

**RESOLUTION NO. 22-24**

**A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, SETTING RATES FOR THE CITY'S CODE ENFORCEMENT HEARING OFFICER AND ADOPTING A SCHEDULE OF PENALTIES FOR VIOLATIONS OF THE CITY'S CODES.**

**WHEREAS**, on October 28, 2021, the City Council adopted Ordinance 1576 requiring that the City's Code Enforcement Hearing be compensated as set forth by Resolution, and

**WHEREAS**, the Ordinance 1576 further repealed the schedule of penalties previously codified and required that penalties of the City's Codes be set by Resolution;

**BE IT RESOLVED** by the City Council of the City of Panama City Beach that:

1. The Code Enforcement Hearing Officer shall be compensated at a rate of \$250.00 per hearing.
2. The Schedule of Penalties **attached** hereto as Exhibit "A" is hereby approved.

**THIS RESOLUTION** shall take effect immediately upon passage.

**PASSED** in regular session this 28<sup>th</sup> day of October, 2021.

**CITY OF PANAMA CITY BEACH**

By:   
Mark Sheldon, Mayor

**ATTEST:**

  
Lynne Fasone, City Clerk

**EXHIBIT A: SCHEDULE OF PENALTIES**

Code/Appendix Section	Description of Violation	Civil Penalty
Section 4.02.04, LDC	Failure to maintain performance standards within zoning district	\$250.00
Section 5.02.03, LDC	Construction or maintenance of fence or wall- unauthorized location, height, condition	\$100.00
Section 5.02.02, LDC	Engagement in unauthorized accessory use.	\$100.00
Section 9.02.03, LDC	Expansion, enlargement or modification of building which furthers non-conformance	\$100.00
Section 9.02.02, LDC	Unauthorized expansion, enlargement or modification of non-conforming development	\$100.00
Section 4.05.02, LDC	Failure to provide required parking spaces	\$100.00
Section 4.05.03, LDC	Unauthorized location, design or maintenance of parking spaces, parking lots or parking garage provision of parking spaces in public rights-of-way]	\$100.00
Section 4.02.02(D), LDC	Unauthorized projection of sills, belts, courses, ornamental features, eaves or canopies	\$100.00
Section 5.02.01, LDC	Impermissible Accessory Use, Building or Structure	\$100.00
Section 2.04.01, LDC	Erection of unauthorized dwelling on parcel	\$100.00
Sections 5.02.07 and 5.04.08, LDC	Storage of hazardous, toxic, incendiary, or noxious materials in unauthorized location	\$100.00
Section 2.03.02, LDC	Unpermitted use of trailer and mobile homes	\$100.00
Section 4.02.03(E), LDC	Failure to place utility feed underground—New construction, renovation or improvement	\$100.00
Section 4.02.03(D), LDC	Toilet visible in scenic corridor	\$100.00

Section 4.02.03(F), LDC	Failure to screen utility device in scenic corridor	\$100.00
Section 4.02.03(C), LDC	Metal wall visible in scenic corridor	\$100.00
Section 5.02.09(B), LDC	Unpermitted placement of a portable storage unit, per day	\$250.00
Section 2.03.02, LDC	Engaging in unpermitted use of land	\$250.00
Section 4.02.03(B), LDC	Failure to screen certain outside storage and activities in scenic corridors	\$250.00
Section 5.07.04, LDC	Erection, display, or maintenance of prohibited sign	\$100.00
Section 5.07.05, LDC	Erection, display, or permitting the existence of any sign which violates any Sign Standard	\$100.00
Section 5.07.02(B)	Erection, display, relocation, or alteration or repair of a non-exempt sign without obtaining a permit or paying permit fee	\$100.00
Section 5.07.09, LDC	Enlargement of an illegal sign or an expired Non-Conforming Sign	\$100.00
Section 5.04.01(G), LDC	Erection or display of an impermissible or unpermitted Sign on or at a Sexually Oriented or Adult Business	\$100.00
Section 5.04.01(H), LDC	Erection or display of an impermissible or unpermitted Sign on or at a Body Altering Business	\$100.00
Section 5.04.01(E), LDC	Establishment or operation of a Sexually Oriented Business at an improper location	\$500.00
Section 5.04.01(F), LDC	Establishment or operation of a Body Altering Business at an improper location	\$500.00
Code Section 5-2	Hunting, killing, maiming or trapping any birds or wild fowl within the City	\$100.00
Code Section 5-4	Allowing animal to run at large or off property without direct control	\$100.00

Code Section 5-4	Allowing animal to run or remain upon the property of another without consent	\$100.00
Code Section 5-4	Failure to confine a dog or cat in estrus	\$100.00
Code Section 5-5	Bringing or permitting animals to be brought onto the sand beach areas as defined in the Section, or into public parks where animals are prohibited	\$100.00
Code Section 5-6	Permitting animal to enter or remain in a food establishment	\$100.00
Code Section 5-7	Keeping any animal declared to be a nuisance as defined in this Section	\$100.00
Code Section 5-7	Keeping more animals at any one location than permitted	\$100.00
Code Section 5-9	Failure to remove waste	\$100.00
Code Section 5-31	Owning or keeping unlicensed dog, cat or pig	\$100.00
Code Section 5-32	Failure to show evidence of current vaccination of dog or cat after notice	\$100.00
Code Section 5-32	Keeping or transferring any animal which cannot be effectively vaccinated against rabies	\$100.00
Code Section 5-51	Failure to restrain a vicious animal, or when off the premises of the owner failure to either muzzle and have direct control of the animal or cage it	\$100.00
Code Section 5-51	Failure to post a "bad dog" or similar sign	\$100.00
Code Section 5-51	Failure to restrain a vicious animal as described by this Section	\$100.00
Code Section 5-52	Keeping, or permitting to be kept, a wild animal in a residential zone	\$100.00

Code Section 5-53	Keeping, or permitting to be kept, a wild animal in a non-residential zone	\$100.00
Code Sections 5-91 and 5-93	Any violation of these sections pertaining to cruelty to animals	\$100.00
Code Section 5-101	Owning or keeping more than one miniature Vietnamese potbellied pig per household	\$100.00
Code Section 5-101	Owning or keeping any swine or pig other than a purebred miniature Vietnamese potbellied pig	\$100.00
Code Section 7-112	Failure to comply with beachfront lighting requirements, per light in violation, per day	\$100.00
Code Section 8-372	The storing, depositing, transferring or use of unacceptable fill material on the beach	\$250.00
Code Section 8-75(a), § 104.1.1 Standard Building Code (1997)	Work without a permit (or twice the permit fee, whichever is greater)	\$250.00
Section 12-4	Unlawful deposit of garbage or use of receptacle	\$250.00
Section 12-5	Illegal use or possession of a visible refuse container	\$100.00
Section 12-6	Littering	\$250.00
Section 12-7	Requirement to keep property free of litter	\$250.00
Sections 15-18, 15-17(1)	Maintenance of public nuisance	\$250.00
Sections 15-18, 15-17(2)	Unlawful storage of junked automobiles	\$250.00
Sections 15-18, 15-17(3)	Detrimental conditions or uses of property	\$250.00
Sections 15-18, 15-17(4)	Unfit or unsafe dwelling or structure	\$250.00
Sections 15-18, 15-17(5)	Accumulation of lumber, junk, trash, abandoned materials, equipment or undergrowth.	\$250.00

Sections 15-18, 15-17(6)	Excessive Grass or vegetation	\$100.00
Sections 15-18, 15-17(7)	Stockpiling construction material	\$250.00
Sections 15-18, 15-17(8)	Maintenance of attractive nuisance	\$250.00
Section 15-18, 15-17(9)	Physical or unsanitary conditions	\$250.00
Section 15-18, 15-17(11)	Conditions contributing to or causing contamination of air, food or drink	\$250.00
Section 15-18, 15-17(12)	Fire Hazards.	\$250.00
Sections 4.05.03(L) and 4.06.04, LDC	Failure to landscape a vehicle use area as required	\$100.00
Sections 4.06.05(A) and (D), LDC	Placement of prohibited species	\$100.00
Section 4.06.01(D), LDC	Failure to provide an appropriate irrigation system	\$100.00
Section 4.06.01(C), LDC	Failure to properly maintain landscape areas or failure to remove and replace a dead or damaged plant	\$100.00
Section 4.06.01(E), LDC	Commencing development or redevelopment without an approved landscaping plan if required	\$100.00
Section 4.06.00, LDC	Failure to comply with the landscape ordinance in any particular, each failure	\$100.00
Section 4.04.03, LDC	Failure to construct a sidewalk	\$100.00
Section 3.05.07, LDC	Obstruction of drainage ways	\$100.00
Section 3.05.08, LDC	Discharge of undirected or uncontrolled stormwater runoff across any property line	\$100.00
Section 3.05.011, LDC	Failure to maintain or control stormwater and erosion control plan	\$100.00

Section 3.05.14, LDC	Failure to maintain or control adequate drainage of a stormwater management system which causes any flooding, pollution, erosion or siltration	\$250.00
Section 19-152	Unpermitted placement or maintenance of facilities in a public right-of-way, per occurrence, per site, per mile, per day	\$250.00
Section 4.02.02(A), LDC	Failure to maintain minimum habitable square footage	\$100.00
Section 4.02.02 (D), LDC	Unpermitted height or placement of structure in setback	\$100.00
Section 4.04.02, LDC	Obstruction of visibility at intersection, per day	\$250.00
Section 5.04.28, LDC	Unpermitted storage or use of mini-warehouse or self-storage facilities	\$100.00
Section 5.03.01, LDC	Unpermitted or impermissible Temporary Use or Structure, per day	\$250.00
Section 10.01.02, LDC	Development or Use of land without Local Development Order or Building Permit	\$250.00
Section 4.08.01, LDC	Prohibited or unpermitted Land Clearing	\$250.00