

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA AMENDING CHAPTER 67, ENVIRONMENTAL CONTROLS, ARTICLE 7, NUISANCE ABATEMENT, SECTION 67.202.A., GENERAL ORDINANCES, MARTIN COUNTY CODE REGARDING NOTIFICATION OF PROPERTY OWNERS OF NUISANCES VIA NOTICES TO ABATE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY; APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE; EFFECTIVE DATE; AND CODIFICATION

WHEREAS, the Board of County Commissioners of Martin County, Florida (the "Board") is authorized, pursuant to Sections 1 and 6, Article VIII, Constitution of the State of Florida, and Chapter 125, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers; and

WHEREAS, on June 20, 2023, the Board amended Chapter 67, Article 7, Section 67.201. of the General Ordinances, Martin County Code, to describe and declare specific nuisances; and

WHEREAS, the notification provisions in Section 67.202.A. would be most efficiently implemented by enumerating the nuisances described and declared in subsection 67.201; and

WHEREAS, lack of maintenance of the frontage of property could constitute a sanitary nuisance and/or impede sight distance for motorists; and

WHEREAS, the Board has determined that it is in the public interest to implement this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART I: AMENDMENT OF CHAPTER 67, ARTICLE 7, SECTION 67.202.A., GENERAL ORDINANCES OF MARTIN COUNTY

Section 67.202.A. is amended as follows:

SECTION 67.202. – Code Enforcement Administrator to notify property owner when a nuisance is determined to exist; notice; content of notice to abate.

67.202.A If the Code Enforcement Administrator or designee finds and determines that a public nuisance as described and declared in subsection 67.201.A., B., or C., or D. hereof exists, the Code Enforcement Administrator or designee shall issue a written

notice to abate notifying the record owner of the offending property in accordance with subsection 67.202.B. and demand that such owner cause the condition to be remedied within 15 days of mailing, serving, or posting of notice.

PART II. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART III. SEVERABILITY.

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

PART IV. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout the unincorporated area of Martin County.

PART V. FILING WITH THE DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VI. EFFECTIVE DATE.

This Ordinance shall take effect upon filing with the Department of State that this ordinance has been filed in that office.

PART VII. CODIFICATION.

Provisions of this ordinance shall be incorporated into the General Ordinances, Martin County Code, except that Parts II through VII shall not be codified. The word "ordinance" may be changed to "article," "section," or other word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intentions.

DULY PASSED AND ADOPTED THIS 5TH DAY OF MAY, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN,
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
SARAH HEARD, CHAIR

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: _____
ELYSSE A. ELDER,
COUNTY ATTORNEY