

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
April 15, 2026

Agenda Item:

Second Reading Ordinance No. 2026-02 related to condominium and cooperative milestone inspections.

Motion to adopt Ordinance No. 2026-02.

Background: In 2022, the Florida Legislature created Florida Statutes § 553.899, entitled “Mandatory structural inspections for condominium and cooperative buildings.” This statutory scheme was created in response to a tragic collapse of a condominium building in the state where many residents lost their lives.

The Legislature has amended this statute each year since it was adopted, the most recent by its adoption of HB 913 (2025), which the Governor signed into law, thus creating Chapter Law 2025-175. This Chapter Law amended subsection (11) of the statute which regulates the timing of milestone inspections. Specifically, the new provision reads:

A board of county commissioners or municipal governing body shall adopt an ordinance requiring that a condominium or cooperative association and any other owner that is subject to this section schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an owner of the building fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

In part, this amendment requires the Village to adopt an ordinance setting forth certain requirements regarding condo and cooperative milestone inspections and repairs associated therewith, and to undertake an enforcement role in the process. Unfortunately, the Legislature did not provide a source of funding for the added administrative costs to the Village, and so no new fee can be assessed.

Since the statute places this mandate upon the Village, the Village Attorney has drafted the attached Ordinance to ensure the Village complies with the new statutory mandate. The Ordinance must be adopted by July 1st 2026.

Action Requested: Motion to adopt Ordinance No. 2026-02.

Process and Timeline: If the Ordinance is finally adopted, the Building Official will implement and administer its provisions.

Financial Impact: The work required by the Building Official to administer this state mandate will fluctuate and cannot be precisely determined but it is expected to annually consume significant time within the building division. Unfortunately, this is an unfunded mandate as the Legislature's amendment to the statute requiring adoption of an ordinance did not also allow for the collection of any fees to offset costs.

Prepared by: Robert Eschenfelder, Village Attorney

Attachments:

1. Ordinance No. 2026-02.