

RESOLUTION NO. 26-R52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ADOPTING AMENDED POLICIES AND PROCEDURES FOR THE INFILL LIEN REDUCTION PROGRAM**; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Pierce, Florida adopted Resolution 22-R16 establishing the Infill Lien Reduction Program on March 21, 2022; and

WHEREAS, the Program sought to promote reinvestment and revitalization of vacant infill property by providing the property owner reasonable relief from liens assessed on the property by previous ownership; and

WHEREAS, the City Commission desired an evaluation and update of the Program to determine effectiveness and usability; and

WHEREAS, a four-year review of the Program has been completed and recommendations have been identified to enhance the efficacy of the program by establishing additional eligibility requirements, revising the review process and establishing a reversion policy in the event of default; and

WHEREAS, the attached policies and procedures amending the Infill Lien Reduction Program have been revised to ensure consistency with the purpose and objectives of the Program; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Fort Pierce, Florida as follows:

SECTION 1. The policies and procedures as outlined in the attached “Exhibit A” are hereby ratified and adopted by the City of Fort Pierce.

SECTION 2. The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

SECTION 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4. This Resolution shall be effective immediately upon final adoption by the City Commission.

IN WITNESS WHEREOF, this Resolution has been duly adopted this ____ day of _____ 2026.

LINDA HUDSON, MAYOR

ATTEST:

LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

Sara K. Hedges, Esq.
CITY ATTORNEY

EXHIBIT “A”

INFILL LIEN REDUCTION POLICIES AND PROCEDURES

POLICIES:

The City Manager or his designee is authorized to settle and release the City of Fort Pierce liens upon infill vacant lots throughout the City by conditionally waiving interest and soft costs upon the payment of the principal hard cost amount due and release a portion of the principal hard cost amount, in certain circumstances, in accordance with the Infill Lien Reduction Program.

The intent of the Infill Lien Reduction Program is to promote reinvestment and revitalization of vacant infill property by providing a property owner reasonable relief from burdensome accumulated interest and liens levied prior to their ownership, provided the property is currently being maintained in accordance with the City Code (i.e. has no active violation cases on the property).

PROCEDURES:

A. PROPERTY ELIGIBILITY REQUIREMENTS

1. The property must be an infill vacant lot that previously contained a structure which was subsequently demolished.
2. The property must have a code enforcement, lot clearing, nuisance abatement, or demolition lien with hard costs that were expended by the City.
3. The total amount of the lien(s) on the property must exceed 50% of the just/market value as provided by the St. Lucie County Property Appraiser, or appraisal of the market value prepared by a qualified independent Certified Residential Appraiser licensed by the Florida Real Estate Appraisal Board.
4. Only the current owner of the subject property may apply for the Infill Lien Reduction Program.
5. The applicant owner shall not have been an owner of the property, an agent or other representative of any owner of the property, related to any owner of the property, or an officer, director, employee, or agent of an entity that owned the property at the time the liens were originally recorded.
6. A property involved in a city-initiated foreclosure is not eligible to participate in the Infill Lien Reduction Program.
7. The property or any other property under common ownership must have no active violation cases against it.
8. An application for the Infill Lien Reduction Program must be completed.
9. The property shall not have been the subject of a previous Infill Lien Reduction Program approval.

B. PRE-APPLICATION PROCESS

1. Pre-Application Review Meeting. The applicant shall participate in a mandatory pre-application review meeting with Planning, Building, Engineering, and the Historic Preservation Officer (if applicable). This meeting will identify required permits, approvals, and constraints early in the process. It will also reduce the risk of funding awards to infeasible or non-compliant projects. This meeting is intended to ensure proposed project complies with:
 - a. City of Fort Pierce Land Development Code (Chapter 125).
 - b. Florida Building Code.
 - c. Fire Prevention Code (if applicable).

- d. Historic Preservation regulations (if applicable).
 - e. Fort Pierce Architectural and Urban Design Standards.
 - f. Applicable City of Fort Pierce rules and regulations.
2. Pre-Application Submittal Requirements. Applicants shall submit a Pre-Application Package including:
 - a. Conceptual façade drawings or renderings
 - b. Preliminary scope of work (aligned with eligible improvements)
 - c. Site photos (existing conditions)
 - d. Property information (address, parcel ID, zoning, FLU)
3. Meeting Coordination and Scheduling. Upon receipt of a complete Pre-Application Submittal Package, Code Enforcement staff shall initiate coordination of the Pre-Application Review Meeting.
 - a. Staff shall serve as the lead coordinator and schedule the meeting with the required departments, including Planning, Building, Engineering, and the Historic Preservation Planner (if applicable).
 - b. The meeting shall be scheduled within **10–15 business days** of receipt of a complete Pre-Application Package, or as soon as reasonably practicable based on departmental availability.
 - c. Staff shall notify the Applicant of the scheduled meeting date and time and provide a list of participating departments.
 - d. All required departments shall provide representation at the meeting or designate an appropriate alternate representative to ensure continuity of review.
 - e. Applicants shall be required to attend the meeting; failure to attend may result in rescheduling or delay of the pre-application determination.
4. Pre-Application Determination. Following the meeting, Planning Department shall issue a Pre-Application Summary Letter that identifies:
 - a. Applicable code requirements.
 - b. Required permits and approvals.
 - c. Any deviations, variances, or waivers required.
 - d. Whether a Certificate of Appropriateness is required.And confirms whether the project is:
 1. Eligible to proceed.
 2. Eligible with modifications.
 3. Not eligible due to code conflicts.
5. Condition of Application Acceptance. No application shall be deemed complete or accepted unless it includes:
 - a. The Pre-Application Summary Letter valid for 180 days.
 - b. A signed acknowledgment by the Applicant confirming understanding of code requirements.

C. APPLICATION AND AGREEMENT PROCESS

1. All applications for the Infill Lien Reduction Program shall be made through a standardized form provided and processed by the Code Enforcement Division.
2. There shall be established an application fee of \$250.00 for each Infill Lien Reduction application submitted. Such fee shall be paid at the time of submittal of the request. Application fees shall not, for any reason, be reduced, waived, or refunded.
3. The applicant shall affirm in the application that at the time the original lien was recorded the applicant was not:
 - a. An owner of the property;
 - b. An agent or other representative of any owner of the property;

- c. Related to any owner of the property; or
 - d. An officer, director, employee, or agent of an entity that owned the property.
- 4. The applicant shall provide a title search, dated within 90 days of application submittal, for the property with the application.
- 5. The applicant shall provide a Pre-Application Summary Letter, confirming that the project is eligible to proceed or eligible to proceed with modifications with the application. Upon submittal of a complete application and payment of the application fee, the Code Enforcement Division shall review the application and notify the applicant of any deficiencies in the application. All deficiencies shall be corrected by the applicant prior to application approval. If the applicant fails to properly correct the deficiencies within thirty (30) days of notification, the application shall be denied and closed.
- 6. Any additional liens levied under the current ownership on the property or any other property under common ownership must be paid in full (principal and interest) prior to or contemporaneous to the submission of the application, except that applications for other properties under common ownership may be submitted contemporaneously.
- 7. The application shall be submitted and approved prior to the issuance of the building permit for construction to be eligible for this program.
- 8. A Development Agreement shall be drafted by the Code Enforcement Division and entered into between the owner applicant and the City upon approval by the Special Magistrate and the City Commission, provided the property otherwise qualifies for the Infill Lien Reduction Program as outlined in these Policies and Procedures.
- 9. The Effective Date of the Development Agreement shall be the day the Development Agreement is fully executed by the City of Fort Pierce.
- 10. The applicant shall obtain the necessary building permit(s) within 365 days of the Effective Date of the Development Agreement.
- 11. The hard cost principal payment, calculated as the total amount of all actual financial expenditures by the City associated with the lien(s) on the property, shall be paid in full by the applicant prior to the issuance of the building permit.
- 12. A Certificate of Occupancy must be obtained for the property within 24 months of the Effective Date of the Development Agreement. No extension of this period shall be granted except as recommended by the City Manager or his designee and authorized by the City Commission upon a showing of good cause. It is the applicant's responsibility to notify the Code Enforcement Division of receipt of the Certificate of Occupancy.
- 13. Upon timely completion of its obligations pursuant to the Development Agreement between the applicant and the City, the applicant will receive a 50% refund of the hard cost principal amount paid, not to exceed \$10,000. If a Certificate of Occupancy is not obtained within 24 months of the Effective Date of the Development Agreement, or upon the expiration of any extension period authorized by the City Commission upon a showing of good cause, the agreement is defaulted, and all payments made by the applicant are surrendered to the City.
- 14. Upon timely completion of its obligations pursuant to the Development Agreement between the applicant and the City, the City shall waive, release, satisfy, or rescind all liens, administrative charges, and interest costs for the property. If applicable, the City will then authorize and direct a Release of

Lien be filed. There shall be no additional refund of any hard costs, soft costs, administrative fees, interest or penalties.