Public Hearing 6 P.M. or as soon thereafter as the agenda permits. The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

04/21/2026

City of Boynton Beach
Agenda Item Request Form

Meeting Date: 04/21/2026

Proposed Ordinance No. 26-012- Second Reading, An ordinance of the City of Boynton Beach, Florida, creating Article XV, "Abatement of Nuisances," of Chapter 15 of the City Code; establishing a public nuisance abatement process; providing for definitions, procedures, hearings before a special magistrate, emergency abatement, enforcement, penalties, and liens; providing for authority consistent with Chapter 166 and section 893.138, Florida Statutes; providing for codification, conflicts, severability, and an effective date.

Requested Action: Staff recommends approval of Proposed Ordinance No. 26-012.

Explanation of Request:

This ordinance creates Article XV, “Abatement of Nuisances,” within Chapter 15 of the City Code to establish a local administrative process for addressing properties used for recurring criminal activity that constitute a public nuisance. The ordinance authorizes the City to initiate nuisance abatement proceedings and provides procedures for notice, hearings before a special magistrate, enforcement orders, penalties, and other remedies intended to abate nuisance conditions.

Section 893.138, Florida Statutes, authorizes municipalities to enact procedures to abate public nuisances associated with certain criminal activities occurring at a place or premises, including unlawful drug activity, prostitution, criminal gang activity, and other specified offenses. The ordinance implements that statutory authority and provides a structured process for investigating complaints, providing notice to property owners and operators, and conducting hearings to determine whether a public nuisance exists.

If adopted, the ordinance will provide the City with an additional enforcement tool to address properties that repeatedly generate criminal activity and negatively affect surrounding neighborhoods and the public health, safety, and welfare of City residents.

How will this affect city programs or services?

This ordinance establishes a formal administrative process for the investigation and abatement of public nuisance properties within the City. Implementation will primarily involve coordination among the City Attorney's Office, the Boynton Beach Police Department, and the Code Enforcement Department. These departments may investigate complaints, document nuisance activity, and present evidence at hearings before the Special Magistrate.

The ordinance provides an additional enforcement mechanism to address properties associated with recurring criminal activity. By creating a structured process for nuisance abatement, the City will have a more efficient method to address problem properties that negatively impact surrounding neighborhoods. Any additional administrative workload associated with hearings or enforcement is expected to be manageable within existing departmental operations.

Account Line Item and Description: Not Applicable

Fiscal Impact: There is no anticipated significant fiscal impact associated with the adoption of this ordinance. The administrative procedures established by the ordinance will be implemented using existing City staff and resources. To the extent the City incurs costs related to investigations, enforcement, hearings before the Special Magistrate, or nuisance abatement actions, the ordinance authorizes the assessment of administrative fees and fines, and the recovery of abatement costs, where permitted by law.

Attachments:
Ord. 26-012 Nuisance_Abatement_Ordinance.docx
Abaitement comparison (003) (002).docx