

ADMINISTRATIVE REGULATION	AR: 10.12-2	DATE APPROVED
August 28, 2012		
SUBJECT:	ORIGINATING DEPARTMENT:	
Policies and Procedures for Release or Reduction of Code Compliance Fines	County Administrator	
Page 1 of 2		
POLICY:		
<p>The following guidelines and procedures are designed to facilitate the release of Code Compliance related fines. For the purposes of this document, the term "Division" shall mean the Citrus County Code Compliance Division; "Special Master" shall mean the Special Master appointed by the Board of County Commissioners; "County Administrator" shall mean the currently appointed County Administrator of Citrus County; "Board" shall mean the Citrus County Board of County Commissioners; and "Secretary" shall mean the Code Compliance Division Legal Secretary.</p>		
<p>Pursuant to Citrus County Code Section 19.1, <i>et. seq.</i> and Chapter 162, Florida Statutes, the Special Master may impose a penalty/fine against real property upon formal determination of non-compliance with an order to abate the violation. The release of such fine is requested on occasion due to extenuating circumstances. The Special Master cannot release or recommend release of any fine once it has been recorded, but does have the authority to reduce or release a previously assessed fine. There is no entitlement to the release or reduction of a fine, but requests for such releases may be made by the property owner of record or their legal designee on occasion due to extenuating circumstances and such requests will be heard and determined on a case-by-case basis.</p>		
PROCEDURE:		
<p>1. The property owner or their legal designee shall submit a timely written request for release of the fine imposed by the Special Master. The request shall include the reason behind the request, as well as the amount of relief. Such request shall be submitted to the Code Compliance Director.</p>		
<p>2. Upon receipt of the written request, the Code Compliance Director shall respond to the property owner or the legal designee that the request has been received and that a date for a public hearing has been set for their request to be heard by the Special Master and shall withhold the recording of the fine during that designated period.</p>		
<p>3. Upon receipt, the Secretary shall calculate the costs incurred regarding the investigation and prosecution of the case. This calculation shall be based on the current fee schedule.</p>		
<p>4. The Special Master shall consider requests for release of fines during a public meeting. The Special Master shall render a decision on the request. However at no time shall the recommendation for release of fines be greater than the amount necessary to cover the administrative costs of inspection and prosecution. At no time shall administrative costs be waived.</p>		

5. A request for release shall NOT be accepted if, among other reasons:

- a. The request is incomplete;
- b. The violation has not been abated;
- c. Relief is sought for a repeat violation;
- d. The property owner did not use his/her best reasonable efforts under the circumstances to abate the violation;
- e. The amount of administrative costs has not been paid in full.

6. Upon examination of the facts addressed in the request, the Special Master within his/her discretion, has the authority to reduce a lien for good cause.

7. After the Special Master renders a decision, the owner shall pay the outstanding reduced fine and/or administrative costs within 30 days, unless the County Administrator approves an alternative payment schedule. Failure to pay the outstanding reduced fine and/or administrative costs within the prescribed timeframe shall negate the release.

8. Upon payment of the outstanding reduced fine and/or administrative costs the Secretary shall prepare a letter acknowledging receipt of the payment and abatement of the violation. A copy of the proof of payment will be included in the file.

FOOTNOTES & REFERENCES TO RELATED AR's: Supersedes AR 10.12 dated June 24, 2008, December 7, 2010