

CODE COMPLIANCE

A Citizens Guide to Code Enforcement



Achieving Code Compliance through Education,
Communication and Cooperation.



CLEARWATER
BRIGHT AND BEAUTIFUL • BAY TO BEACH

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City of Clearwater Code Compliance Division

An introduction from the Planning and Development Director

The city of Clearwater's Code Compliance Division is responsible for the enforcement of established standards as set forth in the city's Community Development Code of Ordinances.

Code Compliance inspectors respond to citizen-named complaints, as well as complaints from other city departments and jurisdictions. They perform routine "sweeps" or patrols of each area of the city in pursuit of possible violations. Our goal is to be fair, consistent, and impartial.

If a violation is verified, the inspector will attempt to contact the property owner or tenant through various means. If no response is made regarding this first notification, a Notice of Violation will be sent via certified mail. This notice will provide a reasonable amount of time to comply. If compliance is not achieved, staff has the option of taking a case to the city's Municipal Code Enforcement Board, Special Magistrate, or to the Circuit Court of Pinellas County municipal code violation section. Our aim is to achieve a resolution to a problem through education, communication, and cooperation. Only when such efforts fail will we be compelled to take enforcement action that could lead to fines or liens on a property. Of course, matters that are an immediate threat to public health, safety or welfare may be addressed immediately to mitigate risk to the public.

Compliance with city standards will help ensure a safe and pleasant environment and to maintain the highest value for your property and neighborhood. Areas that suffer from deterioration, accumulation of debris, overgrowth, and other nuisance, result in declining property values and create public safety issues. We actively enforce these standards to ensure that your community and city remains a safe, healthy, and economically viable place to live.

Our success depends on you, the citizens of Clearwater. To increase your awareness and understanding of the city's standards of property maintenance, please read the helpful information contained in this booklet. Any comments, concerns, or questions you may have are appreciated and welcome.

Thank you for your support and interest in helping to maintain the quality of life that we have been able to achieve in Clearwater. Together, we can make a positive difference.

Sincerely,

Gina L. Clayton
Planning and Development Director

Frequently Asked Questions

Q: How do I report a possible violation?

A: Code Compliance Division – You may call the Code Compliance Division directly at 727-562-4720, Monday through Friday from 8:00 am – 5:00 pm. You must give your name and address, the street address of the compliant and a brief description of the potential violation.

Clearwater Connect – You may report violations online through the Clearwater Connect system. Visit www.myclearwater.com, then under the Residents drop down box, click on Report an Issue. Log in and choose Code Compliance to report a problem. You will be provided with an identification number at the time of submission, which allows you to track the progress of your complaint or inquiry.



Q: Do I have to leave my name and number or email address when I report a possible violation?

A: Yes, pursuant to Florida Statutes §§162.06, 162.21 and 166.0415, the City of Clearwater generally cannot initiate investigations of potential code violations based on anonymous complaints. Persons reporting potential violations must provide their names and addresses in order for code enforcement agents or officers to conduct such investigations. However, if you believe that an alleged violation poses an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources, you may report such a violation anonymously by calling (727) 562-4720.

Q: How do I know my complaint was acted upon?

A: If you called in a complaint and do not see any results, please call us again. Our staff will gladly check the computer records and inform you of the status of your report, or put you directly in touch with the assigned code inspector. If you used the online Clearwater Connect system, you may simply log back in to the system and track the complaint at your convenience. Should you still have questions, call us at (727) 562-4720.

Q: What happens if I'm in violation?

A: If there is a suspected violation, the assigned code inspector will take various steps to make sure you are aware of the violation. The inspector may leave a business card or an informational door hanger at your residence or place of business. If we receive no response from you, a notice of violation will be mailed to the property owner and/or occupant giving a specific amount of time to comply. If you need additional time to correct a violation, please take the time to telephone the code inspector. Our goal is to achieve voluntary compliance through education, communication and cooperation. As a rule, Municipal Code Enforcement Board or Pinellas County Court action (to include monetary fines and/or liens against your property) are used only as a last resort.

Q: What is a Notice to Appear citation?

A: Code inspectors have the option of issuing a Notice to Appear citation in lieu of a Notice of Violation. The Notice to Appear citations are sent directly to Pinellas County Court. You will have the option of a trial or paying the fine indicated on your Notice to Appear citation within the time period noted. Notice to Appear citations are used most frequently for water and other transient/itinerant-type violations and for repeat violators and/or violations.

Q: *Is there any type of assistance available?*

A: Our code inspectors will gladly work with you to come into compliance with city codes. However, if you need additional assistance, there are a variety of alternative options and/or agencies available, including the city's Economic Development and Housing Department. Please call them directly at (727) 562-4220 for information on how they may assist you.

Q: *Why did I get a violation?*

A: Our code inspectors are tasked with monitoring their entire zone on a routine basis and may have observed your violation at that time. In addition, they respond to complaints that are brought to our attention. If you feel we have missed a violation in your neighborhood, please feel free to call and ask for an inspector to investigate. In no way is this program designed to be used as a selective enforcement tool or to be biased against any one citizen, group or business entity. Our focus is to be fair, consistent and impartial in our regulatory processes.

Q: *How do I use the Citizens Guide to Code Enforcement?*

A: This guide has been compiled to educate the reader about the city's ordinances as they relate to some of the most commonly violated codes. The goal is to provide useful and helpful information. The passages or code sections included herein may be slightly modified or abbreviated in order to fit the format of this guide. The complete version of the Clearwater Community Development Code (CDC) and Code of Ordinances (CO) can be found at municode.com/library/fl/clearwater.

The guide index includes sections for property maintenance codes, public nuisance-type codes and business/commercial type codes. Code issues handled through other city departments are also listed, as well as the contact information for that department.

Community Development Code

Address Numbers Required - CO Section 28.82

The owners of all developed properties within the city are required to have the proper address numbers, as set forth in the house number atlas, displayed conspicuously upon the property. The numbers must be Arabic numerals. Painted numbers on a curb and written script are not acceptable. Address numbers shall be not less than three inches in height for residential uses and not less than six inches in height for nonresidential uses. The address numbers must be located to be easily visible from the street the property fronts.

Canvas Carports/Accessory Structures - CDC Section 3-203.E

Carports, garages or any structure used or intended to be used for the storage of any vehicle shall include a permanent and solid roof deck constructed with materials such as asphalt shingles, metal, concrete tile or wood. Fabric, canvas and canvas/fabric-like materials are prohibited.

Fence and Wall Maintenance – CDC Section 3-808

All fences and walls constructed pursuant to this division shall be maintained in a structurally sound and aesthetically attractive manner.

Specifically:

- A fence or wall shall be maintained in a vertical position, and shall not be allowed to sag or lean at more than 10 degrees from vertical, unless the fence or wall is specifically designed and permitted to be maintained at such an angle.
- Rotten boards in a fence shall be replaced.
- Each support post or footer shall be solidly attached to the ground.
- Each fence stringer shall be securely fastened to the support posts and face of the fence.
- Each fence shall be securely fastened to the support post and fence stringers.
- All fence or wall surfaces shall be painted, stained, treated or otherwise maintained to present a uniform appearance; however, this section is not intended to prohibit the maintenance of fences in which a deteriorated section of the fence is replaced with new material, which will take some time to age or weather to replicate the appearance of the original fence.
- Fence boards may be replaced on any nonconforming fence without a permit provided the posts are not replaced.
- Apply for a permit: myclearwater.com/permits.

Garage Sales (Allowable Temporary Use) – CDC Section 3-2103.E

Garage, yard or estate sales are:

- Allowable within all residential zoning districts and for all detached dwellings and duplexes.
- Allowable twice per property, per calendar year, but for no longer than three days per occurrence.
- Individual occurrences may not be consecutive.
- Provided all of the applicable standards are met, a permit is not required for this temporary use.

Graffiti Prohibited, Removal Required - CDC Section 3-1504

- No person may paint, draw or apply graffiti to any wall, post, column or other building or structure. No person may paint, draw or apply graffiti to a tree or other exterior surface, publicly or privately owned, within the city of Clearwater.
- Graffiti found upon privately-owned property within the city shall be removed by the property owner or, if the owner is not in possession of the property, by the tenant or any adult person acting as the agent or property manager for the owner or the tenant, within 10 calendar days following service.
- Graffiti found upon city-owned public property shall be removed by the appropriate city department within 10 calendar days following discovery of the existence of such graffiti. If graffiti is found upon public property not owned by the city, the city manager shall give notice of such graffiti to the owner and shall request the prompt removal of the graffiti.

Landscaping Required – CDC Section 3-1502.H.2 & 3

Any portion of a lot not covered by a building or structure or otherwise devoted to parking, a service drive or a walkway shall be landscaped with grass or other appropriate ground cover and shall be maintained in a neat and orderly manner.

All landscape materials, including turf, shrubs and trees, whether required or optional, shall

be maintained in a healthy condition to present a neat and attractive appearance and to discourage the accumulation of trash or debris and/or infestation by pests.

Newsracks – CDC Section 3-910

The city has guidelines, requirements and restrictions regarding the design, location and number of newsracks upon street rights-of-way and public property. Call the Code Compliance Division at (727) 562-4720 for more information or with any questions.

Exterior Storage/Display (nonresidential properties) – CDC Sections 3-913, 3-1502.F.1, 3-2103.P

- Unless otherwise expressly permitted in the zoning district in which the property is located, the outdoor display and storage of goods and materials is prohibited.
- All equipment, materials and merchandise shall be stored and located at all times within an enclosed structure and no exterior storage of merchandise for sale shall be permitted unless expressly authorized pursuant to the provisions of the Community Development Code.
- Temporary outdoor retail sales or displays are sometimes allowable in certain zoning districts. Please contact the Planning and Development Department at (727) 562-4567 for more information on how to obtain a Temporary Use Permit for an outdoor sale, display or special event.

Exterior Storage/Display (residential properties) – CDC Sections 3-913, 3-1502.G

- As provided in Section 3-913 of the Community Development Code, outdoor storage is prohibited. For the purposes of this section, carports are subject to the outdoor storage provisions.
- Equipment, materials or furnishings not designed for use outdoors, such as automobile parts and tires, building materials and interior furniture, may not be stored outdoors.
- Construction materials, unless such materials are related to an active building permit related to the property on which the materials are located, shall not be stored outdoors on a residentially zoned property.
- Bulk items intended for pick up by the city may not be placed at the curb more than 24 hours prior to the scheduled pick up.

Parking Lot and Driveway Surfaces – CDC Section 3-1502.K.4

Parking lot and driveway surfaces shall be maintained in a safe and clean condition by the owner of the parcel of land. The owner shall, at a minimum, keep such surface free of pot holes, litter, trash, debris, equipment, weeds, dead vegetation and refuse and shall promptly repair cracked or heaved parking lot surfaces.

Parking Restrictions in Residential Areas – CDC Section 3-1407

For the dual purpose of preserving attractive residential areas within the city and promoting safe unimpeded traffic circulation throughout such neighborhoods, the following parking restrictions shall apply except as provided below:

Within street right-of-way: The following vehicles shall not be parked or stored on any public right-of-way in a residential zoning district or on any right-of-way contiguous to a residentially zoned property:

- Any boats or boat trailers.
- Any hauling trailers.
- Any of the following recreational vehicles: travel trailers, motor homes and camping trailers.
- Any commercial vehicle.
- Any race car, dune buggy, farm equipment, go-kart, all-terrain vehicle or other similar vehicle not designated for street operation.

Between principal structure and right-of-way: The following vehicles shall not be parked or stored, in whole or in part, in a front setback and/or forward of the building line of the principal structure and any right-of-way line in a residential zoning district up to a maximum of two frontages:

- Boats in excess of 20 feet.
- Any boat trailers in excess of 25 feet total length or in excess of five feet longer than any boat occupying the trailers.
- Hauling trailers.
- Recreational vehicles, travel trailers, motor homes and camping trailers.
- Any commercial vehicle measuring in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo.
- Any race car, dune buggy, farm equipment, go-kart, all-terrain vehicle or other similar vehicle not designated for street operation.

Parking in the side or rear setback: The following vehicles may be parked or stored, in whole or in part, in a side or rear setback behind the front building line of the principal structure in a residential zoning district provided such vehicles are screened with a six-foot high solid fence, wall or hedge, and are on a permitted permanent surface:

- Boats in excess of 20 feet.
- Boat trailers in excess of 25 feet.
- Hauling trailers.
- Recreation vehicles, trailers, motor homes and camping trailers.
- Any race car, dune buggy, farm equipment, go-kart, all-terrain vehicle or other similar vehicle not designated for street operation.

Large vehicles: The following vehicles shall be not be parked or stored in any residential zoning districts:

- Commercial vehicles measuring in excess of 20 feet in total chassis and body length, seven feet in total width or seven feet in total height, including appurtenances, equipment and cargo are prohibited.
- Semi-tractor trailers, trucks or cabs, or any garbage truck, pump-out trucks, chemical trucks, gasoline trucks, fuel oil trucks or similar vehicles designed to transport wastes or hazardous or noxious materials are also prohibited.

Grass Parking: (Exception to prohibition of parking on unpaved areas on single-family and duplex residential property.) One designated parking space may be located on the grass in a required front setback adjacent to and parallel to the driveway located on the property. Access to such designated parking space shall be by way of the property's driveway. If the designated parking space cannot be maintained as a grass area and is either reported by neighboring residents as a detrimental property or is identified by any code inspector as in violation of this provision, such designated parking area shall be filled in by the property owner, with pavers, concrete, turf block or asphalt. Materials not permitted include crushed shell, mulch, millings or similar material.

Parking on unpaved area prohibited: No parking, displaying or storing of vehicles, trailers and/or boats shall be permitted on any grass surface or other unpaved area zoned for any use unless specifically authorized in this section.

Exceptions to residential parking ordinances:

- Commercial vehicles during the actual performance of a service at the premises where the vehicle is parked.
- Loading, unloading or cleaning of vehicles, but not including semitrailer trucks or cabs, provided such activity is fully completed within 24 hours and provided such activity does not occur at the same location more than two times per month.
- Emergency vehicles.

Portable Storage Units (Allowable Temporary Use) –CDC Section 3-2103.H

- Allowable within all residential zoning districts four times per property during a calendar year, but for no longer than four days per occurrence.
- Allowable within all nonresidential zoning districts for the duration of an active building construction permit, or four times per property during a calendar year, but for no longer than 30 days per occurrence.
- Size guidelines are as follows: not to exceed eight feet in height, eight feet in width and 16 feet in length.
- A maximum of two signs. Each sign cannot be more than 12 square feet in area. Each sign may be located on parallel sides on a portable storage unit.
- A sticker shall be affixed to all portable storage units indicating the most recent delivery date that the portable storage unit was delivered to a property.

Property Maintenance Requirements –CDC Sections 3-1502.B,C,D

- **Exterior surfaces:** All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. All exterior surfaces shall be free of mildew, rust, loose material, including peeling paint. Patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to materials, color, bond and joining.

All cornices, trim and window frames that are damaged, sagging or otherwise deteriorated shall be repaired or replaced to be made structurally sound. All exterior surfaces, except decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained according to manufacturer's specifications and otherwise treated in a consistent manner.

- **Door and Window Openings:** All windows and doors shall be secured in a tight-fitting and weatherproof manner and have sashes of proper size and design. Sashes with rotten wood, broken joints or deteriorated mullions or muntins must be repaired or replaced. Windows shall be maintained in an unbroken and clean state. No windows shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building façade using wall materials and window detailing comparable with any upper floors and the building façade in general. All damaged or broken windows shall be promptly restored, repaired or replaced. All awnings, screens or canopies facing or visible from the public right-of-way or any other parcel shall be maintained in a good and attractive condition and torn, loose and/or bleached awnings, screens or canopies shall be promptly replaced, repaired or removed. Doors and windows not facing the public right-of-way, and upper level window and door openings fronting a public right-of-way, shall be similarly maintained and repaired as the doors and windows facing the public right-of-way, except that such doors and windows may be enclosed or removed provided the sills, lintels and frames are removed and the opening properly closed to match and be compatible with the design, material and finish of the adjoining wall.
- **Roofs:** All roofs shall be maintained in a safe, secure and watertight condition. Any new mechanical equipment, including replacement equipment placed on a roof, shall be located as to be screened from view from the public right-of-way at street level from adjoining properties. Roofs shall be maintained in a clean, mildew-free condition and kept free of trash, loose shingles and debris or any other element, including grass or weeds, that are not a part of the building or a functional element of its mechanical or electrical system. Tile roofs with peeling paint shall be repainted or have the paint removed. Any false roof, mansard or similar roof element or other auxiliary structure on the roof shall be finished and maintained in a condition comparable to and compatible with the exterior side of the building wall to which the roof element abuts.

Sea Turtle Lighting – CDC Section 3-1302.D

Sea turtle nesting areas: In order to provide protection for nesting marine turtles and their hatchlings during the nesting season of May 1 to October 31 and to minimize artificial light illuminating areas of the beach, the following standards for public or private artificial light sources shall apply on Clearwater Beach and Sand Key:

- **Controlled use, design and positioning of lights:** Light fixtures shall be designed and/or positioned such that they do not cause direct illumination of the beach areas. Wall-mount fixtures, landscape lighting and other sources of lighting shall be designed and/or positioned that light does not directly illuminate the beach areas. All lights on balconies shall be shielded from the beach. Lighting in parking lots within line of sight of the beach shall be positioned and/or shielded that only deflected light may be visible from the ground level of the beach. The use of low pressure sodium vapor lights are permitted where security or safety problems can be demonstrated, shielding is cost prohibitive and visibility from the beach cannot be prevented.

Vehicle Repair/ Sales, etc. – CDC Section 3-916

- No vehicle, recreation vehicle, travel trailer, camper or similar unit shall be used for living, sleeping or housekeeping purposes in the city except as recreation vehicles, travel trailers, or campers may be permitted within an approved recreational vehicle park.
- No vehicle shall be parked in a predominant location on a parking lot for the purpose of displaying such vehicle for sale, unless the lot is approved for vehicle sales pursuant to this development code.
- No repair of any vehicle is permitted in any residential zoning district unless such repair is confined within a completely enclosed building and limited to vehicle service involving vehicles owned by a person who resides at that residence, however, minor vehicle repairs are permitted anywhere on the property. Under no circumstance shall such repair be conducted as a commercial activity.

Public Nuisance

Abandoned Buildings – CDC Section 3-1503.B.2

Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time, in the sense of this subsection.

Bees – CDC Sections 3-1503.A & B.9

The existence of bees or beehives on a property is generally considered to be a condition that constitutes a nuisance to the public, unless properly permitted for beekeeping by the state of Florida. The abatement would be in the best interest of the health, safety and welfare of the citizens of the city.

Backyard Chickens – CDC Section 3-204.A,B,C,D

General provisions for the keeping of chickens in a permitted zoning district:

Up to four chickens may be kept on any property, but not permitted in mobile home parks.

A chicken coop and a connected chicken run are both required for the keeping of chickens.

Ducks, geese, turkeys, peafowl, adult male chickens/roosters, or any other poultry or fowl are not allowed.

The selling of chickens, eggs or chicken manure, or the breeding of chickens for commercial purposes is generally prohibited. However, chicken eggs may be sold as part of a lawful home-based business.

Chickens shall not be slaughtered on premises.

Location & Other requirements:

The chicken coop shall be covered, ventilated, and secure.

Any chicken coop and chicken run must be located in the rear yard of a property unless the property is a corner lot. For a corner lot, a chicken coop and chicken run must be located in the side yard of the property.

The chicken coop and chicken run must be screened from adjacent properties.

The chicken coop nor the chicken run may be taller than six feet.

*No person convicted as a repeat violator of this section may be permitted to, or continue to keep chickens on their premises.

*For assistance with loose chickens or other birds please call the Clearwater Police Department @ 727-562-4242.

Debris – CDC Sections 3-1503.B.5, B.6 & B.7

- Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.
- The placement of trash, debris or other items on public property without authorization.
- Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than 12 inches, or the accumulation of debris upon property within the city of Clearwater.

Debris/Outdoor Storage: Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck or motorcycle, on any private property, is prohibited within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle or bicycle located on the premises of a lawfully established storage yard or on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

Grass (Overgrowth) – CDC Sections 3-1502.H.3 & 3-1503.B.7 & B.8

- All landscape materials, including turf, shrubs and trees, whether required or optional, shall be maintained in a healthy, live condition to present a neat and attractive appearance and to discourage the accumulation of trash or debris and/or infestation by pests.
- Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than 12 inches, or the accumulation of debris upon property within the city of Clearwater.
- The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash or any other accumulation extend over the sidewalk, bicycle path, curblin or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.

Illegal Dumping – CO Sections 24.27 & 32.283

*If you witness a possible illegal dumping crime, please call the Clearwater Police Department at (727) 562-4242.

- **Dumping garbage on premises, etc.:** It shall be unlawful for any person to place, leave, dump or permit to accumulate any garbage, rubbish, dead animals or any waste vegetable or animal matter of any kind or trash in any building or premises, land or waterway in the city, so that rats may be afforded food or harborage.
- **Illegal dumping/littering:** It is illegal to dump any solid waste other than by the defined methods in this code. Illegal dumping may lead to investigation and prosecution.

Inoperative Vehicles – CDC Sections 3-1503.B.6, 3-1507.A, 3-1502.G.5

- The keeping, storing or parking of an inoperative vehicle on any public property is hereby declared to be a nuisance. It shall be unlawful for any person to keep, store, park or allow to remain on public property any inoperative vehicle.
- The city of Clearwater doesn't allow the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle or bicycle located on the premises of a lawfully established storage yard or is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.
- Any motor vehicle that is lawfully parked and is covered in a manner to protect the motor vehicle shall allow at least the bottom six inches of each tire to be visible. The required license plate shall be clearly visible from the right-of-way or the license plate number shall be printed legibly on the cover with characters not less than two inches in height so that it is clearly visible from the right-of-way. Covers shall not be faded and shall be in good condition, without tears, rips or holes.

Pool Maintenance – CDC Section 3-1503.B.5

Pools, ponds and fountains are meant to be utilized and maintained for their intended purposes. The city of Clearwater doesn't allow any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.

Unsecured Properties – CDC Sections 3-1503.A, B.1 & B.9

An unsecured building or structure is considered to be a blight on the community and is treated as a Public Nuisance Violation. An unoccupied/vacant building or structure is considered unsecured when unauthorized persons can readily gain entry to the building or

structure without the consent of the owner or agent of the owner. Broken or missing windows and doors or windows and doors that cannot be locked or secured are considered to be a source of access that contribute to the nuisance condition, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.

Business Codes

Business Tax Receipt Required - CO Section 29.30

If you are operating a business within the city limits of Clearwater, whether it is a home-based, or a commercial brick and mortar location, all businesses are required by law to obtain and maintain a business tax receipt.

All business tax receipts in the state of Florida are due by September 30 every year. Renewal notices are sent out as a courtesy in early July. However, each business owner is responsible for renewals every year regardless of whether they receive notice or not.

Application: You can apply for the business tax receipt two ways. You can apply online through myclearwater.com or you can pick up an application by visiting our location @ 100 S. Myrtle Ave in the lobby.

Paying your fees: There are several ways your Business Tax Receipt.

- In person by visiting 100 S. Myrtle Ave and dropping off a check or money order. (We do not accept cash).
- By Mail: Make checks payable to the City of Clearwater and send to:
City of Clearwater, PO Box 4748, Clearwater, FL 33755
- Online by visiting epermit.myclearwater.com. Type in your account number and follow the prompts. You do not need to login to make a payment. No service fee is applied for online payments.

Status Changes: If the business moves locations, or closes please let the Business Tax Receipt office know to avoid accruing renewal fees, fines and/or late fees. If you move then a new application and account will need to be obtained.

Business Tax Receipts shall be displayed in a prominent location within the business location.

Contact staff directly to discuss questions on moving or closing your account @ 727-562-4005.

Rental Property – CDC Sections 3-2301, 3-2302 & 3-2303

A Business Tax Receipt shall be required for all residential rentals set forth in CDC Section 3-2301. This division shall be applicable to the rental of all attached dwellings, detached dwellings, dwelling units and accessory dwellings within the city of Clearwater.

Local representation for business tax receipt applications for residential rentals Business Tax Receipt applications for residential rentals shall include a local contact or representative. Such contact or representative shall maintain a current working local telephone number and current local address, not a public or private post office box, and provide notification of any changes to the city within 30 days for a physical location and telephone number within one of the following counties in Florida: Pinellas, Hillsborough, Pasco, Manatee or Sarasota.

Note: Rental of commercial property also requires a Business Tax Receipt, such as, hotels, motels, resort condominiums, transient apartments, rooming houses, resort dwellings or bed and breakfast inns.

Short-Term Residential Rental – CDC Sections 1-104.B & 3-919

While Clearwater benefits, encourages and celebrates tourism, the city's Code Compliance Division reminds residential property owners that the city enforces its short-term rental ordinance. In residential districts, the city doesn't allow a property owner to lease or rent their property for short-term periods, which is anything less than 31 days or a calendar month. Residential property owners who wish to rent their property can advertise for monthly rentals; they cannot advertise for daily or weekly rentals.

A residential use located on a residentially zoned property shall not include rentals for less than 31 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less. A residential use located on residentially zoned property shall not include an interval ownership, a fractional ownership or a timesharing unit.

Signage – Community Development Code, Article 3, Division 18

Temporary Signs – Section 3-1806

- A. Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.
- B. A temporary sign displayed on a window surface must be displayed on the inside of the window surface, shall cover no more than 25 percent of the aggregate window surface area, and shall not be illuminated. This temporary sign allowance shall be reduced by any window surface area already covered by signage allowed in Section 3-1805.O.

The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.

General Provisions for signs – 3-1805

Window Signs – Section 3-1805.O

- Window signs may be located on any window area provided such sign or combination of signs do not exceed 25 percent of the total window area on any façade. All signs located inside an enclosed area for purposes of advertising shall be construed to be window signs. In no case shall the cumulative area of all window signs on any façade exceed 50 square feet.

Prohibited Signs – Section 3-1804

- Many types of signs and advertising are prohibited by city code, which include but are not limited to the following: feather/flutter signs; wind activated, billboard and bench signs, discontinued signs, electronic message signs, portable signs, roof signs, sidewalk signs, signs that emit sound, vapor, smoke or odor, portable trailer signs. Signs that move, revolve, twirl, rotate, flash, scintillate, blink, flutter, or appear to display motion in any way whatsoever, including animated signs, multi-prism signs, tri-vision signs, floodlights and beacon lights are prohibited. Snipe signs or signs that attach to trees or vegetation are prohibited. Signs carried, waved, or otherwise displayed by persons either on public rights-of-way or in a manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose and is not intended to limit the display of placards, banners, flags, or other signage by persons participating in demonstrations, political rallies and similar events.

Signs in the Right of Way Are Prohibited – Section 3-1804.M

- Signs cannot be placed on publicly owned land or easements or within street rights-of-way. Permanent signs located on publicly-owned land or easements or inside street rights-of-way. This prohibition does not apply to government signs or transit shelter signage authorized by law.

Note: This includes election and garage sale signs if placed in violation of the city’s ordinance.

Proper Sign Placement – Section 3-1805.E

- Setback: No allowable signage shall be located within five feet of a property. Flexibility may be approved by the Community Development Coordinator.

Sign Maintenance – Section 3-1502.I (Property maintenance)

- All signs shall be maintained in good condition in the form in which the signs were originally approved, free of mildew, rust, loose material, including peeling, fading paint or materials. Any loose, broken, peeling or faded parts of the sign shall be promptly repaired, painted or replaced.

Sign Permit – Section 4-1002 (Art. 4, Development Review)

- No sign shall be located, placed, erected, constructed, altered or extended without first obtaining a sign permit from the city, except for signs listed in Section 3-1806.

Note: Applications for sign permits can be obtained through the Planning and Development Department or at myclearwater.com.

Code Issues Handled Through Other Departments

Animals – CO Sections 8.31 – 8.36

*To report a violation involving animals, please call the Clearwater Police Department at (727)562-4242.

- Animal, when used in this article, means any type of animal, both large and small, which is normally a domesticated animal.
- No person shall abandon any animal within the city.
- It shall be unlawful for any person who owns, harbors, keeps or maintains any horse, chickens, cow or other domestic animal or pet including dogs to permit such animal to wander on the public streets or on the property of another. Animals shall not be secured except temporarily on the public streets, parks, property of another or parkways of the city. Any such horse, cow and other animal or pet including dogs found to be wandering at large out of presence of the owner, or tied or secured on the public streets or parkways of the city except temporarily, shall be impounded.
- No person while in control of any animal whether by leash or other manner shall allow such animal to trespass upon the property of another.
- It shall be unlawful for the owner of any dog, cat or other domestic animal, to allow such animal to be, and it shall be unlawful for such animal to be on any public bathing beach in the city.

Removal of dog waste matter from certain public and private property:

Every dog owner or person in charge of a dog who shall have actual knowledge or reasonable cause to believe that a dog who is under their custody or control has defecated on public or private property shall immediately retrieve all excrement and dispose of the excrement in a sanitary fashion.

Aforementioned shall not apply to a dog that defecates on its owner’s private property or on the private property of the person having temporary or permanent custody or control of the dog.

No dog owner or person having custody or control of a dog shall allow dog excrement to accumulate on their private property in a manner that creates a health hazard or public nuisance (e.g. excrement causes continuous off-site odor offensive to a person of reasonable sensibilities or attracts a large number of flies or other insects or pests.)

Housing Standards – CDC Section 3-1502.A & Chapters 47 & 49

*For more information on the below section, please contact the city’s Construction Services Division at (727) 562-4567.

All residential properties must be in compliance with the state of Florida’s Minimum Standard Housing Code (hot/cold water, heating, sanitary facilities, etc.), and the city of Clearwater’s property maintenance codes. Several agencies are available to assist those persons whose properties may not be up to these codes.

Motorized Vehicles and Electric Mobility Devices – Florida State Statutes 316-208, 316-2068 & 316-2074

*For more information on the section below or to report a violation, please call the Clearwater Police Department at (727) 562-4242.

The use of motorized vehicles, motorcycles, mopeds, electric personal assistive mobility devices and all-terrain vehicles are regulated through Florida State Statutes. Some vehicles described may require certain licenses and registrations in order to operate in public areas or on public streets.

Noise – CDC Section 3-1508

*For more information on the section below or to report a violation, please call the Clearwater Police Department at (727) 562-4242.

It shall be unlawful for any person to willfully make, continue or cause to be made or continued any loud and raucous noise that through unaided, ordinary auditory senses can be heard upon the public streets, sidewalks, or rights-of-way, in any public park, in any school or public building, in any church or hospital, or in any occupied dwelling and that can be heard at a distance of 100 feet or more from the source of the noise, measured in a straight line from the radio, loudspeaker, motor, horn, or other noise source. The term “loud and raucous noise” shall mean any sound which because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the city.

Trash Collection & Bulk Item Pick-up – CDC Section 3-1502.G.4

*For more information on the sections below or to report a violation, please contact the Solid Waste Department at (727) 562-4930.

Garbage, recycling and bulk item collection follows a set schedule and is once per week. You may view the schedule by visiting myclearwater.com, then click the circular orange Live button and select Solid Waste Collection on the sidebar. Place your container at the curb no earlier than 7 p.m. on the night prior to collection day or no later than 7 a.m. that morning. Bring the container in by 7 a.m. on the day following collection. Bulk items intended for pick up by

the city may not be placed at the curb more than 24 hours prior to the scheduled pick up.

Removal of Trimmings: By city ordinance, owners of residential properties may place tree trimmings by the curb for city collection, providing the homeowners perform the tree trimming or removal themselves. Grass clippings, leaves and other related debris may not be blown into the street and/or down the sewer drain. NOTE: Landscape and tree contractors must remove all tree trimmings and associated debris from the site and are not permitted to leave debris for city collection.

Disposal of Hazardous Household Waste & Tires

Hazardous waste including household and ni-cad (nickel cadmium) batteries, oil-based paint, paint thinners, paint removers and solvents can be taken to the Pinellas County's Household Chemical Collection Center and Swap Shop, 2855 109th Ave. North, St. Petersburg. Hours of operation are 6 a.m. to 6 p.m. weekdays and 7 a.m. to 5 p.m. Saturday. Call (727) 464-7500 for information.

TIRES: The city's Solid Waste Department does not collect or remove tires, and tires cannot be stored or accumulated on private or public properties. Tires can be recycled by a tire recycling company, or turned in to a tire retailer when you buy new tires. For a complete description of how to dispose of tires, visit the Pinellas County website at pinellascounty.org/solidwaste/getridofit/tires.pdf

Tree Removal - Permit may be required

*Permits may be required for removal of certain trees. For more information or to report a violation, please contact the Planning and Development Department at (727) 562-4567.

Unsafe Structures – CDC Section 3-1502.A

*For more information on the section below, please contact our Construction Services Building Division at (727) 562-4567.

Minimum building and fire code requirements: All buildings shall be maintained in accordance with the Standard Building Code, the Fire Protection Code and the Minimum Standard Housing Code as provided in Chapters 47 and 49 of the city's Code of Ordinances. Unsafe structures are buildings which are unsanitary, decayed, deteriorated, dilapidated, a fire hazard or remain in an unsecured condition. The city's construction inspectors will evaluate the matter, and if required, declare the building to be unsafe.

Watering Restrictions and Schedule – CDC Section 32.153

*For more information, call the Water Conservation Hotline at (727) 562-4987 or Clearwater Public Utilities at (727) 562-4960.

Water restrictions and schedules are subject to frequent changes depending on drought conditions. You may view the most current schedule at myclearwater.com/watering.

*To report a code violation, contact the Code Compliance Division at (727) 562-4720.



Exterior storage



Residential parking - Trailer in front setback



Residential parking - RV in front setback



Residential parking - Grass parking



Boat in right of way



Trailer in right of way



Residential parking - Large commercial vehicle



Property maintenance



Nuisance - Debris



Nuisance - Brush



Nuisance - Overgrowth



Nuisance - Overgrowth



Inoperable Vehicle



Inoperable Vehicle



Nuisance - Pool maintenance



Prohibited sign

City of Clearwater Contact Numbers

Building Permits.....	562-4567
Economic Development.....	562-4220
Engineering.....	562-4750
Environmental.....	562-4750
Fire Administration	562-4334
Landscaping.....	562-4567
Parks & Recreation.....	562-4800
Planning & Development	562-4567
Police Non-Emergency.....	562-4242
Public Communications.....	562-4682
Aging Well Center.....	724-3070
Solid Waste.....	562-4920
Trees-City Property.....	562-4800
Trees-Private Property	562-4567
Traffic Engineering.....	562-4750
Utilities	562-4960
Zoning.....	562-4567

In case of an emergency, dial 911.

Your involvement and cooperation with the city is greatly appreciated and needed. Together we can improve the quality of life for all citizens and visitors in Clearwater.

We hope this booklet has assisted you in learning more about our city codes. For additional information or assistance, please feel free to contact us.

CODE COMPLIANCE DIVISION

Municipal Services Building
100 S. Myrtle Avenue
Clearwater, FL 33756-5520
Phone: (727) 562-4720
Fax: 727-562-4735
Web: myclearwater.com
Monday – Friday 8 a.m. to 5 p.m.

