Introduced by Council Member Crescimbeni:

**ORDINANCE 2017-319**

AN ORDINANCE AMENDING CHAPTER 745 (ADDRESSING AND STREET NAMING REGULATIONS), PART 2 (ADDRESSING AND STREET NAMING DEFICIENCIES), ORDINANCE CODE; SUBPART D (ADMINISTRATION), AMENDING SECTION 745.232(H), (APPEALS), ORDINANCE CODE TO ALLOW THE COUNCIL TO CONSIDER WHETHER A PROPERTY OWNER WILL AGREE TO A RELEASE OF LIABILITY ACKNOWLEDGING THAT THE PROPERTY OWNER’S ADDRESS IS CONSIDERED AN OUT-OF-SEQUENCE ADDRESS AS DEFINED IN SECTION 745.223, ORDINANCE CODE; PROVIDING FOR AN EFFECTIVE DATE.

**Be it ordained** by the Council of the City of Jacksonville:

**Section 1. Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code,* amended.**  Chapter 745 (Addressing and Street Naming Regulations), *Ordinance Code,* is hereby amended to read as follows:

**CHAPTER 745. ADDRESSING AND STREET NAMING REGULATIONS.**

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**PART 2. – ADDRESSING AND STREET NAMING DEFICIENCIES**

**\* \* \***

**SUBPART D. ADMINISTRATION**

**\* \* \***

**Sec. 745.232. - Appeals.**

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(a) Property owners and occupants may appeal the final decision of the Committee to rename a duplicate street or reassign an out-of-sequence address to the City Council.

(b) The notice of appeal shall be filed with the Council Secretary together with a filing fee of $50, within 14 days of the issuance of the final decision of the Committee and shall state which criteria the Committee allegedly applied incorrectly in renaming a duplicate street or reassigning an out-of-sequence address.

(c) In order to maintain consistency in address sequencing, an appeal by one property owner or occupant whose address was reassigned by the Committee shall constitute an appeal of all related address reassignments. Only one filing fee is required.

(d) Within five days of receipt of the notice of appeal, the Council Secretary shall notify the Chairman of the appropriate committee of the City Council, the Chairman of the 911 Emergency Addressing Advisory Committee, and shall request the Office of General Counsel to prepare a resolution concerning the appeal to be introduced by the appropriate committee of the City Council.

(e) Upon determination by the Council that the notice of appeal is sufficient, timely filed, and that the appellant has standing to file the appeal, the Council Secretary shall schedule a public hearing concerning the appeal, and shall notify all property owners and occupants required to receive notification pursuant to [Section 745.231](https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXXIPUWOUT_CH745ADSTNARE_PT2ADSTNADE_SPDAD_S745.231PRNOPROWOCDUSTNAOUSEAD) of the date, time, and location of the public hearing. If the Council determines that the notice of appeal is not sufficient, the Council Secretary shall notify the appellant in writing of the deficiencies. No further action shall be taken until the appellant remedies the deficiencies and the Council thereafter determines the notice of appeal to be complete.

(f) The resolution shall be referred to the appropriate committee of Council, which shall conduct a public hearing within 30 days of the date on which the City Council determined the notice of appeal to be sufficient.

(g) The Council's review shall be limited to whether the 911 Emergency Addressing Advisory Committee applied the criteria outlined in[Section 745.213](https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXXIPUWOUT_CH745ADSTNARE_PT2ADSTNADE_SPBDUSTNA_S745.213CRMIDUSTNA) and [745.223](https://www.municode.com/library/fl/jacksonville/codes/code_of_ordinances?nodeId=TITXXIPUWOUT_CH745ADSTNARE_PT2ADSTNADE_SPCO-SADNU_S745.223CRIDOUSEAD) correctly.

(h) The Council may ~~affirm~~ grant or deny the appeal or remand each contested decision back to the 911 Committee with specific instructions for further action, by adopting a written order. In determining whether to grant or deny the appeal, the Council shall consider whether the Appellant/Property owner will agree to execute a Release of Liability and Waiver, in a form approved by the Office of General Counsel, acknowledging that their property contains an out-of-sequence address number, and that such manner of address may hinder or prevent the ability of Emergency Medical Services, Fire and Rescue and local law enforcement personnel’s efforts to accurately and promptly locate the property in the event of an emergency. This Release of Liability and Waiver shall be personal to the Appellant/Property Owner, and shall not run with the land. If the real property or the business (located thereon) is sold or transferred—whichever occurs first, the address shall automatically be changed as provided herein, and notice of such change shall be provided to the new owner. There shall be no right to contest the address change in this circumstance. The Council shall prepare a written order stating the basis for each ruling, and shall make its decision within 63 days of the determination by the City Council that the notice of appeal is sufficient, timely filed, and that the appellant has standing to appeal.

(i) When the Council acts on a contested decision, other than a remand, pertaining to a final action of the 911 Emergency Addressing Advisory Committee, Council action shall be deemed to be the final action of the City of Jacksonville as of the effective date of the resolution and shall not be subject to further review under this Code.

**Section 2. Effective Date.** This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor’s signature.

Form Approved:

/s/ Cherry Shaw Pollock

Office of General Counsel

Legislation prepared by: Cherry Shaw Pollock

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