

THE CITY OF WESTON

SUBSECTION

95.01(B)

MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND
ASSOCIATION PROPERTIES

MINIMUM STANDARDS
FOR MAINTENANCE



Ensuring that properties in Weston are properly maintained is not only aesthetically beneficial, but economically advantageous to all property owners and businesses within Weston.

Standards protect surrounding property owners and tenants, who might otherwise suffer from substandard conditions. The Code of Ordinances creates the minimum standards for the betterment of our neighborhoods from having property values negatively affected by substandard conditions.

In this brochure you will find **Section 95.01(B) Multi-family residential Developments and Association Properties of the City of Weston Code of Ordinances**. Those interested in viewing our Code of Ordinance online can do so by visiting WestonFL.org.

GOALS:

- Protecting and enhancing the overall appearance and safety of the community.
- Compliance with Code of Ordinances makes our community a safer and more vibrant environment.
- Always, we promote and encourage voluntary compliance and we are here to assist.



TIPS FOR:

TIPS FOR DEVELOPMENTS | PROPERTY MANAGERS | ASSOCIATIONS

- **Review all of the sections of the Code listed in this brochure for Multi-family residential**
- Keep dumpster areas clean and closed
- Maintain landscaping; get proper permits for tree removal
- Get permits, inspections, and approvals for fences, canopies, paving, sealing, markings, and curbing – it will save you headaches.
- Regularly maintain building exteriors and roofs, fencing, sidewalks and signage.



If you have questions about a permit – just call. You can reach our Building Department at 954-385-0500.

For questions on Code Violations or Code Compliance, please call 954-385-0500 or email them at codeenforcement@westonfl.org

The intent of this subsection 95.01(B) is to insure that existing and future multi-family residential Developments meet minimum standards for maintenance.

The provisions of this subsection 95.01(B) shall apply only to Association Property within multi-family residential Developments.

95.01(B)(2) LANDSCAPING.

The Homeowners' Association responsible for a multi-family residential Development must maintain all Landscaping, reflected on the most recent Landscaping plan approved by the City Commission for the Association Property, in a healthy, living condition.

All plant material shall be kept Pruned in a safe, neat, tidy, and attractive manner to prevent obstruction of required sight distance triangles, Traffic Control Devices, and pedestrian clearance, and all turf areas shall be regularly mowed as necessary by weather conditions. All Landscaping shall be maintained free from disease, pests, weeds, and Litter.

Maintenance shall include, but not be limited to, weeding, watering, fertilizing, Pruning, mowing, edging, mulching, or any other maintenance, as needed. Dead and/or diseased plant material shall be removed and replaced with a suitable planting in a prompt manner.

Bermuda grass shall be over seeded for the winter season to prevent dormancy. The Homeowners' Association shall regularly maintain, repair, and replace, where necessary, all Landscaping features and Irrigation systems.

95.01(B)(3) OBSTRUCTIONS TO VISIBILITY.

No obstruction to visibility at Street intersections or access easement intersections, or obstruction of Traffic Control Devices, either in the form of Landscaping or shrubbery or fence or other Structure, shall be permitted at any time.





Well Maintained Grass

Poorly Maintained Grass



Well Maintained Landscape

By January 1, 2014, commercial fertilizer applicators (had to) be certified by the Department of Agriculture and Consumer Affairs pursuant to F.S. § 482.1562. All commercial fertilizer applicators shall successfully complete the Florida Department of Environmental Protection's required training program. All commercial fertilizer applicators shall apply fertilizers in accordance with the Florida Department of Environmental Protection through University of Florida/Institute of Food and Agricultural Sciences Extension's "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries."

95.01(B)(4) PARKING AREAS AND DRIVES; DRAINAGE.

95.01(B)(4)(A) PAVED AREAS.

The Homeowners' Association must maintain all paved areas reserved for parking and driving of Motor Vehicles, including driveway aprons, in a smooth condition, free from ruts, potholes, loose aggregate, and deterioration.

95.01(B)(4)(B) CURBING AND WHEEL STOPS.

All curbing must be maintained free from cracks and deterioration by the Homeowners' Association. In those multi-family residential Developments in which wheel stops are required by other provisions of the City Code, said wheel stops must be maintained by the Owner free from cracks and deterioration. All wheel stops must remain affixed in those locations where such wheel stops were to be placed in accordance with approved site plans for the Development's parking area.

95.01(B)(4)(C) STRIPING.

The Homeowners' Association must stripe all paved areas reserved for vehicular parking and fire zones. Such striping shall be maintained in a manner free from peeling and shall be of sufficient contrast with the surface upon which such striping is placed so as to readily delineate to a Person of normal visual ability the location of a parking space or fire zone.



Well Maintained Paving



Poorly Maintained Paved Area



Well Maintained Wheel Stops



Well Maintained Striping

95.01(B)(5) TRAFFIC CONTROL DEVICES.

All Traffic Control Devices on properties owned by Homeowners' Associations shall comply with the United States Department of Transportation's Manual on Uniform Traffic Control Devices (MUTCD). The Homeowners' Association shall also be responsible for the immediate repair and/or replacement of any Traffic Control Device that is damaged.

95.01(B)(5)(A) PAVEMENT MARKINGS.

Pavement markings on Roadways must be maintained and shall conform in all respects to the principles and standards set forth in the MUTCD standards. For repair and replacement of pavement markings on existing Roadway pavements, pavement marking materials shall exhibit retroreflectivity and shall comply with at least one of the following sections of the Florida Department of Transportation Specifications for Road and Bridge Construction (latest edition):

- 95.01(B)(5)(a)1. Section 710, Painted Pavement Markings; or
- 95.01(B)(5)(a)2. Section 711, Thermoplastic Traffic Stripes and Markings; or
- 95.01(B)(5)(a)3. Section 713, Permanent Tape Stripes and Markings.
- For new and resurfaced roadway pavements, pavement markings shall be thermoplastic and comply with § 95.01(B)(5)(a)2.



Damaged Control Device



95.01(B)(6)

DRAINAGE AND SWALE AREAS.

The Homeowners' Association must maintain all Drainage Facilities in a manner allowing for the storm flow for which said facilities were designed, free from obstructions. All catch basin grates must be maintained in their original condition and must be replaced immediately, if damaged. No Person shall make any alteration or addition to Swale areas that would impede in any way with the Swale's drainage function.



Poorly Maintained Drain



Well Maintained Drain

NOTE:

Educate lawn crews and residents NOT to sweep or blow any vegetation or debris or any pore any hazardous waste into the storm drains.

It is a violation of City and state laws to dump trash or introduce pollutants into the City's water bodies and wetland mitigation areas. 'Only Rain, Down the Storm Drain'

During heavy rains, keep catch basin grates clear of tree limbs, palm fronds, leaves and any debris that may obstruct the flow of water into the basin to minimize flooding.

95.01(B)(7)

GENERAL MAINTENANCE.

The Homeowners' Association, on all Association Property within a multi-family residential Development, shall maintain all windows, Roofs, fences, Sidewalks, and masonry walls in a clean condition free from cracks greater than 1/16 of an inch in width, graffiti, peeling paint, mold, mildew, rust stains and missing materials, and shall keep all Association property free of Litter.

All surfaces, including Roofs, requiring painting or which are otherwise protected from the elements shall be kept painted or protected. Painted or stained surfaces shall be maintained with uniform colors, void of any evidence of deterioration.

All fences or walls in a continuous line shall be uniform in color.

All Roofs shall be kept free from equipment or materials that are not permanently affixed to a Roof, unless the equipment or materials are actively being used. No tarps shall be allowed on Roofs unless they are temporarily affixed to prevent water intrusion and the Owner and/or Tenant is exercising due diligence to repair or replace the Roof. Upon the issuance of a warning by code enforcement, the Owner and/or Tenant may establish a presumption of the exercise of due diligence by providing the Code Enforcement Officer with an active Building Permit, copy of an insurance claim or contract to perform the repair or replacement of the Roof.



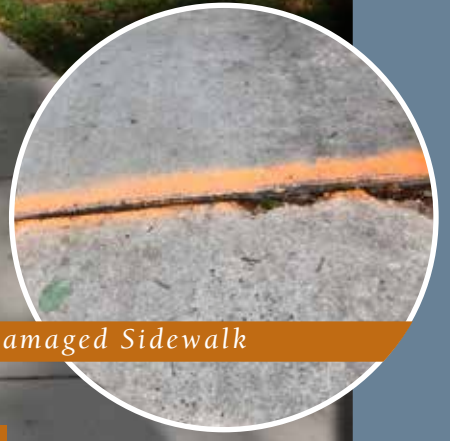
Well Maintained Roof



Damaged Roof Tiles



Well Maintained Sidewalk



Damaged Sidewalk



Well Maintained Fence



Poorly Maintained Fence

95.01(B)(8)

TEMPORARY STRUCTURES, TRAILERS, AND OUTBUILDINGS.

No Structure of a temporary character, including but not limited to a Trailer, shack, garage, barn, or other outbuilding, shall be permitted on any property. Notwithstanding the foregoing, tents are permitted for no more than 72 hours.

95.01(B)(9)

CLOTHESLINES AND DRYING YARDS.

No clotheslines or drying yards or any other piece of equipment or thing upon which clothes or other articles can be hung or draped for drying purposes shall be erected, used, or permitted to remain anywhere visible from any adjacent Street.

95.01(B)(10)

REGISTRATION

95.01(B)(10)(a) The name, address, and telephone number of the president of the Homeowners' Association .

95.01(B)(10)(b) The name, address, and telephone number of the registered agent of said Homeowners' Association .

95.01(B)(10)(c) The name, address, telephone number, and appropriate representative of the management company, if any, with which the Association has contracted to perform their maintenance responsibilities.

NOTE: *To contact the City Clerk, call 954-385-2000 or email City Clerk at CityHall@westonfl.org*



95.01(B)(11) SWIMMING POOLS.

It shall be the duty and responsibility of every Person owning, leasing, or having any legal or equitable interest in any property in the City with a swimming pool to maintain the swimming pool at all times in a sanitary and safe condition, including the disinfection of all pool water pursuant to applicable health standards under State Law and Broward County ordinance, the removal of dirt, scum or floating matter, and the prevention of nesting and breeding of pests and vermin.

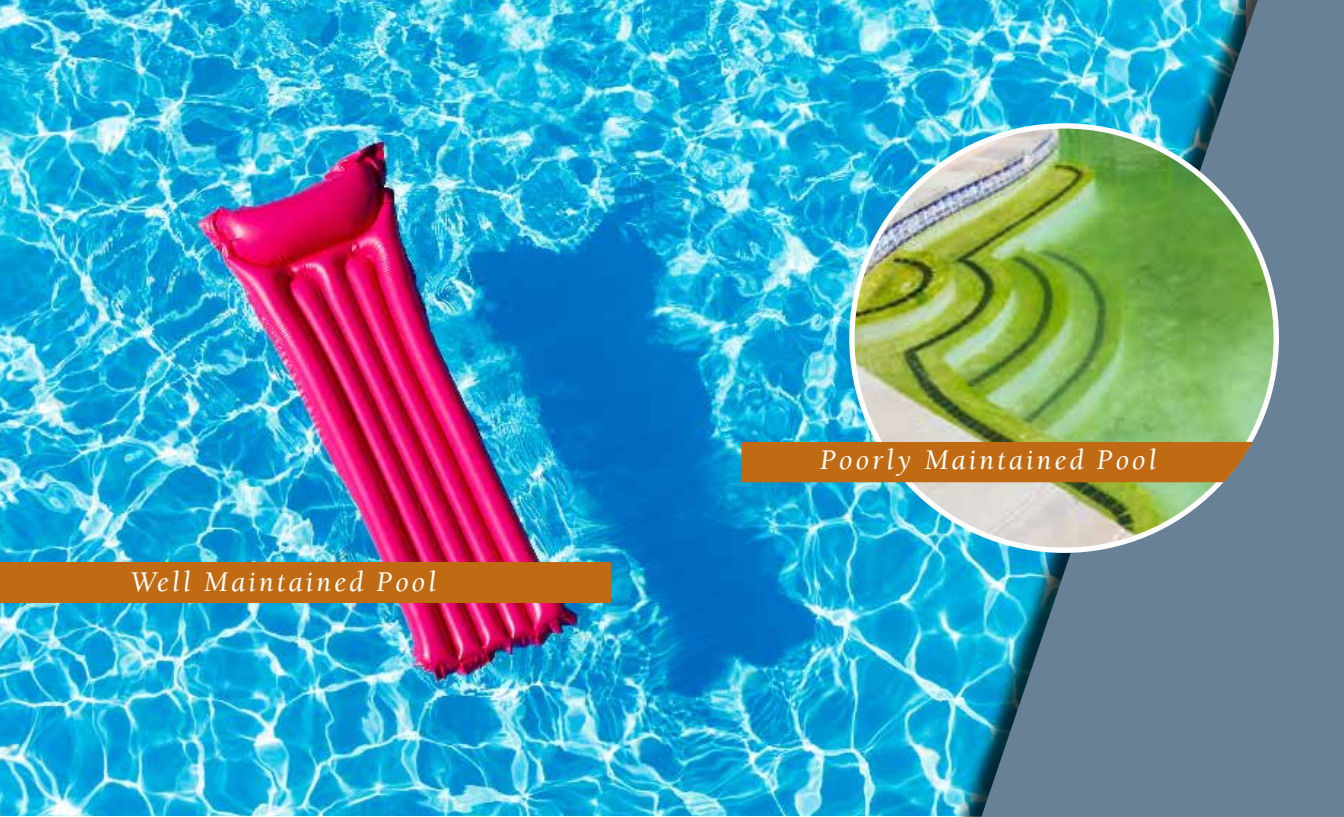
Any safety features associated with the swimming pool that were required to be installed at the time of the construction of the pool pursuant to Florida Statutes and the Florida Building Code shall remain in good working order.

The bottom of the pool shall be clearly visible to a Person standing on the pool deck. Swimming pools shall be maintained in a manner that prevents adverse affects on the economic welfare of adjacent properties.

95.01(B)(12) VACANT OR ABANDONED STRUCTURES.

It shall be the duty and responsibility of every Person owning, leasing, or having any legal or equitable interest in any vacant or abandoned Structures in the City to maintain such property in a safe and secure manner that does not endanger the public health, safety and welfare of adjoining property Owners and residents.

All windows, doors, garage doors and other access points of the vacant or abandoned Structures shall be Secured in a manner that prevents unauthorized access to the property.



Well Maintained Pool



Poorly Maintained Pool



95.01(B)(15)

BARS ON DOORS AND WINDOWS.

No bars, grates, lattices, or other similar objects shall be permitted on any portion of the exterior of any window or door.

95.01(B)(16)

DUMPSTERS AND DUMPSTER ENCLOSURES.

95.01(B)(16)(a) Dumpsters shall be maintained free of jagged or sharp edges or inside parts which could prevent the free discharge of their contents.

95.01(B)(16)(b) All Recycling containers shall be located within the dumpster enclosure.

95.01(B)(16)(c) Dumpsters shall remain closed at all times except when refuse is being placed within the dumpster. The dumpster enclosure shall be completely closed at all times except when it is necessary for ingress or egress to or from the dumpster.

95.01(B)(16)(d) The dumpster, dumpster enclosure, and all surrounding areas shall be maintained by the property Owner in accordance with this Section, and shall be free of overflowing refuse, and shall be clean at all times. If a continuous problem of insufficient dumpster capacity is proven to exist, in the sole discretion of the City, additional or larger capacity dumpsters and enclosures or increased frequency of pickup shall be required in order to eliminate the overflow problem.

95.01(B)(16)(e) Dumpsters shall be emptied by a franchised collector at intervals that will preclude overflow. Dumpsters, dumpster enclosures, and the area around the dumpster shall not be used for disposal of furniture and major appliances, except during a scheduled bulk pickup by a franchised collector, and shall not be used for storage of any other items other than described in this Section.



95.01(B)(17) LIGHTING.

The Homeowner's Association responsible for a multi-family residential Development shall be responsible for the maintenance of lighting systems on all Roadways, parking lots and common areas where such lighting systems exist within such Development.

95.01(B)(18) CONSTRUCTION WASTE AND CONSTRUCTION MATERIALS.

95.01(B)(18)(a) It shall be the joint responsibility of any Owner of real property upon which Construction is occurring, and any Person responsible for the Construction, to ensure that the real property, all adjacent Rights-Of-Way, and all properties in the area remain free at all times of Construction Waste and Trash resulting from such Construction.

95.01(B)(18)(b) It shall be the joint responsibility of any Owner of real property upon which Construction is occurring, and any Person responsible for the Construction, to ensure that the real property remain free at all times of stored Construction materials, except for those Construction materials awaiting incorporation into the Construction which may be stored on the real property for no more than ten days.



HOW THE CODE CITATION PROCESS WORKS.

The Code Enforcement Division routinely inspects residential and commercial properties. If it is determined that a violation of Weston's Code of Ordinances exists, a notice of violation is issued by a Code Enforcement Officer.

OVERVIEW OF CODE CITATION PROCESS

- 1) If a violation is alleged to exist, written notice is provided to the property owner and a reasonable amount of time (dependent upon the violation) is provided to correct the violation. If the violation is corrected, the process ends here.
- 2) If the violation continues beyond the time specified for correction, the violator is scheduled for a hearing before the Special Magistrate. Written notice of the meeting is provided to the property owner. Special Magistrate Hearing procedures are outlined in Code 31.21 of the Weston Code of Ordinances. For more information on the Magistrate Hearing process call Code Enforcement staff at 954-385-0500. Hearings are held at Weston City Hall in the City Commission Chambers, 17200 Royal Palm Boulevard.
- 3) The Special Magistrate may require the violator to pay a fine, not to exceed \$1,000 per day, for each day that the violation continues past the date set for compliance. In the case of a repeat violation, the Special Magistrate may order the repeat violator to pay a fine not to exceed \$5,000 a day, for each day the repeat violation continues past the date of notice of the repeat violation. Upon a finding that the violation is irreparable or irreversible in nature, the Special Magistrate may order the violator to pay a fine not to exceed \$15,000 per violation. In addition to such fines, the Special Magistrate may impose additional fines to cover all costs incurred by the City in enforcing its Codes and all costs or repairs.

SPECIAL MAGISTRATE

In the City of Weston, a Special Magistrate hears those matters that he/she is empowered and authorized to hear and rule upon, under Florida Statutes Chapter 162, for violations occurring within the City. The Special Magistrate has the authority to impose administrative fines and other non-criminal penalties, in addition to the implementation of supplemental code enforcement procedures, to provide an equitable, expeditious, effective, and inexpensive method of enforcing the City's Code of Ordinances.

Our Code Officers really do not want to issue violations. It's not that they don't want to see you – just not under negative circumstances. They would much rather stop by to talk about how great the property looks! Again, our goal is protecting and enhancing the overall appearance and safety of the community. Please let us know what we can do to assist you.

Weston Code Enforcement | 954-385-0500
codeenforcement@westonfl.org



WESTON CITY HALL

17200 Royal Palm Boulevard
Weston, Florida 33326
954-385-2000

WestonFl.org