

EMERGENCY ORDINANCE NO. 188

AN ORDINANCE REQUIRING OWNER OR OCCUPANT OF ANY LOT OR LOTS WITHIN THE BOUNDARIES OF THE CITY OF BONIFAY, A MUNICIPAL CORPORATION, TO REMOVE ANY BUILDING OR STRUCTURE WHICH, BY ACT OF GOD, FIRE, DECAY OR OTHER CAUSE MAY BECOME STRUCTURALLY DANGEROUS OR UNSAFE AND ANY MATTER INJURIOUS TO PUBLIC HEALTH; AND AUTHORIZING CHIEF OF POLICE OF SAID CITY AND CITY EMPLOYEES TO ENTER UPON SUCH PREMISES AND REMOVE ANY BUILDING OR STRUCTURE OR MATTER INCLUDING TRASH, MUD AND FILTH AND KEEP ACCOUNT OF EXPENSES AND COST OF REMOVAL AND DEMAND PAYMENT OF SAME FROM OWNER AND UPON FAILURE OF OWNER TO PAY SAID COSTS SAID CHIEF OF POLICE IS AUTHORIZED TO SELL SAID LOT OR LOTS TO THE HIGHEST BIDDER FOR CASH AFTER ADVERTISING SAID LOT OR LOTS FOR SALE AND AUTHORIZED TO EXECUTE A CERTIFICATE OF TITLE TO PURCHASER AND AFTER PAYING SAID EXPENSES AND COSTS INCURRED BY CITY DELIVER THE SURPLUS TO THE OWNER.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, A MUNICIPAL CORPORATION, AS FOLLOWS:

SECTION 1: No owner or occupant of any lot or lots within the City shall permit or allow the accumulation of trash, mud, filth, dilapidated buildings caused by fire or decay, or other matter which may cause disease or affect the health or safety of the inhabitants of the City upon said lot or lots.

SECTION 2: Upon failure of the owner or occupant on any lot or lots within the City to remove any buildings or structures which by Act of God, fire, decay or other cause that has become structurally dangerous or unsafe and any matter injurious to public health within 30 days after notice from said City by certified mail the Chief of Police shall after being authorized by majority vote of said City Council, by himself and City employees enter upon such premises and remove said buildings or structures trash, mud, filth or dilapidated buildings and put the premises in good sanitary condition and it is hereby made his duty to do so.

SECTION 3: The Chief of Police shall keep account of expenses and costs of removal of the matter and when finished present the same to the owner of the property, and demand payment of same.

SECTION 4: Upon failure or refusal of the owner to pay such costs and expenses within 10 days after receiving bill for same from the City by certified mail the same are hereby declared to be a lien upon the property.

SECTION 5: The Chief of Police is hereby required, authorized and directed to sell the property at public sale to the highest bidder for cash, the City can be the purchaser, on a specified day that shall be not less than 20 days after the owner of said lot or lots received bill for the sums due on the lien against said property but the owner may redeem the property at any time before the sale.

Notice of Sale shall be published once a week for two consecutive weeks in a newspaper of general circulation as defined in Chapter 50, Florida Statutes, and published in the county where the sale is to be held. The second publication shall be at least 5 days before the sale. The Notice shall contain:

- a. Description of the property to be sold.
- b. The time and place of sale.
- c. The amount due on the City's lien.
- d. The name of the Chief of Police making the sale.
- e. After paying the amount of the lien, cost of advertising sale, documentary stamps and sur tax on the Certificate of Title, any surplus received from said sale is to be paid to the owner.
- f. The Chief of Police is authorized to execute a Certificate of Title to the purchaser of said property in substantially the following form:

CERTIFICATE OF TITLE

The undersigned Chief of Police of the City of Bonifay, a municipal corporation, certifies that on the _____ day of _____, 19_____, he sold the following described property located in the City of Bonifay, Holmes County, Florida, to wit:

(Description)

at public sale to _____, who
now has title therto for the sum of \$ _____
to satisfy a lien held by the City of Bonifay acquired under
Emergency Ordinance No. 187.

WITNESS my hand and the official seal of the City of
Bonifay, a municipal corporation, this _____ day of
_____, 19____.

As Chief of Police for the City
of Bonifay, a municipal corporation

SECTION 6: All ordinances in conflict herewith are re-
pealed.

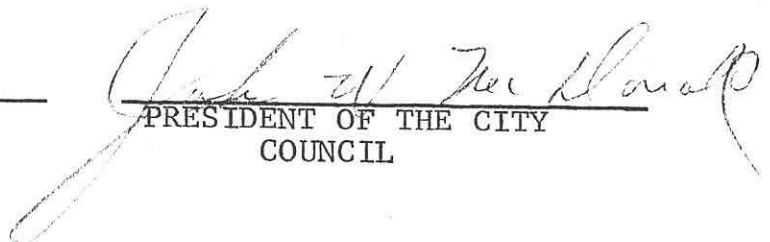
SECTION 7: This ordinance shall take effect immediately
upon its' passage and approval.

PASSED in regular session of the City Council of the
City of Bonifay on the 25th day of June, 1979.

ATTEST:



CITY CLERK



PRESIDENT OF THE CITY
COUNCIL

APPROVED this 25th day of June,
1979.



MAYOR