## Chapter 17C METROPOLITAN DADE COUNTY DEMOLITION OF MOBILE HOMES AND REMOVAL OF DEBRIS FROM MOBILE HOME PARKS RENDERED UNINHABITABLE BY HURRICANE ANDREW AFTER ITS AFTERMATH

[Sec. 17C-1. Authority to enact.](#BK_A804A0B73F7B0A691CFE65940A58B5C7)

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[Sec. 17C-3. Construction and applicability.](#BK_E174A44EB48E70D0DE9EE3C422262D20)

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[Sec. 17C-6. Violation.](#BK_38BDA7221AEFA5B96D2EB9CF74A8FC57)

[Sec. 17C-7. Minimum Housing Enforcement Officer; duties and powers.](#BK_3E24CE9007E53A7B37E143F17FBB3475)

[Sec. 17C-8. Inspection of mobile home parks.](#BK_6EC731935AC4BE2827920296B4DD0544)

[Sec. 17C-9. Notice; contents and posting.](#BK_989F24A69226F7B4927BCD0BDEFB5376)

[Sec. 17C-10. Notice by publication.](#BK_DE90B975BF50F1480F211F1B413FBE5E)

[Sec. 17C-11. Final order.](#BK_90ED320053D068B8E1B0DFF421AE0552)

[Sec. 17C-12. Recording of final order.](#BK_AD44976A7DD7E157CF17CA58FEB0B778)

[Sec. 17C-13. Uninhabitable mobile home parks.](#BK_B1CAC22E97157CB92218BB266B64266B)

[Sec. 17C-14. Preservation of personal property.](#BK_270380BAACE2BCEE687CE04F0AB6F412)

Sec. 17C-1. Authority to enact.

This chapter is enacted under and pursuant to the provisions of the Home Rule Charter of Government for Dade County, Florida, the proclamations of the County Manager and the Governor of the State of Florida declaring a state of emergency, and the police powers inherent in county government to protect the health, safety and welfare of the citizens of Dade County, Florida.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-2. Legislative findings and intent.

The whereas clauses contained in Ordinance Number 92-90 shall constitute the legislative findings on which this chapter is based.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-3. Construction and applicability.

The provisions of this chapter and the standards set forth herein shall be applicable to the unincorporated and incorporated areas of Metropolitan Dade County, Florida. The provisions of this chapter shall apply irrespective of when such mobile home parks shall have been constructed, altered or repaired, irrespective of any permits or licenses which shall have been issued for the use or occupancy thereof or for the construction or repair thereof prior to the effective date of this chapter and irrespective of whether any person is living in or around such mobile home parks declared uninhabitable.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-4. Existing remedies preserved.

The provisions of this chapter shall be cumulative and supplemental to and not in derogation of any provisions of the Florida Statutes, the Code of Metropolitan Dade County or any other applicable law.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-5. Definitions.

When used in this chapter the following terms shall have the meanings set forth below:

(1) *Mobile home* means a moveable or portable detached single-family dwelling designed for and capable of being used for long-term occupancy, designed to be transported after fabrication on its own permanent chassis and wheels, arriving at the site substantially complete,

(2) *Mobile home park* means a place set aside and offered by a person or public body, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking or accommodation of mobile homes utilized for sleeping or eating,

(3) *Uninhabitable mobile home park* means those mobile home parks which meet the criteria set forth in [Section 17C-13](../level2/PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF.docx#PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF_S17C-13UNMOHOPA)

(4) *Owner* means the taxpayer with respect to the real property concerned as reflected in the most recently certified real property ad valorem tax roll of Metropolitan Dade County; provided however, where the records of the Dade County Property Appraiser indicate that ownership of the property has changed, the owner shall be the taxpayer as reflected by such records.

(5) *Minimum Housing Enforcement Officer* means any employee of the enforcement agency charged with the responsibility of making inspections of mobile home and trailer parks damaged by Hurricane Andrew and premises and issuing orders when necessary to effectuate the provisions of this chapter.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-6. Violation.

It shall be a violation of this chapter for any person to erect, establish, maintain, own, lease or allow to exist an uninhabitable mobile home park as defined in [Section 17C-13](../level2/PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF.docx#PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF_S17C-13UNMOHOPA). Any such violation shall be redressed by Metropolitan Dade County or the United States Army Corps of Engineers or its designee (hereinafter referred to as "Army Corps") in the manner set forth in this chapter.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-7. Minimum Housing Enforcement Officer; duties and powers.

In addition to the duties, functions, powers, and responsibilities found in Sections [17-18](../level3/PTIIICOOR_CH17HO_ARTIIMEMIDECOMIHOST.docx#PTIIICOOR_CH17HO_ARTIIMEMIDECOMIHOST_S17-18RE), [17-48](../level3/PTIIICOOR_CH17HO_ARTIIICIMIMIHOST.docx#PTIIICOOR_CH17HO_ARTIIICIMIMIHOST_S17-48SAUTPO), [17A-6](../level2/PTIIICOOR_CH17AVASTSTMI.docx#PTIIICOOR_CH17AVASTSTMI_S17A-6MIHOENOFOW), and 17-B of the Code of Metropolitan Dade County, the Minimum Housing Enforcement Officer shall have the right to enforce the provisions of this chapter and any regulations promulgated hereunder.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-8. Inspection of mobile home parks.

The Minimum Housing Enforcement Officer has the authority to inspect any mobile home park for the purpose of determining whether the same is uninhabitable.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-9. Notice; contents and posting.

If, after inspection, the Minimum Housing Enforcement Officer finds a mobile home park to be uninhabitable, the Officer shall issue a notice stating that the mobile home park has been found to be uninhabitable. Such notice shall be posted in a conspicuous location at the mobile home park which the Officer has determined to uninhabitable, and shall be in substantially the following form:

ORDER TO DEMOLISH MOBILE HOMES AND REMOVE DEBRIS FROM UNINHABITABLE MOBILE HOME PARK

This mobile home park has been found by the Minimum Housing Enforcement Officer to be uninhabitable pursuant to [Chapter 17C](../level2/PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF.docx#PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF) of the Code of Metropolitan Dade County. THIS MOBILE/HOME PARK SHALL BE VACATED — SHALL NOT BE OCCUPIED. The owner or holder of a secured interest in this mobile home park shall demolish the mobile homes and remove the debris therefrom within 24 hours of this order or the same will be demolished by Metropolitan Dade County, the municipality or the Army Corps of Engineers or its agents.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-10. Notice by publication.

A notice shall be published by the Minimum Housing Enforcement Officer in a newspaper of general circulation in Dade, Broward and Monroe counties as soon as is practicable after the order to demolish has been posted as provided for in [Section 17C-9](../level2/PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF.docx#PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF_S17C-9NOCOPO). Additional publication shall, where feasible, be made in newspapers of general circulation which in the judgment of the county manager may be read by occupants of such affected parks. Failure to provide the foregoing additional publication shall not affect the validity of any actions hereunder. The published notice shall contain the street address of the subject property or adequate general description of the area, neighborhood or subdivision in which the uninhabitable mobile home park is located, and, where known to the county, a list of the occupants of the mobile home park. Failure to include such listing of occupants shall not affect the validity of any actions taken hereunder. The notice required by this section shall state that the subject property has been found to be uninhabitable and will be demolished.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-11. Final order.

The ORDER TO DEMOLISH MOBILE HOMES AND REMOVE DEBRIS FROM UNINHABITABLE MOBILE HOME PARK as provided for in [Section 17C-9](../level2/PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF.docx#PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF_S17C-9NOCOPO) shall automatically become a final order authorizing demolition within twenty-four (24) hours of the date the order to demolish is posted.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-12. Recording of final order.

Whenever the ORDER TO DEMOLISH MOBILE HOMES AND REMOVE DEBRIS FROM UNINHABITABLE MOBILE HOME PARK becomes a final order authorizing demolition, as provided in [Section 17C-11](../level2/PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF.docx#PTIIICOOR_CH17CMEDACODEMOHOREDEMOHOPAREUNHUANAFAF_S17C-11FIOR), the Minimum Housing Enforcement Officer shall file a copy of such final order together with the street address or legal description of the subject property, with the Clerk of the Circuit Court of Dade County, Florida, who shall cause the same to be recorded among the public records of Dade County. The recordation of such final order or other appropriate instrument as herein provided shall constitute constructive notice to any subsequent purchasers, transferees, grantees, mortgagors, mortgagees, lessees, lienors, and all persons having, claiming or acquiring any interest in the property described therein, or affected thereby.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-13. Uninhabitable mobile home parks.

(1) Mobile home parks shall be uninhabitable when as a result of damage caused by Hurricane Andrew all or a substantial majority of the mobile homes located at such parks:

(a) Are vacant, unguarded and open at doors, windows or roof,

(b) Are open at windows, doors or roof,

(c) There is unwarranted accumulation of debris or other combustible material therein or on the land or lot on which such mobile homes are or were situated.

(d) The condition of the parks, or land or lot upon which the mobile homes are or were situated creates hazards with respect to means of egress and fire protection,

(e) Have a falling away, hanging loose or loosening of any sidings, or other building material,

(f) Have deterioration of their structural parts,

(g) Are practically or fully destroyed,

(h) Have an unusual sagging or leaning out of plumb which is caused by deterioration or over-stressing,

(i) Have electrical or mechanical installations or systems create a hazardous condition,

(j) Have an unsanitary condition by reasons of inadequate or malfunctioning sanitary facilities or waste disposal systems, or

(k) Have a condition which creates, allows or threatens to generate widespread or epidemic health or safety hazards.

(2) All mobile homes located in a mobile home park which park has been found to be uninhabitable as provided herein shall be subject to demolition and the debris removed therefrom.

(Ord. No. 92-90, § 1, 9-2-92)

Sec. 17C-14. Preservation of personal property.

The Minimum Housing Enforcement Officer and/or Army Corps shall undertake reasonable efforts to transport and secure items or personalty, not immediately transportable by the owners and which do not pose any health or safety hazard as may be determined by the Minimum Housing Enforcement Officer or Army Corps.

(Ord. No. 92-90, § 1, 9-2-92)