



# Fort Walton Beach Police Department

Robert Bage, Chief of Police



## **Property Owners' Assistance Guide for Code Enforcement Issues**

### **Purpose:**

This guide is designed to educate and inform property owners about the resources, processes, and support available through local government to assist with potential code enforcement issues. Our primary goal is to promote safety, maintain community standards, and foster cooperative relationships with property owners to achieve voluntary compliance efficiently and fairly.

### **Commitment to Fairness and Respect:**

Our code enforcement officers are committed to:

- Treating all property owners with dignity and respect,
- Using compliance-first, not penalty-first approaches
- Providing clear, written instructions and timelines
- Helping owners maintain safe, compliant properties with servant hearts!

### **What is Code Enforcement:**

Code enforcement ensures that residential and commercial properties comply with local ordinances and regulations related to:

- Building safety
- Property maintenance
- Zoning and land use
- Health and sanitation
- Signage, fencing, and landscaping
- Vacant or abandoned structures.

The Code Enforcement Process is governed by Florida State Statute Chapter 162.

### **Property Owner Responsibilities:**

- While assistance is available, property owners are still responsible for:
  - Maintaining safe and sanitary conditions,
  - Responding promptly to notices,
  - Cooperating with inspectors and correction plans,
  - Requesting extensions before compliance deadlines.



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## **Types of Internal Assistance Available:**

- Courtesy inspections and consultations can be made to help property owners understand potential code violations.
- Code enforcement officers can explain findings and suggest solutions before any formal enforcement process begins unless there is an immediate hazardous or safety issue.
- Compliance time extensions:
  - Property owners can request reasonable extensions of time to correct violations, especially in cases of:
    - Financial hardship,
    - Health-related issues,
    - Supply chain or contractor delays.
- Technical Assistance:
  - Staff can help owners interpret code requirements, explain how to fill out necessary forms, and help to understand correction and hearing notices.
- Identification of possible resources available to assist with compliance.
- Mediation and Appeals:
  - Owners can request a meeting with a code enforcement inspector or supervisor to discuss any potential code issue.
  - Once a Notice a Violation is issued and the owner disagrees with a violation notice and or fails to correct the violation, they can appeal that violation to the Independent Special Magistrate that oversees the City of Fort Walton Beach Code Enforcement Hearings (Florida State Statue 162).
  - Notices of Violation and Notices of Hearing are posted on property and sent via certified mail to address on record with the Okaloosa County Property Appraiser's Office (Florida State Statute 162). [Okaloosa County Property Appraiser – Official Website of the Okaloosa County, FL Property Appraiser](#)



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- How to Get Help:
  - Contact the Code Enforcement Division:
  - Lt. Troy J. Williams- Community Code Compliance and Crime Prevention Commander
    - Phone: 850-586-7825
    - Email: [twilliams1@fwb.org](mailto:twilliams1@fwb.org)
  - Burt Rhodes-Senior Code Inspector
    - Phone: 850-833-9601
    - Email: [brhodes@fwb.org](mailto:brhodes@fwb.org)
  - Ed Moore-Code Inspector
    - Phone: 850-833-9935
    - Email: [emoore@fwb.org](mailto:emoore@fwb.org)
  - Rich Taylor-Code Inspector
    - Phone: 850-586-7816
    - Email: [rtaylor@fwb.org](mailto:rtaylor@fwb.org)
  - Dorian Johnson-Code Inspector
    - Phone: 850-586-7875
    - Email: [djohnson2@fwb.org](mailto:djohnson2@fwb.org)
  - Nick Driver-Code Clerk
    - Phone: 850-586-7869
    - Email: [ndriver@fwb.org](mailto:ndriver@fwb.org)
  - Online Portal:
    - [MGO Connect](https://www.mgoconnect.org/cp/portal) (<https://www.mgoconnect.org/cp/portal>)
    - [Code of Ordinances | Fort Walton Beach, FL | Municode Library](https://library.municode.com/fl/fort_walton_beach/codes/code_of_ordinances) ([https://library.municode.com/fl/fort\\_walton\\_beach/codes/code\\_of\\_ordinances](https://library.municode.com/fl/fort_walton_beach/codes/code_of_ordinances))
      - All FWB Codes are available on this website
  - Office Hours:
    - Monday through Friday
    - 6:00 a.m. to 5:00 p.m.
  - Walk-in visits and scheduled appointments are available.



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## **Common Code Issues and How to Avoid Them:**

- How to Prevent
  - Overgrown lawns - Mow regularly; at least every 2 weeks during peak growing season,
  - Trim trees and shrubs regularly to avoid obstruction of driveways, sidewalks, and signage. Remove dead vegetation after storms.
  - Junk/debris in yard - Dispose of waste promptly; use city bulk pickup days,
  - Inoperable vehicles - Store off-site or in enclosed structures.
  - Exterior disrepair - Inspect for peeling paint, roof damage, or broken fencing especially after storms and correct.
  - Illegal structures - Sheds, decks, carports, fences, etc.; always check permit requirements before building by calling or emailing: [MGO Connect](#)

## **Community Support Resources:**

### Community Redevelopment Agency (CRA)

- [Community Development Block Grant | Fort Walton Beach, FL](#)

### Housing Rehabilitation Program

- [Housing | Okaloosa County](#)
- [State Housing Initiatives Partnership \(SHIP\) Program | Okaloosa County](#)
- [Fort Walton Beach Housing Authority | Fort Walton Beach Florida](#)
- [Single Family Housing Repair Loans & Grants in Florida | Rural Development](#)

### Legal Aid / Tenant-Landlord Services

- [Home - Free Legal Help | Legal Services of North Florida](#)
- [Public Law Library | Okaloosa County](#)

### Senior and Disability Services

- [Elder Services Of Okaloosa County](#)

### Faith- and community-based volunteer repair programs

- [Healthy Okaloosa Faith-Based | Florida Department of Health in Okaloosa](#)
- [Community Resource Guide](#)



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## **How to Reduce or Remove Code Enforcement Fines, Penalties, or Liens:**

If you own property within the City of Fort Walton Beach and have accrued fines, penalties, or liens due to code enforcement violations, you may request a reduction or removal of those amounts once the property is brought into compliance through the Code Enforcement Order Mitigation Procedures found in the Code of Ordinances

([https://library.municode.com/fl/fort\\_walton\\_beach/codes/code\\_of\\_ordinances?nodeId=CH1GEPR\\_1.05VICO\\_1.05.08COENORMIPR](https://library.municode.com/fl/fort_walton_beach/codes/code_of_ordinances?nodeId=CH1GEPR_1.05VICO_1.05.08COENORMIPR)).

## **Definitions:**

**Satisfaction of Order:** A legal document, as approved by the City Attorney, and the process by which the City acknowledges and confirms that a violator has satisfied all obligations of a Code Enforcement Order imposing a fine.

**Release of Order:** A legal document, as approved by the City Attorney, and the process by which the City acknowledges and confirms that the City is releasing the violator from some of the obligations of a Code Enforcement Order imposing a fine while other obligations of the order have been satisfied by the violator.

**Satisfaction of Lien:** A legal document, as approved by the City Attorney, and the process by which the City acknowledges and confirms that a violator has satisfied all obligations of a code enforcement order imposing a fine that has been filed in the public records of Okaloosa County. The City shall file a satisfaction of lien in the public records of Okaloosa County.

**Release of Lien:** A legal document, as approved by the City Attorney, and the process by which the City acknowledges and confirms that the City is releasing the violator from some of the obligations of a Code Enforcement Order imposing a fine that has been filed in the public records of Okaloosa County, while other obligations of the order have been satisfied by the violator. The City shall file a release of lien in the public records of Okaloosa County.



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**Mitigation Schedule:** A schedule of suggested mitigation percentages, as approved by the city council and amended by resolution if needed, that shall be considered during review of an application for release of an order imposing a fine or release of lien, and that may ensure an equitable, expeditious, and effective method of gaining compliance with the code. The following is the city's suggested mitigation percentage schedule:

<b>Fine Amount</b>	<b>% of Fine Amount to be Paid</b>
\$1,000 to \$20,000	10% of the fine amount*
\$20,001—\$40,000	15% of the fine amount*
\$40,001—and over	20% of the fine amount*

\* The fine amount to be paid in a mitigated settlement may be reduced to 10 percent of the Just Market Value of the property as established by the Okaloosa County Property Appraiser in cases where the suggested amount exceeds 10 percent of the certified Just Market Value. The following steps outline the process:

## Satisfaction of Order or Lien:

- (1) At any time that a violator/property owner has satisfied all obligations of a Code Enforcement Order, the Mayor, upon request provided by the violator and a statement of compliance provided by the Code Inspector, shall execute a Satisfaction of Order or Lien, whichever is applicable.
- (2) The City Clerk will record any Satisfaction of Lien in the public records of Okaloosa County, Florida, and provide a copy of the recorded document to the property owner.

## Release of Lien:

If a certified copy of a Code Enforcement Board order has been recorded in the public records and the property that was in violation has been brought into compliance with the code, the violator/property owner may apply to the City for a release of lien as follows:

- (1) The violator/property owner shall apply for a release of lien in writing that includes, at a minimum,
  - a. The address of the subject property,
  - b. The date the subject property was brought into compliance,
  - c. The factual bases for the request for Release of Lien,





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- d. The terms upon which the violator/property owner believes a Release of Lien should be granted,
  - e. A statement of compliance by the code inspector, and
  - f. The amount of the release in fines sought by the violator/property owner.
- (2) Upon receipt of the application for release of lien, the City Manager shall review the request to determine if review by the City Council is appropriate or if the case can be settled by the City Manager. If the request is not consistent with the suggested mitigation schedule or exceeds \$20,000.00, it will be scheduled for the next available Council meeting and Staff will prepare a recommendation to the City Council. If the request is consistent with the suggested mitigation schedule and the settlement amount is less than \$20,000.00, the City Manager can settle the case according to guidelines in this section.
- (3) If the property subject to the request is also the subject of a foreclosure proceeding filed by the City against the property and property owner in violation, the City Manager shall issue a written denial of the request that includes name, address and telephone number of the foreclosure attorney and advised the applicant that that matter must be considered as a settlement of the litigation.
- (4) The City Manager shall consider request for Release of Lien as pursuant to the following criteria:
- a. The City Manager may take action based solely upon the sworn application and comments of the petitioner, and the recommendation of the City Staff.
  - b. The City Manager may reduce the amount of the lien consistent with the mitigation schedule or continue the lien in its full amount.
  - c. The City Manager will consider the following in determining whether to approve or deny a request for Release of Lien:
    - i. The gravity of the violation;
    - ii. The time in which it took the violator/property owner to come into compliance;



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- iii. The accrued amount of the code enforcement fines/lien as compared to the County's Property Appraiser's stated value of the property before exemptions;
    - iv. Any previous code violations; and
    - v. Consistency with the suggested mitigation schedule.
  - d. If the City Manager approves a Release of Lien settlement, the City Attorney shall review the Release of Lien prior to the Mayor executing the release and the City Clerk shall have the release recorded in the public records of Okaloosa County, Florida, and provide a copy to the property owner.
- (5) When the request cannot be settled by the City Manager, The City council shall consider the request for Release of Lien at a public meeting pursuant to the following criteria:
- a. The City Council may take action based solely upon the sworn application and comments of the applicant, and the recommendation of the City Manager.
  - b. The City Council may reduce the amount of the lien, waive the full amount of the lien or continue the lien in its full amount.
  - c. The City Council shall consider the following in determining whether to approve or deny an application for Release of Lien:
    - i. The gravity of the violation
    - ii. The time in which it took the violator/property owner to come into compliance
    - iii. The accrued amount of the Code Enforcement fines/lien as compared to the County's Property Appraiser's stated value of the property before exemptions
    - iv. Any previous Code Violations and
    - v. The mitigation schedule.
  - d. If the City Council approves a release of lien, the Mayor shall execute such release and the City Clerk shall have the release recorded in the public records of Okaloosa County, Florida, and provide a copy to the property owner.





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Waiver or Reduction of Administrative Fees or Costs. The City Council may consider a waiver or reduction of administrative fees or costs that were originally imposed in the Code Enforcement Order or for subsequent remedial actions taken by the City.

## Important Notes:

- The City typically requires at least administrative and legal costs to be paid, even if fines are reduced.
- Requests are in accordance with the mitigation ordinance 1.05.08.

## Code Enforcement Area of Responsibility Map:

Link: [Code Enforcement Zones-Letter Size.mxd](#)

