_  
36 OR BY EMAIL AT \_\_\_\_\_

37 (b) The posting required in subsection (a) above shall be  
38 placed on the interior of a window facing the street to the front  
39 of the property so that it is visible from the street, or secured  
40 to the exterior of the building/structure facing the street to the

1 front of the property so that it is visible from the street or if  
2 no such area exists, on a stake of sufficient size to support the  
3 posting in a location that is at all times visible from the street  
4 to the front of the property but not readily accessible to vandals.  
5 Exterior posting shall be constructed of and printed with weather-  
6 resistant materials.

7

8 **Section 10. Additional authority.**

9 (a) If an appropriate County code enforcement administrator  
10 has reason to believe that a property subject to the provisions of  
11 this Ordinance is posing a serious threat to the public health  
12 safety and welfare, the code enforcement administrator may bring  
13 the violations before the County's code enforcement board or code  
14 enforcement special magistrate, or a court of competent  
15 jurisdiction as soon as possible to address the conditions of the  
16 property.

17 (b) If there is a finding that the condition of the property  
18 is posing a serious threat to the public health safety and welfare,  
19 then the code enforcement board or code enforcement special  
20 magistrate or a court of competent jurisdiction may direct the  
21 County to abate the violations and charge the mortgagee with the  
22 cost of abatement.

23 (c) If the mortgagee does not reimburse the County for the  
24 cost of abatement within thirty (30) days of the County sending the  
25 mortgagee the invoice, then the County may lien the property with  
26 the cost of abatement, along with any and all administrative fees  
27 allowed by law to recover the administrative personnel services.

28

29 **Section 11. Provisions Supplemental.**

30 Nothing contained in this Ordinance shall prohibit Palm Beach  
31 County from enforcing its codes by any other means, including, but  
32 not limited to, injunction, abatement or as otherwise provided by  
33 law or ordinance.

34

35 **Section 12 Severability.**

36 It is hereby declared to be the intention of Palm Beach County  
37 that the sections, paragraphs, sentences, clauses and phrases of  
38 this Ordinance are severable, and if any phrase, clause, sentence,  
39 paragraph or section of this Ordinance shall be declared  
40 unconstitutional by the valid judgment or decree of a court of

1 competent jurisdiction, such unconstitutionality shall not affect  
2 any of the remaining phrases, clauses, sentences, paragraphs and  
3 sections of this Ordinance.

4

5 Section 13. Captions

6 The captions, part headings, and part designations in this  
7 Ordinance are intended for the convenience of users only and shall  
8 have no effect in the interpretation of the provisions of this  
9 Ordinance.

10

11 Section 14. Inclusion in the Codes of Laws and Ordinances

12 The provisions of this Ordinance shall become and be made a  
13 part of the Code of Laws and Ordinances of Palm Beach County,  
14 Florida. The sections of this Ordinance may be renumbered or re-  
15 lettered to accomplish such, and the word "ordinance" may be  
16 changed to "section," "article," or other appropriate word.

17

18 Section 15. Effective Date.

19 The provisions of this ordinance shall become effective upon  
20 filing with the Department of State

21 APPROVED and ADOPTED by the Board of County Commissioners of  
22 Palm Beach County, Florida, on the 16th day of August,  
23 2011.

24

25 SHARON R. BOCK, CLERK &  
26 COMPTROLLER

PALM BEACH COUNTY, FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

27

28 By: [Signature]  
29 Deputy Clerk

By: [Signature]  
~~Karen T. Marcus, Chair~~  
Shelly Vana Vice Chair

30

31

32 APPROVED AS TO FORM AND  
33 LEGAL SUFFICIENCY

34

35 By: [Signature]  
36 County Attorney

37

1 EFFECTIVE DATE: Filed with the Department of State on the  
2 24th day of August, 2011.  
3  
4  
5

6 U:\Exec\Data\Property Registration Ordinance-Revised 8-11-11



Changes to proposed Mortgage Foreclosure Registry Ordinance – Adoption Hearing

**P. 6 Section 8 – Securing of Property**

(b) A “secure manner” shall include, but not be limited to, the closure and locking of all windows, doors, gates and other openings of such size that will not allow a child or adult to access the interior of the ~~property and/or~~ structure and pool area, if any. Broken windows or doors shall be secured by reglazing or boarding.

**P. 6 Section 9 – Posting of Property**

(a) When a property subject to this Ordinance becomes vacant or abandoned, unless prohibited by recorded covenants and restrictions, it shall be posted with the name .....

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