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**CITY OF LAUDERDALE LAKES**  
Agenda Cover Page

Workshop: <input type="checkbox"/>	<input checked="" type="checkbox"/> Public Hearing	<input type="checkbox"/> Quasi-Judicial
Fiscal Impact: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution
Contract Requirement: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> 1 <sup>st</sup> Reading	<input checked="" type="checkbox"/> 2 <sup>nd</sup> Reading

**Title**

ORDINANCE #06-39-AMENDING ARTICLE I OF CHAPTER 42 OF THE CODE OF ORDINANCES, TO BE ENTITLED MAINTENANCE STANDARDS FOR COMMERCIAL AND RESIDENTIAL PROPERTIES-PUBLIC HEARING

**Summary**

On July 25, 2006 the City Commission requested that City staff prepare a set of property maintenance standards for commercial properties. City staff chose this opportunity to undertake a complete revision and reorganization of all property maintenance ordinances for the City. As such, the proposed ordinance would revise Chapter 42 of the Code of Ordinances to adopt a set of comprehensive property maintenance standards within the City. This ordinance was approved on first reading at the January 9, 2007 Commission meeting.

**Staff Recommendation**

It is recommended that the City Commission approve the proposed revisions to Chapter 42 of the Lauderdale Lakes Code of Ordinances to adopt a set of comprehensive property maintenance standards.

Background:

Funding Source:

Goal/Objective Met:

**Appearance**  
*(Names and Titles of Outside Individuals Only)*

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Sponsor Name/Department: Danny A. Holmes, Director of Community Development

Date: January 23, 2007

**CITY OF LAUDERDALE LAKES  
Community Development Department  
INTEROFFICE MEMORANDUM**

**TO: Anita Fain Taylor,  
City Manager**

**DATE: January 23, 2007**

**BY: Bruce Epperson, Planning and  
Zoning Manager**

**FROM Danny A. Holmes, Community  
: Development Director**

**RE: 12-TA-06  
Comprehensive Property  
Maintenance Standards**

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**Recommendation**

It is recommended that the City Commission approve the proposed revisions to Chapter 42 of the Lauderdale Lakes Code of Ordinances to adopt a set of comprehensive property maintenance standards.

**The Request**

The applicant, the City of Lauderdale Lakes Community Development Department, proposes to combine the residential property maintenance standards that were formerly in Article 44 or the old Developmental Code with an entirely new set of commercial property standards. The resulting comprehensive property maintenance standards will be located in Article 42 of the City's Code of Ordinances.

**Background**

On July 25, 2006 the City Commission requested that city staff prepare a set of property maintenance standards for commercial properties. City staff chose this opportunity to undertake a complete revision and reorganization of all property maintenance ordinances for the City.

**Analysis**

Property maintenance standards for residential properties formerly were scattered throughout the old Developmental Code, primarily in Article 44, "Supplemental Regulations," and Article 4, "Parking Motor Vehicles, Trailers, etc." The City does not currently have property maintenance standards for commercial properties. On July 25, the City Commission requested city staff to prepare a new set of commercial property maintenance standards to facilitate a new code enforcement effort to improve the appearance and safety of commercial properties. City staff and the code enforcement division of the Lauderdale Lakes office of the Broward Sheriff's Office used this opportunity to completely overhaul the entire set of property maintenance and appearance standards for the city. Staff proposes to combine the residential and commercial codes into a comprehensive set of standards to be located in Article 42 of the City's Code of Ordinances.

**FUNDING SOURCE:**

The proposed request would have no impact on the City's various funds.

**GOAL/OBJECTIVE MET:**

The proposed request would further Policy 1.1.1 of the Future Land Use Element of the City's Adopted Comprehensive Plan by eliminating duplication and inconsistencies with the City's development code by revising it to current standards.

ORDINANCE No. 06-39

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 42 OF THE CODE OF ORDINANCES, TO BE ENTITLED MAINTENANCE STANDARDS FOR COMMERCIAL AND RESIDENTIAL PROPERTIES; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE SCOPE OF THE REGULATION; PROVIDING FOR OWNERS' RESPONSIBILITIES; PROVIDING FOR VACANT STRUCTURES AND LAND; PROVIDING FOR RIGHT OF ENTRY; PROVIDING FOR COMPLIANCE WITH APPLICABLE CODES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR THE MAINTENANCE OF EXTERIOR PROPERTY AREAS; PROVIDING FOR PARKING REGULATIONS; PROVIDING FOR TEMPORARY STORAGE OF PORTABLE STORAGE CONTAINERS AND SHIPPING CONTAINERS; PROVIDING FOR SWIMMING POOLS, SPAS AND HOT TUBS; PROVIDING FOR EXTERIOR OF STRUCTURE; PROVIDING FOR RESIDENTIAL EXTERIOR PAINT AND COLORS; PROVIDING FOR A CHART OF PERMITTED COLORS; PROVIDING FOR COMMERCIAL EXTERIOR PAINT AND COLORS; PROVIDING FOR INTERIOR OF STRUCTURE; PROVIDING FOR HAND RAILS AND GUARD- RAILS; PROVIDING FOR RUBBISH AND GARBAGE; PROVIDING FOR EXTERMINATION OF PESTS; PROVIDING FOR INSTALLATION AND MAINTENANCE OF BASIC FACILITIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is important to the community, as a whole, to maintain its residential and commercial structures for the betterment of the health, safety and welfare of the residents, as well as for the economic well-being of the community, and

WHEREAS, the City has heretofore promulgated various maintenance standards applicable to both residential, commercial, industrial and community facility districts, and

WHEREAS, the staffs and various committees of the City have undertaken a review of the regulatory framework and the substantive content thereof, and

WHEREAS, appropriate staff, as approved by the appropriate committees, have recommended changes with respect thereto,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. CREATION: Article I of Chapter 42 of the Code of Ordinances is hereby amended by the creation of Sections 42-1 through 42-15 to read as follows:

**SECTION 42. ENVIRONMENT**

**ARTICLE 1. MAINTENANCE STANDARDS FOR COMMERCIAL AND RESIDENTIAL PROPERTIES**

**Section 42-1 Definitions.**

**(a) Commercial or commercially zoned area** shall mean and include those areas of the City which are zoned non-residential.

**(b) Day** shall mean a calendar day, unless the context otherwise provides.

**(c) Exterior property** shall mean the open space on a premises and on adjoining property under the control of owners or operators of such premises.

**(d) Extermination** shall mean the control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

**(e) Garbage** shall mean the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**(f) Infestation** shall mean the presence, within or around a structure or premises, of insects, rats, vermin or other pests.

**(g) Inoperable motor vehicle** shall mean a vehicle which cannot be driven upon the public streets because it is unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**(h) Motor vehicle** shall mean any vehicle powered by a motor which is used or designed for the purpose of transporting goods or persons from one point to another.

**(i) Owner** shall mean any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person.

**(j) Residential or residentially zoned area** shall mean and include those areas of the city which are predominantly residential in character or which designated as suitable for the establishment of dwellings for human habitation and not for the conduct of commercial activities including, but not limited to, the RS-1, RS-2, RS-3, RS-4, RM-10, RM-16, RM-20, TND-PUD and RP-10 zoning districts.

**(k) Rubbish** shall mean combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials; paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, construction and demolition debris, dust and other similar materials.

**(l) Shipping container** shall mean shall mean any fully enclosed portable structure, that is typically rented to persons or entities on a temporary basis for the shipment of goods, material or machinery by land or sea.

**(m) Storage container or portable storage container** shall mean any fully enclosed portable structure, typically rented to persons or entities on a temporary basis, for the storage of personal property, and that is delivered and removed by a vehicle.

**(n) Sidewalk** shall mean that area, the surface of which may be made of concrete, cement, asphalt, macadam or other similar material, which has been designated or serves as a pedestrian trafficway and which lies between the public street and the contiguous private property; or, where a swale or swale area exists, which lies between the swale or swale area and the contiguous private property.

**(o) Swale or swale area** shall mean that area of the publicly owned land lying on either side of a public street or alley, between the edge of such public street or alley and the edge of a public sidewalk, where such sidewalk exists; or where a sidewalk does not exist, that area of the publicly owned land lying on either side of a public street or alley; provided, however, that for the purposes of the regulations hereinafter set forth, the term "swale or swale area" shall not include any regularly paved portion of such area described hereinabove which is commonly used as an extension of a residential driveway or on an extension of a roadway, and which is intended, by its nature, to be a parking area covered with asphalt, cement, macadam or similar material.

**(p) Tenant** shall mean a person, corporation, partnership or group occupying a building or portion thereof with the permission of the owner under a lease, gratuitous grant of use or other form of tenancy; or a person, corporation, partnership or group occupying a building or portion thereof without the knowledge of the owner, but where a reasonable owner should reasonably be aware that the occupancy is taking place.

**(q) Trailer** shall mean a frame or structure mounted on wheels designed to be pulled by a motor vehicle.

**(r) Visible** shall mean capable of being seen from any point beyond any boundary line of the property on which the vehicle, recreational vehicle, trailer, boat or boat trailer is parked or from any point on any public property.

### **Section 42-2. In General**

**(a) Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for the maintenance of commercial and residential structures, equipment and exterior property.

**(b) Responsibility.** The owner of any premises shall maintain its structures and exterior property in compliance with these requirements. No person shall occupy or permit another to occupy for residential or commercial use any premises which are not in a sanitary and safe condition and which do not comply with the requirements of this article.

The occupant of a residential dwelling unit is responsible for keeping that part of the dwelling which he or she occupies and controls in a clean, sanitary and safe condition. The owners of a multi-family residential structure are responsible for keeping the common or public portions of that building in a clean, sanitary and safe condition.

The owners and tenants of a commercial unit are jointly and severally responsible for keeping that part of the structure occupied and controlled by each tenant in a clean, sanitary and safe condition. The owners of a commercial building are responsible for keeping the common or public portions of that building in a clean, sanitary and safe condition.

**(c) Vacant structures and land.** All vacant structures and premises shall be maintained in a clean, safe, secure and sanitary condition to a standard consistent with that for an occupied structure or premises and in conformity with the standards and regulations contained in this Article. All vacant land shall be maintained in a clean, safe and sanitary condition so as not to cause blight or so as to not adversely affect the public health or safety.

**(d) Right of entry on property.** Law enforcement and code enforcement officers of the city shall have the right to enter upon private property for the purposes of implementing the standards contained in this article, where such law enforcement and code enforcement officer has probable cause to believe that a violation of the provisions of this article or similar provisions of Florida Statutes are being violated.

**(e) Compliance with applicable codes.** All commercial and residential structures shall comply with the requirements of all applicable building, housing, zoning and fire codes, or shall exist as a legal, nonconforming use.

**Section 42-3 Enforcement.**



**(a) Enforcement procedure.** Except where provided below, enforcement of this article shall be consistent with the code enforcement procedures contained in the applicable section or sections of the code of ordinances.

**(b) Strict liability.** Any person failing to comply with a notice of violation or order for a violation of the provisions of this article served in accordance with the applicable section or sections of these code of ordinances shall be deemed guilty of a strict liability offense.

**(c) Correction of condition or repair by city.** Except as otherwise provided for in this article, if an owner of real property shall allow any condition described in this article to exist in violation of its terms, the city shall send a "notice to owner" to the owner of such real or personal property or waterway, directing such individual to clean, mow or repair such condition. Further, such notice to owner shall advise the owner that the city shall have the property or waterway cleaned, mowed or repaired, unless the owner shall correct the identified condition within five days from the date of such notice.

Should the violation constitute a clear and present imposition on the public health, safety and welfare, the city shall send a "notice to owner" to the owner of such real or personal property or waterway, and shall conspicuously post the property with signage, advising the owner that the city shall have the property or waterway cleaned, mowed or repaired, unless the owner shall correct the identified condition within two days from the date of such notice.

This notice to owner shall be mailed to the owner of such property, return-receipt-requested and by regular first class mail, at the address appearing on the latest records of the county tax appraiser's office for ad valorem taxation purposes; provided, however, that the failure or omission of the city to mail such notice by certified mail, return-receipt-requested, shall in no way affect its validity, provided that the city clerk provides an affidavit that the notice was duly mailed. In all events, it shall be presumed that the addressee of such notice or re-notice received it within three days of mailing. In the event, however, that the City has a different address for such owner, the City shall provide additional notice to such other address, as well.

The notice shall provide the approximate cost that will be incurred if the city corrects the identified condition. Such costs shall be estimated based upon the information then available, and no variance between such estimate and the actual cost shall invalidate or constitute a defect under the terms of this section. If the owner fails to correct the identified condition within the time provided, the city shall correct the identified condition, and the costs thereof, including reasonable administrative expenses, filing costs, costs of collection and attorneys' fees, shall be assessed against the subject property. If such owner fails to reimburse the city for its costs, the city shall impose a lien against the property after notice and a hearing using the procedures contained in the applicable section or sections of these code of ordinances.

**Section 42-4 Exterior Property Areas.**

**(a) Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which the occupant occupies or controls in a clean and sanitary condition.

**(b) Grading and drainage.** Except for approved retention areas and reservoirs, all premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water.

**(c) Sidewalks and driveways.** All sidewalks, walkways, exterior stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Grass, weeds or vegetation shall not be allowed to overgrow any sidewalk or driveway, and no owner or occupant of a residential or commercial property shall allow a tree or any part thereof to extend over the sidewalk below a height of ten feet. No owner or occupant shall place or maintain a tree in a location where the roots of the tree break or raise up portions of the sidewalk, including trees located in swale areas. No owner or occupant shall place a vehicle, boat, trailer shipping or temporary storage container or dumpster on top of a sidewalk or in such a way as to interfere with the use of a sidewalk.

**(d) Weeds.** All premises and exterior property, including swale areas, shall be maintained free from weeds or plant growth in excess of eight inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all uncultivated grasses, annual plants and vegetation;

provided, however, this term shall not include cultivated and properly maintained flowers, gardens, trees, shrubs or ornamental grasses.

**(e) Waterways.** The owner or occupant of all real property abutting upon a waterway shall not permit the growth of grass, weeds, flora or trees into the waterway. Trees shall not overhang waterways in such a way as to allow limbs, fronds, fruits, coconuts or other droppings to fall into the waterway. The owner of the bottom of a waterway shall not permit the growth of subsurface aquatic weeds above the surface of the water or to an extent that they affect drainage or aquatic life or promote the accumulation of debris in the waterway.

**(f) Landscaping of commercial properties and multi-family residential properties.**

Landscaping shall be maintained in conformity with a site's approved site plan and with the landscape requirement and maintenance standards contained in the land development regulations. If no city approved site plan exists, a landscaping site plan shall be prepared as a condition for issuing a new certificate of use, but shall not be required for issuing a renewed certificate of use pursuant to these code of ordinances.

**(g) Landscaping of single family residences, and residential structures with four or fewer units.** Landscaping shall be maintained with the landscape requirements and maintenance standards contained in the land development regulations.

**(h) Accessory structures.** All accessory structures, including detached garages, sheds and walls shall be maintained structurally sound and in good repair. Exterior surfaces shall be protected from the elements and decay by painting or other protective covering or treatment of a uniform color, except for trim and accent colors. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted.

**(i) Fences.** Fences for single-family residential units, duplexes or triplexes may not extend closer to the front street than the front of the house.

**(j) Defacement of property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing

thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

**(k) Swale areas.** Every owner, occupant or tenant of a commercial or residential structure shall keep that portion of the swale or swale area located between his or her property and the street edge or curblin in a clean, grass-maintained, safe and sanitary condition. Floral ground cover, shrubbery or trees are permitted if of approved species and well maintained. The provisions of this paragraph also apply to the owners of vacant lots.

It is unlawful for any person to place any solid object made of metal, concrete, plastic or similar materials protruding more than three inches above ground or having a diameter greater than ten inches at its widest point, or having sharp, jagged or irregularly edged surfaces in a swale or swale area. Such objects shall not be placed closer than three feet apart.

**(l) Balconies and porches.** Balconies and porches shall not be used for storage of household items or appliances. Balconies and porches shall be kept sufficiently free of obstructions so as to block the entry of firefighters and other emergency personnel from ladders, ladder trucks or other emergency equipment.

**Section 42-5 Temporary Storage of Portable Storage Containers and Shipping Containers.**

The following rules and regulations shall apply to the storage or parking of portable storage containers or shipping containers:

**(a) Permit required.** Prior to parking or storing a container on any site, the owner or occupant of the site where the container is to be located, must apply for and obtain a permit from the City. Upon issuance, the permit shall be displayed on the outside of the container in a clear pouch.

**(b) Maximum size.** The total square footage for containers shall not exceed 130 square feet in floor area. Only one (1) container shall be located on a site at any given time.

**(c) Permitted locations.** Portable storage containers and shipping containers shall not be parked or stored in, upon, or across any street, right-of-way or swale; shall only be parked or stored in driveways; and shall be set back a minimum of ten (10) feet from the front property line.

**(d) Permitted length of stay.** Containers shall not be parked or stored for periods exceeding five consecutive days, and shall not be stored at the same location in excess of six (6) days in a calendar year. Notwithstanding the time limitations stated herein, portable storage containers shall be removed immediately by the owner or occupant of the site where the portable storage container is located, upon the issuance of a hurricane warning by the National Hurricane Center.

**(e) Containers to be kept clean and in good repair.** Owners and occupants of sites where containers are stored or parked must ensure that the portable storage containers are kept in good condition, free from evidence of deterioration. When not in active use, portable storage containers and shipping containers shall be kept locked. Hazardous substances shall not be stored or kept in containers.

#### **Section 42-6. Swimming Pools, Spas and Hot Tubs**

**(a) Swimming pools.** Swimming pools, spas and hot tubs shall be maintained in a clean and sanitary condition, and in good repair.

**(b) Enclosures.** Private swimming pools, hot tubs and spas containing water more than 18 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above ground level. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**(c) All swimming pool enclosures to conform to land development regulations.** The construction of all swimming pool enclosure fences and walls is subject to the regulations contained in the applicable section or sections of the land development regulations.

#### **Section 42-7 Exterior of Structure**

**(a) General.** The exterior of any commercial or residential structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**(b) Protective treatment.** All exterior surfaces including, but not limited to, doors, door and window frames, cornices, facia, facades, eaves, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces.

**(c) Premises identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. Additional regulations are contained in the land development regulations.

**(d) Structural members.** All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

**(e) Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**(f) Exterior walls.** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

**(g) Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. All roof systems, including roof tiles and shingles, shall be in

good repair. Damaged or broken roof tiles or shingles shall be immediately removed to prevent them from becoming hazardous flying objects. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roofwater shall not be discharged in a manner that creates a public nuisance.

**(h) Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**(i) Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**(j) Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**(k) Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**(l) Handrails and guards.** Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**(m) Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**(n) Glazing.** All glazing materials shall be maintained free from cracks and holes.

**(o) Doors.** All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress or ingress doors shall be in accordance with the land development regulations.

**(p) Building security.** Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

**(q) Windows.** Operable windows located in whole or in part within 6 feet above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

#### **Section 42-8 Residential Exterior Paint and Colors.**

**(a) Painting and staining of new and renovated buildings.** It shall be unlawful to leave any newly constructed building or structure, or the newly constructed portion of a renovated building or structure, unpainted, unstained or otherwise unfinished for more than 30 days after completion of exterior work. Unless otherwise approved by the City, the exterior finish of a newly renovated or repaired building shall be uniform and color and shade shall not vary between the newly constructed and previously existing exterior surfaces.

**(b) Color palate required.** It shall be unlawful to paint, stain or color or change the paint, stain or color of any structure in a residential zoning district, except in accordance with these regulations.

**(c) Residential painting permit required.** Prior to painting, staining or otherwise coloring the exterior surfaces of any structure in a residential zoning district, the property owner shall obtain a painting permit from the City. Application for a painting permit shall be made on the forms applicable. The applicant shall either select colors from the City adopted color palette or shall submit a sample of the proposed color or colors and shall submit a completed application form which shall be retained a part of the permanent permit record. The City shall determine whether or not a proposed color is the same as, or equivalent in terms of color hue, intensity and shade to,



a color permitted by these regulations. In the event that the proposed color or colors conform to these regulations, the City shall issue a painting permit specifying the approved color or colors.

**(d) Permitted colors.** Only the colors listed below or their equivalents in terms of color hue, intensity and shade are permitted to be used on the exterior surfaces of structures within residential zoning districts. No more than two (2) colors shall be used on the property. Any base color listed below may be used on the entire structure or any portion thereof. Any accent color listed below may be used on no more than twenty-five (25) percent of the total surface area of each elevation, but is limited to architectural features such as eaves, banding, wainscoting, columns, coining (corner treatments), planters and trim areas. Any trim color listed below may be used on no more than ten (10) percent of the total surface area of each elevation, but is limited to doors, door frames, window and screen frames, sills, lintels, shutters, fascias, soffits, trellises and small decorative elements.

Permissible Colors

Color Category	Common Name	Identification Number
Base Colors - May be used on the entire structure or any portion thereof	Natural stone, wood or brick colors and finishes	Not applicable
	True White	RAH-10
	Vanilla Cream	RAH-24
	Pearl White	RAH-20
	Cashmere	RAH-15
	Designer White	RAH-18
	Bermuda Sand	RAH-16
	Fleece	RAH-21
	Chino	RAH-17
	Haze	RAH-22
	Desert	RAH-34
	Naturals	RAH-25
	Peach Buff	RAH-30
	Mania	RAH-29
	Summer Straw	RAH-35
	Sahara Sand	RAH-36
	Chiffon	RAH-39
	Lemonade	RAH-41

	Sunlight	RAH-42
	Peach Pastel	RAH-54
	Pink Dogwood	RAH-46
	Beige Blush	RAH-26
	Tea Rose	RAH-45
	Petal Pink	RAH-43
	Dresden	RAH-52
	Oxford Blue	RAH-50
	China Blue	RAH-49
	Ice Blue	RAH-51
	Mint	RAH-59
	Aspen Mist	RAH-58
	Mystic Green	RAH-57
	Teal Mist	RAH-46
	True Silver	RAH-12
	Flannel Grey	RAH-13
	Soft Grey	RAH-11
	Wintermoss	RAH-101
	White High Hiding	Ready mix
	Stowe White	45YY 83/062
	Meeting House	50YY 74/069
	Bavarian Creme	20YY 71/56
	Corinthian Column	30YY 71/138
	Pavillion Peach	00YY 71/150
	Sparkling Wine	90YR 70/129
	Silk Moire	30YR 64/044
	Provocative Pink	30YR 75/079
	Arabian Veil	60YR 66/070
	Coastlight	50YY 83/171
	Lighthouse Point	45YY 79/256
	Cardonnay White	70YY 75/124

	Quiet Light	60YY 65/082
	Beachcomber	20YY 58/082
	Kennett Square	90YR 55/051
	Silent Fog	70YY 59/140
	Grey Nuance	90YY 55/049
	Miller's Core	10GY 56/073
	Welsh Green	90GY 73/059
	Cayman Bay	10GG 65/074
	Evening Mist	70GG 83/056
	Winter Rain	50BG 76/056
	Stencil Blue	70BG 58/103
	French Silver	90BG 55/051
	Silvery Moonlight	50BG 63/014
	Greyrock Inn	50YY 55/047
	Grey Facade	50RR 63/014
	White on White	30GY 88/014
	Drifting Snow	10BB 83/014
	Kitty White	30YY 78/035
	Swiss Coffee	50YY 83/057
	Pearl Essence	43YY 81/051
	Antique White	40YY 80/043
	Bone White	30YY 72/097
	Pearl White	44YY 70/110
	Parchment	40YY 70/138
	Contemporary White	20YY 66/066

	Barrister White	30YY 80/088
	Woodwind	20YY 74/055
	Soft Ecru	40YY 73/112
	Shell White	45YY 83/094
	Navajo White	40YY 69/112
	Seed Pearl	40YY 75/084
	Halo	70YY 83/112
	Honey Moon	52YY 89/117
	Ivory Palace	45YY 83/125
	Heatherbelle	90YR 73/029
	Autumnal Equinox	10YY 73/042
	Blush	80YR 75/057
	Pale Shadow	90RR 83/009
	Goose Feather	60YR 83/026
	Dawning	30YR 83/034
	Orchard Snow	50RB 83/020
	Silk Ribbon	60YR 83/043
	Chrysalis	50RR 83/011
	Ice Ballett	30RB 73/016
	Soft Angora	90RR 73/018
	Icy Pond	50GG 83/023
	Restful Retreat	50GY 83/040
	Fresh Cut	30GY 83/086
	Tea Time	10GG 73/044
	Reflecting Pool	10GG 62/026
	Design Studio Bright White	WH01A

	Picket Fence White	WH05A
	Pocket Watch White	WH01B
	Country Stove White	WH05B
	Polo Mallet White	WH05C
	Journal White	WH06D
	Candelabra White	WH04B
	Riviera Terrace	WH02B
	Roadster White	WH02A
	Sail White	WH02C
	Tuxedo Shirt	WH04A
	Edwardian Linen	WH06C
	Writer's Parchment	WH06B
	Dune White	WH02D
	Flour Sack White	WH06A
	Killington Traverse	WH07B
	River Rapids	WH03C
	Tackroom White	WH07D
	Aspen Summit	WH07A
	Resort White	WH04D
	Spring Clover	WH03B
	Petticoat White	WH04C
	Dover Cliffs	WH03D
	Avalanche	WH03A
	Plantation White	WN-18
	White Orchid	WN-14
	Eggshell Cream	WN-21
	Wedding Veil	WN-25
	Pearly Gates	WN-11
	Light Sand	WN-23
	Pale Olive	WN-12
	Subtle White	WN-26
	Dove Beige	WN-38
	Dusty Trail	WN-34
	Warm Shadow	WN-27
	Toasted Meringue	WN-22
	Carmel Tan	WN-24

	Barely Blushing	WN-33
	Light Adobe	WN-32
	Sand Box	WN-28
	Frosted Peach	WN-29
	Porcelain White	WN-31
	Dusted Pink	WN-30
	Warm Summer	WN-19
	Ivory Tusk	WN-20
	Morning Fog	WN-37
	White Sail	WN-36
	Ostrich Feather	WN-35
	Green Veil	WN-15
	Frosted Lime	WN-13
	Gray Cliffs	WN-16
	Far Horizon	WN-17
Accent Colors - May be used on no more than 25% of the total surface area of each elevation, but is limited to use only on architectural features such as eaves, banding, wainscoting, columns, coining (corner treatments), planters and also trim color areas	Violet Haze	RAH-53
	Parasol Pink	RAH-103
	Raspberry Parfait	RAH-44
	Pink Blush	RAH-47
	Rose Blush	RAH-61
	New Raspberry	RAH-84
	Coral Rose	RAH-64
	Canyon Clay	RAH-90
	Island Brief	RAH-62
	Dusty Rose	RAH-85
	Wood Rose	RAH-86
	Olive Green	RAH-70
	Dusty Green	RAH-100
	Oasis Green	RAH-55
	Jade Green	RAH-69
	Thyme	RAH-65
	Caribbean	RAH-68
	Evening Shadows	RAH-67
	Chambray	RAH-72

	Slate Blue	RAH-74
	French Blue	RAH-78
	Blue Bell	RAH-79
	Provence	RAH-80
	Cadet Blue	RAH-81
	Smokey Taupe	RAH-14
	Linen	RAH-19
	Cream Cafe	RAH-23
	German Chocolate	RAH-32
	Warm Nutmeg	RAH-33
	Warm Honey	RAH-37
	Puma	RAH-38
	Mocha Brown	RAH-28
	Astoria Rose	70RR 42/082
	Eagle Cliff	30RR 40/042
	Paradise Pink	30YR 59/132
	Reef Coral	10YR 35/256
	Light Incense	50YR 37/140
	Rustic Adobe	50YR 21/159
	Burma Road	80YR 37/307
	Fairhaven Peach	90YR 58/202
	Coralstone	80YR 44/211
	Tomorrow's Taupe	90YR 29/096
	Butterfield	20YY 51/306
	Historic Tan	30YY 50/176
	Golden Needles	20YY 41/264
	Sisal	30YY 41/165
	Victorian Yellow	45YY 61/368
	Swallowtail	50YY 52/390
	Gold Fringe	30YY 35/404
	Banyan Tree	70YY

		40/170
	Chemayo Sage	60YY 44/110
	Eucalyptus Tree	10GY 30/104
	Dusty Miller	50GY 45/037
	Heather Grey	90YY 33/062
	Sea Level	50GY 32/046
	Souvenir	10GG 53/030
	Summer Porch	30GG 46/062
	Trinidad	10GG 39/152
	Bicentennial	30GG 22/079
	Windward	70GG 64/111
	Prince Edward Isle	90GG 42/171
	Brussels Blue	70BG 38/143
	Benton Harbor	90BG 22/141
	Shady Blue	10BB 22/096
	Oxford Blue	10BB 40/090
	Heritage Home	70BG 34/055
	Mystery Sound	70BG 19/071
	Dover Grey	00NN 45/000
Trim Colors - May be used on no more than 10% of the total surface area of each elevation, but is limited to use on doors, door frames, window and screen frames, sills, lintels, shutters, fascias, soffits, trellises and small decorative elements	New Berry	RAH-89
	Grelow	RAH-95
	Pine	RAH-66
	Sage Green	RAH-71
	Montpellier	RAH-77
	New Navy	RAH-82
	Thunderbolt	RAH-99



	New Hunter	RAH-88
	Deep Moss	RAH-83
	Wood Violet	RAH-75
	Deep Purple	RAH-76
	Rich Purple	RAH-96
	Kona Brown	RAH-97
	Antique Brown	RAH-98
	Rich Earth	RAH-87
	Pueblo Brown	RAH-91
	New Burgundy	RAH-92
	Cinnabar	RAH-93
	Cajun Spice	RAH-102
	Cardinal	RAH-104
	Charcoal	RAH-94
	Crimson Red	31YR 10/591
	Paliadian Plum	30RR 19/068
	Aloha	70RR 18/153
	Colonial Red	Ready mix
	Classic Burgundy	09YR 05/305
	Afternoon Tea	80YR 21/226
	Century Brown	80YR 19/177
	Old Redwood	30YR 08/236
	Downing Street	30YR 14/365
	Cooperbright	90YR 22/454
	Gingerbread House	70YR 13/259
	Stratford Brown	Ready mix
	Light Chocolate	90YR 16/129
	Bark	Ready mix
	Western Trail	10YY 30/295
	Westchester Gold	20YY 15/245
	Turkish Brown	20YY 09/175
	Rough Hewn	20YY 24/177
	Ashton Grey	40YY 29/068

	Wall Street	30YY 18/064
	Caisson Green	45YY 24/158
	Moss Agate	45YY 20/168
	Green Pinon	70YY 12/167
	Gateway	10GY 17/127
	Greenhouse	50GY 21/055
	English Pinewood	19YY 19/075
	Pine Grove	90GY 13/161
	Batik Green	90GG 21/219
	Nassau Night	90GG 12/168
	Olde Hunter	97GY 07/135
	Metropolis	30GG 10/050
	Signature Blue	30BB 10/112
	Midnight Haze	90BG 08/112
	Black	Ready mix

**Section 49-9 Reserved.**

**Section 42-10 Interior Structure.**

**(a) General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**(b) Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**(c) Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**(d) Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**(e) Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

**Section 42-11 Reserved.**

**Section 42-12 Rubbish and Garbage**

**(a) Accumulation of rubbish or garbage.** All exterior property and premises, including swales and swale areas, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**(b) Residential disposal of rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in a city approved container.

**(c) Rubbish storage facilities.** The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

**(d) Appliances and white goods.** Refrigerators, stoves, ranges, dishwashers, washing machines, clothes dryers and similar equipment not in operation shall not be discarded, abandoned or stored on premises.

**(e) Disposal of garbage.** Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

**(f) Garbage facilities.** The owner of every dwelling shall supply one of the following: an approved mechanical foodwaste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

**(g) Commercial waste disposal.** The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, city-approved leakproof dumpster or containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal. Dumpsters or other waste containers must be enclosed within a dumpster enclosure as specified in the approved site plan. All dumpster enclosures shall fully contain the leakage of fluids from dumpsters, including the infiltration of rainwater into the dumpsters resulting from inadequate lids or lids left open, within the enclosure. The floors and walls of dumpster enclosures shall be clean and free from stains. All new dumpster enclosures shall be constructed of cement or reinforced cinder block with self-closing, opaque metal doors.

**(h) Grease traps and used animal or vegetable fats.** All commercial establishments with grease traps shall maintain them in good working condition. All containers for the temporary storage and recycling of used animal and vegetable fats must be located within an opaque, leak-free enclosure. Both the container and the enclosure must be kept in a clean, odor-free condition, without insect or pest infestation. Containers must be emptied weekly. No spillage or leakage of fats from containers shall be allowed.

**(i) Immediate removal of dumpsters or containers for animal or vegetable fats.** If an owner or occupant of real property shall allow a dumpster containing trash or garbage, or a container partially or fully filled with animal or vegetable fats to become overfilled, misplaced, damaged, contaminated or deteriorated to such an extent that it becomes offensive to adjacent property owners or occupants, a nuisance, or a threat to the public health, safety or welfare, the city shall have the authority to immediately clean, correct or remove the dumpster or container. The costs thereof, including reasonable administrative expenses, shall be assessed against the subject

property and/or the owner of the property having responsibility for such dumpster or container. If such owner or occupant fails to reimburse the city for its costs, the city shall impose a lien against the property of the offending party after notice and a hearing using the procedures contained in the code of ordinances.

**Section 42-13 Extermination of Pests**

**(a) Infestation.** All land and structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

**(b) Owner.** The owner of any residential or commercial structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

**(c) Residential - Single occupant.** The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

**(d) Residential -Multiple occupancy.** The owner of a structure containing two or more dwelling units or a non-residential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. The owner and the occupant are jointly and severally responsible for the extermination of pests within each individual dwelling unit on the premises.

**(e) Commercial structures – Single tenant.** The owner of any commercial structure shall be responsible for extermination within the structure prior to renting or leasing the structure. The tenant of a free-standing or single-tenant commercial structure shall be responsible for extermination on the premises.

**(f) Commercial structures – Multiple tenant.** The owner of any commercial multi-tenant center shall be responsible for extermination within the structure and in each tenant space prior to renting or leasing. The owner shall be responsible for extermination in the public or shared areas of the structure and exterior property. The owner and the tenant are jointly and severally responsible for the extermination of pests within each individual tenant space. If the infestation

of a single-tenant or multi-tenant commercial structure is not promptly and fully exterminated after notification by the city, the city shall order use of the structure or any part of the structure to be discontinued until the infestation is eliminated.

**(g) Infestation resulting from defects in structure.** Where an infestation is caused by defects in the structure, the owner shall be responsible for extermination.

**Section 42.15. Installation and maintenance of basic facilities.**

**(a) Maintenance of plumbing fixtures.** Every water line, plumbing fixture and drain located in a structure in a commercial or residential structure shall be properly installed, connected and maintained and capable of performing the function for which it was designed. All repairs to installations must be made in accordance with the Florida Building Code.

**(b) Maintenance of plumbing systems.** Every stack, waste and sewer line located in a commercial or residential structure and every connecting sewer line shall be so installed and maintained as to function properly and not be a source of structural deterioration or a health hazard. All lines shall be kept free from obstructions, leaks and defects. All necessary repairs and installations shall be made in accordance with the Florida Building Code.

**(c) Maintenance and operation of heating equipment.** Every heating, cooking and water heating device located in a commercial or residential structure shall be so maintained and operated as to be free from fire, health and accident hazards. All such equipment shall be free from leaks and obstructions. Repairs shall be made in accordance with the Florida Building Code.

**(d) Storage of fuels.** All fuels stored on the premises for the operation of heat-producing equipment shall be stored in a safe manner. Fuels shall be stored in accordance with generally accepted practices and in a manner which will minimize the danger of fire. No fuel oil, gasoline or highly inflammable fuel shall be stored within any structure except in a manner approved by the fire department of the city in accordance with the Florida Building Code.

(e) Maintenance of electrical wiring devices. Electrical wiring and devices located in a commercial or residential structure shall be so designed, installed and maintained as not to be a potential source of ignition of combustible material, or an electrical hazard. The rating or settling of overcurrent devices shall not be in excess of the carrying capacity of the circuit conductor. Defective wiring and equipment shall be repaired or replaced. No temporary wiring shall be installed as a permanent method of wiring. Extension cords shall be run directly from portable electrical fixtures or appliances to outlets and shall not lie under floor coverings or extend through doorways, transoms or other openings through structural elements. When the capacity of circuits within a building is insufficient to carry the load imposed by normal use of appliances and fixtures, as indicated by the name plate rating of such appliances, additional circuits shall be provided or the use of excessive appliances discontinued. Necessary repairs, alterations and installations shall be made in accordance with the Florida Building Code.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 9<sup>TH</sup> DAY OF JANUARY, 2007.

PASSED ON SECOND READING BY TITLE ONLY THE 23<sup>rd</sup> DAY OF JANUARY, 2007.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE 23<sup>rd</sup> DAY OF JANUARY, 2007.

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SAMUEL S. BROWN, MAYOR

ATTEST:

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HAZELINE F. CARSON, CITY CLERK