



AGENDA ITEM COVER PAGE

File ID: #19076

Ordinance

Sponsored by: Christine King, Commissioner

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 10/ARTICLE VI OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "BUILDINGS/UNSAFE STRUCTURES," TO PROVIDE A WAIVER FOR QUALIFYING SENIOR CITIZENS AND LOW-INCOME RESIDENTS TO THE COSTS OF RECOVERY IN UNSAFE STRUCTURE VIOLATION CASES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.



City of Miami

Legislation

Ordinance

File Number: 19076

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 10/ARTICLE VI OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED (“CITY CODE”), TITLED “BUILDINGS/UNSAFE STRUCTURES,” TO PROVIDE A WAIVER FOR QUALIFYING SENIOR CITIZENS AND LOW-INCOME RESIDENTS TO THE COSTS OF RECOVERY IN UNSAFE STRUCTURE VIOLATION CASES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, Section 10-101 of the Code of the City of Miami, Florida, as amended (“City Code”) sets forth the structure for enforcement in the City of Miami (“City”) as it pertains to unsafe structures; and

WHEREAS, Section 10-101(k) of the City Code provides the mechanism for the recovery of fees and costs associated with each violation case; and

WHEREAS, Section 10-19 of the City Code provides certain permitting waivers for qualifying senior citizens and low-income households to ensure that residents do not avoid the required Permit process due to financial hardship; and

WHEREAS, the City seeks to promote the health, safety, and welfare of its residents by ensuring that unsafe structures are identified and addressed in a timely and effective manner; and

WHEREAS, the fees and costs associated with enforcement actions under Section 10-101 of the City Code may impose a disproportionate financial burden on senior citizens and low-income residents, potentially hindering their ability to maintain safe living conditions; and

WHEREAS, providing targeted waivers for qualifying senior citizens and low-income residents will help alleviate financial hardship while encouraging compliance with applicable building safety regulations; and

WHEREAS, such an amendment to the City Code is in the best interest of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted and incorporated as if fully set forth in this Section.

Section 2. Chapter 10 of the City Code is hereby amended in the follow particulars:¹

¹ Words/and or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

“CHAPTER 10

BUILDINGS

ARTICLE VI. UNSAFE STRUCTURES

* * *

Sec. 10-101. Unsafe structures and unsafe structures panel.

* * *

(k) Recovery of cost; Waivers

- (1) All costs incurred pursuant to any of the provisions of this section shall be paid by the owner, interested party, or occupant of the premises on which the violation occurred.
- (2) The building official, or designee shall file among their records an affidavit stating with fairness and accuracy the items of expense and the date of execution of actions authorized by this section.
- (3) Any other employee, official or agency who incurs costs while executing any provision within this article shall create an affidavit stating with fairness and accuracy the items of expense and the date of execution of actions authorized by this section. That affidavit shall be given to the building official, or designee, responsible for the unsafe structure at issue and filed among his/her records for that property.
- (4) The enforcing agency may institute a suit to recover such expenses against any liable person or may cause such expenses to be charged against the property on which the violation occurred as a lien or as a special assessment lien collectible according to established procedures.
- (5) Any lien imposed pursuant to this article shall be a lien greater in dignity to all liens, excepting IRS tax liens.
- (6) Liens created pursuant to this section may be discharged and satisfied by paying to the city the amount specified in the notice of lien, together with interest thereon from the date of the filing of the lien computed at the maximum statutory interest rate, together with the administrative costs, filing and recording fees and fees paid to file a satisfaction of the lien in the public records. When any such lien has been discharged, the city shall promptly cause evidence of the satisfaction and discharge of such lien to be recorded in the public records.
- (7) The remedies and procedures for recovery of costs provided in this article shall be in addition to and not in derogation of other provided in the building code or otherwise provided by law.
- (8) The costs provided under this Section may be waived for senior citizens and low-income property owners subject to the provisions of Section 10-19 of the City Code, as amended.

* * **

Section 3. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective immediately after adoption and signature of the Mayor.²

APPROVED AS TO FORM AND CORRECTNESS:


George R. Wyshong III, City Attorney 3/31/2026

² This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.