

# Ad Hoc Blight Committee Meeting

## April 29, 2015

(Please print information)

Name	Business/COJ Department	Address	Phone	Email
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LARRY HAYES	U.S. HUD CPD	400 E BAY	208-6072	LARRY.T.HAYES@HUD.GOV
Mark M...	SCIP			
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John Pinore	Community Camp...	McLennan, FL	678-860-1005	jpinore@camp...
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Sean Lindley	J.S.O.	501 E Bay St #204	630-2160	Sean.Lindley@jaxsherrif.org

# Ad Hoc Blight Committee Meeting

## April 29, 2015

(Please print information)

[illegible]

## **Agenda**

Ad Hoc Committee on Blight

April 29, 2015, 10 a.m.

City Council Chambers

**Note that the meeting this week will be held in Council Chambers due to a shortage of meeting rooms large enough to accommodate the Ad Hoc Blight Committee.**

**Note about Parking: Those parked in the Library Parking garage can have parking validated at the end of the meeting. See Dan Macdonald at the end of the meeting.**

**Committee:** E Denise Lee, Chair; Council Member Jim Love; Council; Council Member John Crescimbeni, Council Member Bill Bishop, Council Member Warren Jones, Council Member Bill Gulliford, and Council Member Greg Anderson.

## **Call to order**

Approve minutes from April 22, 2015 meeting

- Discussion of the draft Land Registry ordinance – Warren Jones and Paige Johnston
- Crime Reports from targeted area update – Pat Ivey
  - Provide report on monitoring businesses with loitering signs
  - Provide recommendations for action in addressing the Raceway at Golfair Blvd & Stuart Street issue
  - Provide goals and objectives to address human blight in target areas by December 1<sup>st</sup>
  - Research JSO system for any calls from the store regarding loitering on Easter Sunday
  - Discussion with JSO ShadCo Coordinator
- Review of the recycling pamphlet – Jeff Foster and Jim Robinson

## **New Business**

- Discussion of a Public Safety Impact Fee – John Crescimbeni

## **Public Comment and Complaints**

**Adjourn**



## OFFICE OF THE CITY COUNCIL

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JACKSONVILLE, FLORIDA 32202

### SPECIAL AD HOC COMMITTEE ON JACKSONVILLE'S NEIGHBORHOOD BLIGHT MEETING MINUTES

April 22, 2015  
10:00 a.m.

City Hall  
117 W. Duval St., 1st Floor  
Lynwood Roberts Room

**Attendance:** Council Members Greg Anderson, John Crescimbeni, Bill Gulliford (Acting Chair), Warren Jones, Jim Love

**Excused:** Council Members Bill Bishop and Denise Lee

**Also:** Teresa Eickner – Mayor's Office; Cherry Shaw – General Counsel's Office; Jim Robinson – Public Works Department; Folks Huxford and Elaine Spencer – Planning & Development Department; Kimberly Scott – Regulatory Compliance Department; Jim Robinson – Public Works Department; Dan Macdonald – ECA Dist. 8; Robert Campbell – Office of Council Auditor's; Yvonne Mitchell – Council Research

See attached sign-in sheet for additional attendees.

Council Member Gulliford called the meeting to order at 10:05 a.m.

The meeting began with introductions from the committee.

CM Gulliford announced the snipe sign legislation was deferred in Finance committee.

#### Minutes

Motion/2<sup>nd</sup> move to approve April 8th minutes – Crescimbeni/Jones (4-0)

Motion/2<sup>nd</sup> move to strike "not" in under Crime Report by Chief Ivey, second paragraph, last sentence – Gulliford/Crescimbeni (4-0)

#### Neighborhood Blight

##### 1. Completion of Tire & Snipe Sign Buyback Event – Jeff Foster

Mr. Foster distributed the final cost breakdown. The 2015 event totals equaled \$140,325.59 which is under budget. Due to additional Public Works employees on site, this year's labor expense decreased. Four front-end loaders were used to accommodate usage in one day versus one loader over a three day

period. Mr. Foster commented that next year's improvements include additional pre-coordination meetings and designated relief teams with staggered times of arrival. Mr. Mark Anino, a volunteer, was acknowledged for his participation at the event.

Assignment:

Jeff Foster – explore alternative options for transporting tires to and from Trail Ridge; or directly to company that disposes of tires

2. Operation Urban Blight Report – John Pappas

Mr. Pappas provided a thorough review of the Blight Operation Plan. The purpose of the plan is to utilize limited resources with the greatest impact. The focus has been on "areas of need" which are known chronic Ordinance Code violation areas, repetitive illegal dumping locations, and neglected right-of-ways. The handout depicted March and April cases in focus areas. There were 140.45 tons of illegal dumping; 762 bags of litter; and 429 tires collected in March 2015 along with 215 CARE issues addressed; 211 abatements completed; and 18 hazardous trees removed.

Further discussion covered identifying opportunities to improve the City's effectiveness in addressing community needs; surveillance cameras for illegal dumping; posting warning signs about illegal dumping; and junk cars.

Assignment:

John Pappas – explore having possible transfer station in high illegal dumping areas

Jim Robinson – make adjustments to maps to make more legible; provide a copy of February report and statistics since October 2013 to CM Crescimbeni; provide monthly report of maps and focus area charts

3. Draft of Land Registry Ordinance – Paige Johnston & Caleena Shirley

Ms. Paige Johnston reviewed the differences between the current and proposed legislation regarding the foreclosure land registry. The two major differences are the increase of the registration fee; and the addition of an annual renewal fee. Ms. Shirley commented that the funds, policies and legislation are based on foreclosures. Therefore, moving forward the correct terminology should be Foreclosure Registry Funds. The potential strategies for the registry funds and funded percentage are:

- Provide direct services to homeowners with properties on the registry (30%)
- Provide services to residential properties surrounding foreclosed properties on the registry (40%)
- Provide assistance to neighborhood and organizations where foreclosed properties are located (20%)

The remaining 10% is for contingency for any maxed out category. CM Crescimbeni requested that language is added to ensure the option to increase registration fees without another RFP is in contracts.

Assignments:

Committee - review the draft and contact Paige with any questions or amendments prior to next meeting

Paige Johnston – prepare the final draft for approval at next meeting

4. Informing public regarding need to rent dumpsters for refuse – Tom Goldsbury

Mr. Goldsbury stated there is no current process for informing the public about debris from construction projects; however, improvements are underway. The division will draft a notice to be distributed to inform customers of requirement. Additionally, he is going to inquiry with ITD in getting a notice added to the customer's transmittal form. There were several suggestions offered by the committee.

Assignment:

Tom Goldsbury – expected to implement steps to notify customers

Mr. Martinez - review process in how information is distributed to the public

5. Mascot name contest – Paul Martinez

Ms. Paige Johnston reported that one of the potential names “Jaxson” did not meet the criteria for trademark infringement. Additionally, the Jaguars counsel was not supportive of the potential name. However, they are receptive of a partnership with the City to assist in the blight efforts. The committee conducted a vote for the mascot name. There were seven names on the ballot and “JaxCan” received the majority vote. The name was submitted by a fourth grade student. The presentation to the winner and mascot name will be held at the next Council meeting.

6. Blight Application Usage – Paul Martinez

The MyJax/Fight Blight application is working. It has been downloaded 1,245 times since the launch in March. 359 service requests have been created with 292 of them closed. In addition, there have been 4,178 sessions from citizens gathering information.

7. Mascot name contest – Paul Martinez

Mr. Martinez shared information regarding an ongoing blight public awareness campaign. This would include, but not limited to, attending trade shows and sports events; purchasing giveaways; wrapping a van; and developing a neighbor publication. All of these suggestions would assist in promoting the message with consistency. Additionally, there is potential for public/private partnership with advertisement in publications. The committee was provided an expense budget for consideration.

8. Snipe Sign Legislation – CM Crescimbeni

CM Crescimbeni commented the subcommittee will have another workshop. It will be noticed. He received a complaint from a candidate in the March election regarding citations; therefore, political campaign signs will be addressed. A citizen wrote CM Crescimbeni and suggested that mobile sign makers are contacted on a periodic basis to remind their customers of right-of-way regulations.

**New Business**

9. Clothing Recycling Bins – CM Crescimbeni

CM Crescimbeni showed a picture of an overloaded donation receptacles with numerous garbage bags of clothing piled up against it. He commented about concerns from Arlington CPAC regarding overloaded bins as blight. The picture shown was taken on morning of Wednesday, April 22, 2015. In response to a question, Ms. Kimberly Scott stated code officers can make contact with owner of property regarding the receptacle. Ms. Johnston provided brief details regarding actions of other municipalities. This topic will be on next week's agenda.

**Public Comments**

There being no further business, the meeting was adjourned at 11:54 a.m.

Yvonne P. Mitchell, 630-1679

04.23.15 7:30p.m.

### **FORECLOSED LAND REGISTRY**

<b>Comparison of Changes to original bill</b>	<b>Ordinance 2010-327-E</b>	<b>Draft Ordinance 2015-__</b>
Registration Fee	\$150.00	\$250.00
Annual Renewal Fee	No	Yes, also \$250.00
Fine for Noncompliance	No	Yes, \$500.00 (after notice and opportunity to cure)
Policy for Use of Funds	No	Yes, would be adopted as exhibit to ordinance
Internal Tracking and Compliance Requirements	No	Yes
Auditing Rights of City	No	Yes
Review of Fees Structure Every 2 Years	No	Yes

1 Introduced by Council Member:  
2  
3

4 **ORDINANCE 2015-**

5 AN ORDINANCE AMENDING CHAPTER 179 (MORTGAGE  
6 FORECLOSURE REGULATION), ORDINANCE CODE;  
7 INCREASING THE REGISTRATION FEE FROM \$150.00  
8 TO \$250.00; REQUIRING AN ANNUAL RENEWAL FEE;  
9 PROVIDING FOR A FINE IN THE AMOUNT OF \$500.00  
10 FOR THOSE MORTGAGEES WHO DO NOT REGISTER  
11 PROPERTIES AS REQUIRED UNDER CHAPTER 179;  
12 CREATING A NEW SECTION 179.110, PERTAINING TO  
13 ADOPTION OF A POLICY BY THE HOUSING &  
14 COMMUNITY DEVELOPMENT DIVISION OF THE PLANNING  
15 AND DEVELOPMENT DEPARTMENT FOR AUTHORIZED USE  
16 OF FUNDS IN REGISTRY AND DECLARING A PUBLIC  
17 PURPOSE FOR EXPENDITURE OF THE FUNDS AND  
18 ADOPTING THE POLICY CREATED BY THE HOUSING &  
19 COMMUNITY DEVELOPMENT DIVISION FOR EXPENDITURE  
20 OF FUNDS; CREATING A NEW SECTION 179.111 FOR  
21 EXPENDITURE OF FUNDS AND PROVIDING FOR  
22 INTERNAL TRACKING AND COMPLIANCE; CREATING A  
23 NEW SECTION 179.112 FOR AUDITING RIGHTS,  
24 INSPECTION OF BOOKS AND RECORDS, AND MONTHLY  
25 AND ANNUAL REPORTS; PROVIDING FOR ADOPTION OF  
26 A POLICY FOR THE EXPENDITURE OF FUNDS  
27 CONSISTENT WITH THIS CHAPTER; PROVIDING FOR  
28 SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
29

30 **WHEREAS,** in 2010 the Jacksonville City Council adopted  
31 Ordinance 2010-327-E to create a foreclosed property registry for



1 mortgaged real property which is in default, distress or in the  
2 process of foreclosure; and

3       **WHEREAS,** the foreclosed property registry established a  
4 process to mitigate the level of deteriorating property within the  
5 City of Jacksonville by providing that funds from the registration  
6 of properties, in addition to covering administrative costs of the  
7 registry, go into programs for foreclosure intervention programs  
8 and code enforcement; and

9       **WHEREAS,** there are certain areas within the City that suffer  
10 from blighted conditions and devaluation in property values at a  
11 greater intensity and frequency than other areas of the City,  
12 particularly in the following zip codes: 32202, 32205, 32206,  
13 32208, 32209, 32254 due to the lack of adequate maintenance of  
14 properties subject to mortgages that are in default or have been  
15 foreclosed; and

16       **WHEREAS,** the City desires to establish a policy so that those  
17 neighborhoods and communities most negatively affected by the  
18 ongoing lack of adequate maintenance of properties subject to  
19 mortgages in default or that have been foreclosed can be eligible  
20 for funding for community development and maintenance, in addition  
21 to foreclosure intervention programs and code enforcement; and

22       **WHEREAS,** the City of Jacksonville further finds that  
23 improvements and efficiencies that can be made to the current  
24 registration process to enhance the program; and

25       **WHEREAS,** the City Council of the City of Jacksonville has  
26 determined that the following additions and modifications to the  
27 City's *Ordinance Code* will meet a public purpose by serving and  
28 contributing to the promotion and protection of the general health,  
29 safety and welfare of the residents of the City of Jacksonville;  
30 and,

1       WHEREAS, upon passage, duly noticed public hearings as  
2 required by law will have been held by the City Council of the City  
3 of Jacksonville, at which public hearings all residents and  
4 interested persons were given an opportunity to be heard; now  
5 therefore

6       BE IT ORDAINED by the Council of the City of Jacksonville:

7       Section 1.       Recitals Incorporated. The above recitals are  
8 true and correct and by this reference are incorporated herein and  
9 made an integral part hereof.

10       Section 2.       Amending Chapter 179 (Mortgage Foreclosure  
11 Regulation), Ordinance Code. Chapter 179 (Mortgage Foreclosure  
12 Regulation) is amended to read as follows:

13                   CHAPTER 179. MORTGAGE FORECLOSURE REGISTRATION

14                               \* \* \*

15       Sec. 179.102   Definitions.

16       The following words, terms and phrases, when used in this  
17 Chapter, shall have the meanings ascribed to them, except where the  
18 context clearly indicates a different meaning. Where the context  
19 will permit and no definitions are provided herein, the definitions  
20 provided in the Florida Building Code shall apply.

21       Abandoned real property means any real property that is  
22 ~~vacant, and is~~ under a public notice of default, notice of  
23 mortgagee's sale, pending tax assessor's lien sale, or is pending a  
24 mortgage foreclosure, ~~or notice of mortgagee's sale, or lien sale~~  
25 and/or properties that have been the subject of a mortgage  
26 foreclosure sale where title is retained by the mortgagee, and/or  
27 any properties transferred under a deed-in-lieu of foreclosure  
28 sale, a short sale or any other legal means.

29       Annual registration shall mean 12 months from the date of the  
30 first action that required registration, as determined by the City

1 of Jacksonville's Housing and Community Development Division, or  
2 its designee, and every subsequent 12 months. The date of the  
3 initial registration may be different than the date of the first  
4 action that required registration.

5 ~~Default means that the mortgagee has filed a foreclosure~~  
6 ~~action or public notice of default on the mortgage. A mortgage~~  
7 ~~shall be considered in default at such time as the mortgagee~~  
8 ~~declares said mortgage to be in default either in writing, by~~  
9 ~~recording a lis pendens, by commencing foreclosure proceedings, or~~  
10 ~~by any other actions demonstrating a breach of a security covenant~~  
11 ~~on a property. a claim by a mortgagee, or other lien holder, that~~  
12 the mortgagor has not complied with the terms of the mortgage on  
13 the property or other evidence of the debt referred to in the  
14 mortgage.

15 Enforcement officer means any fulltime law enforcement  
16 officer, building official, fire inspector or code enforcement  
17 officer employed by the City of Jacksonville.

18 Evidence of vacancy means any condition that on its own, or  
19 combined with other conditions present, would lead a reasonable  
20 person to believe that the property is vacant. Such conditions may  
21 include, but are not limited to: overgrown and/or dead vegetation;  
22 electricity, water or other utilities turned off; stagnant swimming  
23 pool; or statements by neighbors, passers-by, delivery agents or  
24 government agents.

25 ~~Foreclosure means the judicial process by which a property,~~  
26 ~~placed as security for a mortgage loan, after a judicial process,~~  
27 ~~is to be sold at an auction to satisfy a debt upon which the~~  
28 ~~borrower has defaulted. the legal process by which a mortgagee, or~~  
29 other lien holder, terminates or attempts to terminate a property  
30 owner's equitable right of redemption to obtain legal and equitable  
31 title to the real property subject to the lien held by that

1 mortgage or other lien holder. This definition shall include, but  
2 is not limited to, public notice of default, deed-in-lieu of  
3 foreclosure, sale to the mortgagee or lien holder prior to  
4 certificate of title, certificate of title and all other processes,  
5 activities and actions, by whatever name, associated with the  
6 described process. The process is not concluded until title to the  
7 property is transferred to a third party either before or after  
8 certificate of title or until the legal process is dismissed.

9 "Local" means within the boundaries of the City of  
10 Jacksonville, Florida.

11 "Local Agent" means the agent designated by the mortgagee upon  
12 registration as required under this Chapter.

13 "Mortgagee" means the creditor, including but not limited to,  
14 trustees; servicing companies; lenders; any agent, servant or  
15 employee of the creditor; any successor in interest; or any  
16 assignee of the creditor's rights, interests or obligations under  
17 the mortgage agreement.

18 "Owner" means every person, entity, or service company, who  
19 alone or severally with others:

20 1) has legal or equitable title to any dwelling, dwelling  
21 unit, mobile dwelling unit, residential building, residential  
22 structure, residential parcel of land, vacant or otherwise,  
23 including but not limited to, a mobile home park; or

24 2) has care, charge or control of any dwelling, dwelling unit,  
25 mobile dwelling unit, residential building, residential structure  
26 or residential parcel of land, vacant or otherwise, including a  
27 mobile home park, in any capacity, including but not limited to,  
28 agent, executor, executrix, administrator, administratrix, trustee  
29 or guardian of the estate of the holder of legal title; or

30 3) is a mortgagee in possession of any such property, or is a  
31 mortgagee with actual control of access to the property by any

means including, but not limited to, changing locks or putting on a lock box; or

4) is an agent, trustee or other person appointed by the courts and vested with possession or control of any such property.

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

\* \* \*

**Sec. 179.104. Inspection and registration of ~~vacant~~ foreclosed real property by mortgagee holding mortgages in default.**

(a) Any mortgagee who holds a mortgage on real property located within the City of Jacksonville shall perform an inspection of the property upon default by the mortgagor or prior to the issuance of a notice of default. ~~If the property is found to be vacant or shows evidence of vacancy, it shall be deemed vacant or abandoned and the mortgagee shall, within.~~

(b) Property inspected pursuant to subsection (a) above that ~~is occupied but~~ remains in default, shall be inspected ~~on a regular basis every 30 days~~ by the mortgagee or mortgagee's designee.

(c) Within ten (10) days of the date any mortgagee declares its mortgage to be in default, the mortgagee shall register the real property with the City of Jacksonville's Housing & ~~Neighborhood Department~~ Community Development Division, or its designee, on forms promulgated by the ~~Housing & Neighborhood Department~~, Housing & Community Development Division, or other manner as directed, and, at the time of registration, indicate whether the property is vacant, shows evidence of vacancy or is occupied, and shall designate in writing a local property manager to inspect, maintain and secure the real property subject to the

1 mortgage in default. A separate registration is required for each  
2 property, whether it is found to be vacant or occupied.

3 (d) Registration pursuant to this section shall contain at a  
4 minimum the name of the mortgagee, the mailing address of the  
5 mortgagee, e-mail address, and telephone number and name of the  
6 local property manager and said person's address, e-mail address,  
7 and telephone number. The local property manager shall be  
8 responsible to inspect, secure and maintain the property. The  
9 property manager named in the registration shall be located within  
10 twenty (20) miles of the City of Jacksonville and available to be  
11 contacted by the City, Monday through Friday between 9:00 a.m. and  
12 5:00 p.m., holidays ~~and lunch hours~~ excepted.

13 (e) At the time of registration each ~~Each~~ registrant shall  
14 pay a non-refundable annual registration fee of \$150.00 \$250.00 for  
15 each registration, as and for the costs of registration and  
16 enforcement and the protection against and removal of blight and  
17 real property deterioration. Subsequent annual registrations and  
18 fees in the amount of \$250.00 are due within 30 days of the  
19 expiration of the previous registration. Said fees shall be  
20 deposited to a special account in the Housing & ~~Neighborhood~~  
21 ~~Department~~ Community Development Division dedicated to the cost of  
22 implementation and enforcement of this ordinance, combatting blight  
23 in affected neighborhoods consistent with the policies adopted by  
24 the Housing & Community Development Division, and any registries so  
25 required.

26 (f) ~~This section shall also apply to properties that have~~  
27 ~~been the subject of a foreclosure sale where title is transferred~~  
28 ~~to the mortgagee as well as any properties transferred to the~~  
29 ~~mortgagee under a deed in lieu of foreclosure.~~ Beginning on July  
30 1, 2015, each individual property on the registry that has been  
31 registered for twelve months or more prior to that date shall have

thirty (30) days to renew the registration and pay the \$250.00 annual renewal fee. The anniversary date for annual renewal of registration for these properties shall be deemed to be July 1 each subsequent year. Properties registered less than twelve months prior to July 1, 2015 shall use the date of initial registration as their annual renewal date and shall pay the \$250.00 annual renewal date of the anniversary of the initial registration each subsequent year.

(g) If the defaulted mortgage and/or servicing on a property is sold or transferred, the new mortgagee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, new mortgagee shall register the property or update the existing registration and pay a registration update fee of \$50.00. Any and all previous unpaid fees, regardless of who the mortgagee was at the time of registration was required, shall be the responsibility of the new mortgagee or trustee and are due and payable with the updated registration.

(h) If the mortgagee of a foreclosed real property sells or transfers the property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter, and within ten (10) days of the transfer the transferee shall register the property or update the existing registration and pay a registration update fee of \$50.00. Any and all previous unpaid fees, regardless of who the mortgagee was at the time registration was required, including but not limited to unregistered periods during the foreclosure process, are the responsibility of the new owner of the foreclosed property and are due and payable with the updated registration.

(i) If the property is not registered and the registration fee is not paid within thirty (30) days of when the registration is required pursuant to this section, a late fee of \$50.00 per

1 property shall be charged and shall be due and payable with the  
2 registration. This section shall apply to the initial registration  
3 and registrations required by subsequent owners of the defaulted  
4 mortgage and/or foreclosed property. Each period where the  
5 registration fee is late shall be assessed a late charge of \$50.00.  
6 Registrations delinquent greater than 45 days are subject to  
7 additional fines described herein.

8 (j) This section shall also apply to properties that have  
9 been the subject of a foreclosure sale where title is transferred  
10 to the mortgagee as well as any properties transferred to the  
11 mortgagee under a deed in lieu of foreclosure or by any other legal  
12 means.

13 ~~(g)~~ (k) Properties subject to this section shall remain  
14 subject to ~~under~~ the annual registration requirement, and the  
15 inspection, security, and maintenance standards of this section as  
16 long as they remain vacant or ~~subject to having been declared by a~~  
17 ~~mortgagee to be in default.~~

18 ~~(h)~~ (l) Any person or other legal entity that has registered  
19 a property under this ordinance must report any change of  
20 information contained in the registration within ten (10) days of  
21 the change.

22 ~~(i)~~ (m) Failure of the mortgagee and/or property owner of  
23 record to properly register or to modify the registration from time  
24 to time to reflect a change of circumstances as required by this  
25 ordinance is a violation of this chapter and shall be subject to  
26 enforcement by any of the enforcement means available to the City  
27 of Jacksonville.

28 ~~(j)~~ (n) Pursuant to any judicial finding and determination  
29 that any property is in violation of this chapter the City may take  
30 the necessary action to ensure compliance with and place a lien on



1 the property for the cost of the work performed to benefit the  
2 property and to bring it into compliance.

3 \* \* \*

4 **Sec. 179.106. Security requirements.**

5 (a) Properties subject to this Chapter shall be maintained in  
6 a secure manner so as not to be accessible to unauthorized persons.

7 (b) A "secure manner" shall include, but not be limited to,  
8 the closure and locking of windows, doors, gates and other openings  
9 of such size that may allow a child or adult to access the interior  
10 of the property and/or structure. Broken windows shall be secured  
11 by reglazing or boarding.

12 (c) If a mortgage on a property is in default, and the  
13 property has become vacant or abandoned, a local property manager  
14 shall be designated by the mortgagee to perform the work necessary  
15 to bring the property into compliance with the code of ordinances  
16 and the local property manager must perform regular inspections to  
17 verify compliance with the requirements of this section, and any  
18 other applicable laws or ordinances of the City of Jacksonville.

19 (d) When a property subject to this Chapter becomes vacant or  
20 abandoned, it shall be posted with the name and twenty four (24)  
21 hour contact telephone number of the local property manager. The  
22 sign shall be placed in a window facing the street and shall be  
23 visible from the street. The posting shall be no less than 18  
24 inches x 24 inches and shall be of a font that is legible from a  
25 distance of 45 feet. The posting shall contain the following  
26 language with supporting information:

27 THIS PROPERTY IS MANAGED BY  
28 AND IS INSPECTED ON A REGULAR BASIS.  
29 THE PROPERTY MANAGER CAN BE CONTACTED  
30 BY TELEPHONE AT  
31 OR BY EMAIL AT

1 (e) The posting required in subsection (d) above shall be  
2 placed on the interior of a window facing the street to the front  
3 of the property so that it is visible from the street, or secured  
4 to the exterior of the building/structure facing the street to the  
5 front of the property so that it is visible from the street or if  
6 no such area exists, on a stake of sufficient size to support the  
7 posting in a location that is at all times visible from the street  
8 to the front of the property but not readily accessible to vandals.  
9 Exterior posting shall be constructed of and printed with weather-  
10 resistant materials.

11 (f) Failure of the mortgagee and/or property owner of record  
12 to properly inspect and secure a property subject to this Chapter,  
13 and post and maintain the signage noted in this section, is  
14 unlawful and a Class C violation and shall be subject to  
15 enforcement by any of the enforcement means available to the City  
16 of Jacksonville. Pursuant to a finding and determination, the City  
17 of Jacksonville may take the necessary action to ensure compliance  
18 with this section, and recover costs and expenses in support  
19 thereof.

20 (g) Failure of the mortgagee to register a property pursuant  
21 to this Chapter shall authorize the City to impose a civil penalty  
22 in the amount of \$500.00 against the mortgagee for each offense.  
23 Upon written notice of noncompliance from the City or its designee,  
24 the mortgagee shall have 20 days from the date of the notice of  
25 noncompliance to pay the registration fee and any additional fees  
26 (such as any late fee or update fee noted within the letter of  
27 noncompliance). If the mortgagee fails to timely make these  
28 payments within the time allotted above, the \$500.00 civil penalty  
29 shall be imposed upon mortgagee and shall be payable to the City of  
30 Jacksonville within 15 days of receipt of notice of delinquent  
31 payment, along with any other registration fees which have not been

1 paid by that date. The provisions of this section are cumulative  
2 with and in addition to other available remedies. Moreover, the  
3 Housing and Community Development Division Staff of the Planning  
4 and Development Department is authorized and empowered to refer the  
5 Notice of Noncompliance to the City Code Enforcement Special  
6 Magistrate for disposition.

7 \* \* \*

8 Sec. 179.110. Adoption of policy and rules and regulations;  
9 declaration of municipal purpose.

10 The Housing and Community Development Division of the Planning  
11 and Development Department is authorized and empowered to adopt any  
12 policies, rules and regulations necessary, and expend funds as may  
13 be reasonably necessary and available to carry out the terms of  
14 this Chapter, the expenditure of such funds having been declared a  
15 proper public purpose herein.

16 Sec. 179.111. Expenditure of funds; monitoring and compliance.

17 The City fee collected for Foreclosure Land Registry shall be  
18 deposited in sub fund 1N1. Council shall authorize all  
19 appropriations from the sub fund. The Planning and Development  
20 Department, where Housing and Community Development operates, shall  
21 commit to tracking expenses through a tiered strategy system policy  
22 and shall concurrently submit annual reports to the Council  
23 Auditor's Office and the Finance Committee. The expenditures from  
24 the Foreclosure Land Registry shall be tracked allocating those  
25 funds to show how the funds were requested, issued, and used in  
26 relation to the tiered strategy policy and personnel. Such detail  
27 shall be in accordance with instructions provided by the Council  
28 Auditor's Office. The annual reporting of activity will provide  
29 the ability to substantiate the appropriate use of the Foreclosure  
30 Land Registry Fee in all years going forward as of October 1, 2015

1 with the first report made available sixty days after fiscal year  
2 end.

3 Section 179.112. Auditing Rights; Inspection of Books and Records;  
4 Monthly and Annual Reports.

5 If the City selects a vendor to administer the provisions of this  
6 Chapter through a contractual arrangement, the following auditing  
7 provisions shall apply to the selected vendor and shall be  
8 included in the contract with the vendor. The Planning and  
9 Development Department, where Housing and Community Development  
10 operates, and the City Council Auditors, shall have the right,  
11 during normal business hours, to enter the vendor's business  
12 property, upon reasonable prior notice, to inspect the operations  
13 and facilities of the vendor and to audit, inspect and examine the  
14 vendor's books and records and state and federal tax returns,  
15 insofar as they relate to compliance with the contractual  
16 provisions, this Chapter and any rules adopted by the Planning and  
17 Development Department pursuant hereto. This information shall  
18 include, but not be limited to, the following: billing rates,  
19 billing amounts, accounts receivable and list of accounts.  
20 Additionally, the City Council Auditors may communicate directly  
21 with customers (mortgagees in this case) for the purpose of  
22 confirming compliance with this Section. To the extent authorized  
23 by Section 119.165 or other applicable law, this information shall  
24 remain confidential. Refusal to permit inspection shall be cause  
25 for suspension or revocation of the vendor contract. The vendor  
26 shall deliver to the Planning and Development Department a true and  
27 correct monthly report of gross receipts generated during the  
28 previous month for all registrations, fees, and penalties within  
29 the City on or before the last day of each month. The vendor  
30 shall, on or before 90 days following the close of the City's  
31 fiscal year, deliver to the Planning and Development Department a

1 statement of its annual gross receipts generated from accounts  
2 within the City reflecting gross receipts within the City for the  
3 preceding City fiscal year. The statement shall be audited by an  
4 independent certified public accountant licensed to do business in  
5 the state, and shall be accompanied by the certified public  
6 accountant's opinion of its accuracy without qualifications or  
7 reservations.

8 \* \* \*

9 **Section 3. Adoption of policy on expenditure of funds.** The  
10 Housing & Community Development Division of the Planning and  
11 Development Department has established a policy for the expenditure  
12 of funds deposited in the Foreclosed Property Registry consistent  
13 with the purpose of combatting blight, particularly in  
14 neighborhoods and communities inordinately impacted by the mortgage  
15 foreclosure crisis, and to counteract the deterioration of  
16 properties in the registry and to reduce the devaluation of  
17 surrounding properties caused by deteriorating properties subject  
18 to mortgage foreclosure. The City of Jacksonville hereby adopts  
19 the policy created by the Housing and Community Development  
20 Division attached hereto as **Exhibit 1** and incorporated herein by  
21 reference. This policy is subject to annual review by the Housing  
22 and Community Development Division. Should the Housing and  
23 Community Development Division determine that modifications to the  
24 policy are necessary or recommended, the Housing and Community  
25 Development Division shall file legislation to have such  
26 modifications to the policy adopted by the Council.

27 **Section 4. Review of registration fees and fees related**  
28 **to the foreclosed property registry.** At least every two (2) years,  
29 the Housing & Community Development Division of the Planning and  
30 Development Department shall internally review the registration fee

1 and other fees provided for herein to assess the need for increase  
2 or decrease in the fee structure. Prior to submission of its  
3 annual budget proposal every other year, the Housing & Community  
4 Development Division of the Planning and Development Department  
5 shall review the registration and other fees approved herein and  
6 make a recommendation in writing to the Council as to any changes  
7 to the fee structure. If that recommendation would result in an  
8 increase or decrease of any of the fees set forth herein, the  
9 Housing and Community Development Division shall file legislation  
10 to have such modifications in the fee structure adopted by the  
11 Council.

12 **Section 5. Severability.** It is hereby declared to be the  
13 intention of the City Council of the City of Jacksonville that the  
14 sections, paragraphs, sentences, clauses and phrases of this  
15 ordinance are severable, and if any phrase, clause, sentence,  
16 paragraph or section of this ordinance shall be declared  
17 unconstitutional by the valid judgment or decree of a court of  
18 competent jurisdiction, such unconstitutionality shall not affect  
19 any of the remaining phrases, clauses, sentences, paragraphs and  
20 sections of this Ordinance.

21 **Section 6. Effective Date.** This ordinance shall become  
22 effective upon signature by the Mayor or upon becoming effective  
23 without the Mayor's signature.

24 Form Approved:

25  
26 \_\_\_\_\_  
27 Office of General Counsel

28 Legislation prepared by: Paige H. Johnston

29 G:\SHARED\LEGIS.CC\2015\Ord\Blight Committee Chapter 179 Vacant Land Registry.doc

**PLANNING AND DEVELOPMENT DEPARTMENT**  
**HOUSING AND COMMUNITY DEVELOPMENT DIVISION**



Revised: April 16, 2015

**Potential Strategies and Uses of Foreclosure Registry Funds**

**Strategy 1: Directly Impact Properties on the Foreclosure Registry**  
**Foreclosure Prevention Strategy – Direct Services to Homeowners with**  
**Properties on the Registry**  
**Funded at 30%**

- Foreclosure Intervention – Provides direct cash assistance, up to \$8,500, to individuals and families who are in default or facing possible foreclosure action that meet the eligibility criterion.
- Foreclosure Mediation – Provides consumer credit counseling and mediation services to eligible homeowners to prevent foreclosure actions through possible loan modification and/or other variable resolutions; including legal services not related to foreclosure litigation.
- Education brochures, including the creation, production and distribution of informational materials to assist with foreclosure prevention and foreclosure intervention. Promote the education and advertisement of the accomplishments of the vacant registry initiative.

**Strategy 2: Neighborhood Development**  
**Housing and Community Development Strategy – Provide Services to**  
**Residential Properties Surrounding Foreclosure Registry Properties and**  
**Properties on the Registry**  
**Funded at 40%**

- Provide resources for mowing, board-ups and demolition of blighted private properties on or in proximity to homes on the vacant registry.
- Provide gap or construction financing to non-profit developers for the acquisition, rehabilitation and sale of vacant and/or REO homes in which the total development costs exceed the appraised value of the home.
- Batch Foreclosure
- Administrative funds to support staff oversight and compliance mandates of the Foreclosure Registry.

**Strategy 3: Community Development, Outreach and Education**  
**Assistance to Neighborhoods and Organizations in which Foreclosure**  
**Registry Properties are located**  
**Funded at 20%**

- Neighborhood Matching Grants – Communities in neighborhoods with high foreclosure rates/blight could apply for funds up to \$5,000 for physical improvements in their communities. The funds awarded would be linked to what the neighborhoods could match in funds, donations and/or sweat equity. Some of the possible uses could be: 1) clean up graffiti, 2) repair and install new fencing, 3) replace or develop neighborhood identification or entrance signs, 4) community gardens, and 5) painting/landscaping of pre-selected homes in areas surrounding the properties on the vacant registry.
- **CommUniverCity** – The CommUniverCity was a multi-week leadership training course that was offered to potential community leaders citywide. The goal of CommUniverCity was to teach skills that would establish and maintain successful neighborhood organizations.
- **Communication/Educational Tools** – Create and develop communication and educational tools for outreach activities that can be used Citywide and/or in neighborhoods with high foreclosure rates which include, but are not limited to: neighborhood forums, foreclosure/housing educational fairs, a citywide newsletter (email and/or printed publications), newspaper advertisements, flyers and other promotional activities to inform residents of upcoming meetings and events in their community.

**Contingency for additional funds to go to any maxed out category: Funded at 10%**