

Subpart A - GENERAL ORDINANCES  
Chapter 58 - HOUSING  
ARTICLE III. - PROPERTY MAINTENANCE STANDARDS  
DIVISION 4. ABANDONED AND VACANT PROPERTIES REGISTRY

---

***DIVISION 4. ABANDONED AND VACANT PROPERTIES REGISTRY***

**Sec. 58-320. Public nuisance.**

Abandoned and/or vacant real property, which is unmaintained or unsecured, is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, safety and welfare of the residents of the City of Miami Beach.

(Ord. No. 2020-4345, § 1, 7-29-20)

**Sec. 58-321. Applicability.**

The provisions of this division shall apply to any abandoned and/or vacant real property that is located within a local historic district in the City of Miami Beach.

(Ord. No. 2020-4345, § 1, 7-29-20)

**Sec. 58-322. Administration and enforcement.**

- (a) Within 15 days after a property has become abandoned or vacant, as defined in this article, the property owner and/or mortgagee shall register such property with the city's finance department, to be included on the city's abandoned and vacant properties registry, pursuant to the requirements of this division.
- (b) The failure of a property owner and/or mortgagee to:
  - (1) Properly register a property pursuant to this division,
  - (2) Amend the property's registration from time to time to reflect a change in circumstances, or
  - (3) Comply with any other requirement of this division,

is a violation of this article and shall be subject to the enforcement and penalty provisions in division 2 of this article.

(Ord. No. 2020-4345, § 1, 7-29-20)

**Sec. 58-323. Registration requirements.**

The following requirements shall apply to the property owner and/or mortgagee of any abandoned and/or vacant real property subject to the requirements of this division:

- (a) A nonrefundable annual registration fee in the amount of \$200.00 per property shall be paid.
- (b) In addition to the annual registration fee, a nonrefundable annual fee of \$0.30 per square foot of a building or structure shall be paid for any building or structure that exceeds three stories in height.
- (c) The term of each property's annual registration shall correspond with the city's fiscal year (i.e. between October 1 and September 30 of each year). Any renewal of a property's registration, along with payment of the annual registration fee. shall be completed prior to October 1 of each year.

- 
- (d) A failure to register a property, renew a registration, or pay any required fees in a timely manner shall be a violation of this division.
  - (e) Properties subject to this division shall be maintained in accordance with all applicable provisions of this article.
  - (f) Properties subject to the provisions of this division shall be posted with the name, address and 24-hour contact phone number of the applicable owner, mortgagee, and/or property management company. The posted sign shall be no less than 18 inches by 24 inches in size. and shall be of a font that is legible from a distance of 45 feet. The posting shall also contain the following statements: "THIS PROPERTY IS MANAGED BY," and "TO REPORT PROBLEMS OR CONCERNS." followed by the applicable contact information. All information thereupon shall be clear, legible, and updated as required.

(Ord. No. 2020-4345, § 1, 7-29-20)

**Sec. 58-324. Responsibility for compliance.**

- (a) It shall be the responsibility of the owner and/or mortgagee to maintain a property in accordance with the property maintenance standards and other applicable provisions of this article.
- (b) Notwithstanding the foregoing, a mortgagee shall only be required to comply with the provisions of this division during periods of time when the property is vacant and the subject of foreclosure proceedings, unless or until the property is sold or transferred to a new owner, or any foreclosure proceedings have terminated.

(Ord. No. 2020-4345, § 1, 7-29-20)

**Sec. 58-325. Additional authority.**

- (a) If an enforcement officer has reason to believe that a property subject to the provisions of this division poses a serious threat to the public health, safety, and welfare, and in addition to any other enforcement remedies available under the provisions of this article, the enforcement officer may bring the violation before the code enforcement special magistrate, or a court of competent jurisdiction, in order to address or abate the conditions of the property.
- (b) Upon a finding that the condition of the property poses a serious threat to the public health, safety and welfare, the code enforcement special magistrate, may direct the city to abate the violation and charge the mortgagee with the costs associated with the abatement.
- (c) If the mortgagee does not reimburse the city for the cost of abatement within 30 days of the city's issuance of the invoice to the mortgagee, then the city may record a lien against the property for the cost of abatement, along with any and all administrative fees allowed by law, to recover the city's costs.

(Ord. No. 2020-4345, § 1, 7-29-20; Ord. No. 2021-4431, 7-28-21)

**Secs. 58-326—58-335. Reserved.**