

## Tampa Bay Association of Code Enforcement (TBACE)

### Meeting Place: City of Bradenton Gene Gallo Fire Station 1010 - 9<sup>th</sup> Avenue W, Bradenton, Florida

The regular meeting of the Tampa Bay Association of Code Enforcement (TBACE) was hosted by City of Bradenton on April 3, 2018. The following active members were present and signed-in:

Jermaine Agurs	City of Bradenton	Trava Alston	City of Clearwater
Barbara Basilio-Riley	City of Tampa	Tom Borroni	City of Temple Terrace
Stephen Buchlin	City of Temple Terrace	Jason Cantrell	City of Clearwater
Joe Damien	J. Damien Consulting	Steve Colandrea	City of St. Petersburg
Diane Devol	City of Clearwater	Vicki Fletcher	City of Clearwater
Earl Gordon	City of St. Petersburg	Carle Hamilton	City of St. Petersburg
Christin Harris	City of Clearwater	Eric Hirvela	City of St. Petersburg
Sharon Hollifield	City of Clearwater	Christa Hull	Hillsborough County
Eric Jewett	City of Clearwater	Jim Karr	Hillsborough County
Daniel Knight	City of Clearwater	Carmen Marcano	City of Tampa
Michael Maginness	City of Bradenton	Susan Meier	Hillsborough County
Kimberly Murphy	City of Bradenton	Wallace Nelson	City of Tampa
Aminta Owen	City of Tampa	Julie Phillips	City of Clearwater
Vicki Pratt-Boone	City of Tampa	Volker Reiss	City of Bradenton
Angela Roberts	City of St. Petersburg	Mark Runnals	City of Bradenton
Jose Silva	City of Temple Terrace	John Spicuglia	Pasco County
Allie Stewart	City of Clearwater	Tamra Tornai	City of Bradenton

The following individuals signed-in but were not listed on printed TBACE Member Sign-in Sheets.

Doug Allen	City of Temple Terrace	Tim Miles	City of Tampa
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#### CALL TO ORDER:

President Mark Runnals called the meeting to order at 12:00pm

#### ANNOUNCEMENTS:

President Runnals thanked the City of Bradenton, and Planning and Community Development Department Director Catherine Hartley, for hosting the meeting and for providing the lunch for the membership. He also announced that the recipient of the last TBACE Scholarships had successfully passed the FACE Level 1 course. Congratulations went out to her.

Vice-President Diane Devol confirmed that one hour of continuing education credit had been submitted and approved by FACE for the February 6, 2018 training. The next meeting would be held in the City of Oldsmar, but added that the Board is still looking for a speaker. She also reiterated that we are still in need of suggestions on relevant educational topics and encouraged the members to take the time and come up with some ideas and forward same to the Board.

President Runnals announced that venues for the meetings were lined up through December of 2018.

He also advised that other announcements would be covered following the presentation.

Next, President Runnals led the members in the Pledge of Allegiance.

#### **REPORTS:**

**Treasurer:** Treasurer Susan Meier reported that the TBACE account had a starting balance of \$1,320.81. New member dues were collected in the amount of \$45.00 since the last report. There were expenditures totaling \$465.00, including \$395.00 for the Scholarship awarded to a member to attend the FACE Annual Conference, and \$100.00 to partially reimburse the host city for the lunch at the February 6, 2018 meeting. The current balance is \$870.81. She also reported that current membership had grown to 124 members, with an additional application submitted today. A motion to accept the report was made, seconded, and unanimously approved. The report was accepted and submitted to the Secretary.

**Secretary:** Secretary Joe Damien thanked Vice President Devol for taking the minutes, in his absence, during the last meeting of February 6, 2018, and asked for a motion to accept the minutes. A motion to accept the minutes was made from the floor and seconded. Approval was unanimous and the minutes were approved without changes.

#### **EDUCATIONAL PROGRAM:**

President Runnals introduced Alan LaiHipp from the Manatee County Marine Resources Section who would be discussing derelict vessels and the proper procedures of removal from waterways and land. Mr. LaiHipp opened the presentation by explaining that their Section handled a variety of different marine related issues, but they enforce only County Ordinance 05-16, which was enacted in January 2015, and is associated with abandoned and derelict vessels. However, they do work closely and cooperate with the Sherriff's Office and the Florida Fish and Wildlife Commission on other related enforcement matters not under their purview.

He went on to say that the Section's is charged with cleanup of abandoned and derelict vessels, with the authority granted under Florida Statutes FS705, FS327, and FS 823.

#### **Abandoned vs. Derelict Vessels**

The Statutes provide for a distinction between "abandoned" and "derelict" vessels. FS 705 interprets as follows:

Abandoned Vessels are described as having no identifiable owner, which have been disposed on public property, are partially dismantled, and are deemed to have no intrinsic value to their rightful owner.

Derelict Vessels are those that have been stored, left, or abandoned in a wrecked, junked, or substantially dismantled condition on any public waters.

He also explained that many complaints received are not valid because the complainants take issue with the look of the boat. He said that that there is no law that prohibits "ugly" vessels.

### **Enforcement, Removal and Costs**

He explained that the initial batch of vessels undertaken by his Section consisted of 40 boats. However, results vary from year to year. And may be as small as five and as many as 40. They operate with two enforcement staff members, and investigate two to three incidents per month. Since 2005 they have caused the removal of more than 200 boats from Manatee County and surrounding waterways at a cost ranging from \$1,500 to \$2,500 per vessel. Their highest cost for a single vessel removal and disposal to date was \$27,000, for a larger sized houseboat. Getting contractors to bid on removals is not always easy, as in many cases the salvageable value of these vessels does not attract the salvage companies. If vessels are tied to a dock their Section will not pursue any action. The Inland Navigation District Funds their programs in the tri-county area. The only cost recovery that may be pursued is by recycling of certain parts that are salvageable. The State also has a program that provides funding but the process to access those funds is cumbersome and generally not pursued by their agency.

He also said that 99% of the time their Section gets no response from the rightful owner, and when they do, often the claim is that the vessel is not theirs or that it had been sold. Unless there is a bill of sale as evidence, responsible parties have a habit of disappearing, and in many cases those who do claim to own the vessels have no documentation to support ownership.

There is no obligation for an owner to remove a vessel, or for their Section to enforce removal, if violations of the codes and statutes that the Section enforces do not exist. However, there may be other enforcement methods available to law enforcement officials and other agencies.

He advised that local government couldn't regulate outside of permitted "official" mooring fields other than "live aboard" vessels. However, the definition of live aboard has been changed. It may be solely used as a residence, and may not be used for navigation nor have an effective means of propulsion.

Studies have shown that the consensus is that the State should be the ones who regulate, and the counties would be a second line of defense, but with the State's approval.

### **Legal Notices**

Notifications are posted on the vessel and sent by certified mail to the registered owners, then after five days (minimum) action is taken. They also try to reach owners by phone. If there is imminent danger to public safety or navigation they may seek immediate removal, but that practice is under review.

President Runnals thanked Mr. LaiHipp for his presentation.

### **OLD BUSINESS:**

President Runnals reminded the members that the Annual FACE Conference was taking place in Fort Lauderdale from June 19 to June 22, 2018 and that all members that had the opportunity should consider attending. It is a great place to pick up additional continuing education credits.

**NEW BUSINESS:**

President Runnals informed the members that the Board was recommending that TBACE provide a gift basket to be given away during the FACE Annual conference festivities and if the members approved, he asked for a motion to authorize a \$100 expenditure for a gift basket and gift certificate. A motion was made and seconded and unanimously approved by the members.

The floor was opened for introduction of any new hires in the code enforcement community. Doug Allen was introduced as the newest member of the City of Temple Terrace's Code Enforcement Department, as was Tim Miles with the City of Tampa.

**ADJOURNMENT:**

The meeting was adjourned at 1:15 pm

Respectfully submitted by:  
Joe Damien  
TBACE Secretary  
May 7, 2018