A PUBLIC PROPOSAL FOR STRONGER COMMERCIAL CORRIDORS

Open Doors in Wilton Manors

A citywide plan to turn vacant commercial space into opportunity

Chris Caputo | Vice Mayor, Wilton Manors | Updated September 13, 2026

Wilton Drive should be a place where a new idea can find a storefront, where an existing business can grow, and where a walk down the street feels full of life. An empty shop is more than a private leasing problem. It changes the experience of the whole block. It can weaken the appeal of neighboring businesses, leave a window neglected, and make a prospective entrepreneur wonder whether our city will help them get open.

I am proposing an **Open Doors in Wilton Manors** initiative with two commitments: hold long-vacant commercial properties to a clear, fair standard, and make City Hall a more effective partner in filling them. Wilton Drive makes the need visible, but the ordinance must apply in full across Wilton Manors from day one - including Andrews Avenue ("The Avenue") and every other commercial area - not just the Drive. The program would pair a verified-vacancy registry and annual inspection with an increasing, cost-supported annual fee; an opt-in directory of commercial properties for sale or lease and current property-manager contacts; and a named City business-opening liaison who stays with an applicant through the permit process.

The objective is not to make a property owner fail. It is to make it easier for a space to succeed.

WHAT THE SURVEY TELLS US

CITY PRIORITY

48%

173 of 357 included “Wilton Drive & support for local business” among their priorities.

TOP CONCERN

10%

35 of 357 selected that same category as a top concern.

WRITTEN FEEDBACK

10

self-identified residents explicitly raised vacant commercial spaces.

Survey: 357 completed; 10 vacancy mentions verified among 316 residents. Self-selected, not representative. [1]

Residents are asking us to act

In my self-selected constituent survey, **48% (173 of 357 completed respondents)** ranked “Wilton Drive & support for local business” as a priority; **10% (35 of 357)** made it their top concern. In open-ended answers, **10 self-identified residents explicitly raised vacant commercial space**.[1]

> On my public issues board, **#2 and #3 by upvotes** are “Fill commercial vacancies and lower barriers for local businesses” and “Speed up permitting and improve the building approval experience.” They are tied at **32 votes each - 5.8 times the 5.5-vote average** across 91 issues. Voting is voluntary; residency is not verified.[24]

> *“Easier permitting for businesses on the drive, fewer closed storefronts”*

Recorded Aug. 22, 2026, 3:15:48 p.m. EDT | Self-identified Resident | Area: West Side

> *“Better incentives for business and landlords to develop long term partnerships to make opening a business more affordable in the district. There is too much blight on an otherwise beautiful place to live.”*

Recorded Aug. 11, 2026, 5:24:33 a.m. EDT | Self-identified Resident | Area: West Side

> *“Make business space affordable to drive vacancy and empty storefronts down”*

Recorded Aug. 15, 2026, 4:59:36 p.m. EDT | Self-identified Resident | Area: Central Wilton Manors

Residents also describe local businesses as part of who we are:

> *“Lastly, assistance for our small businesses to continue to expand and thrive in our city. Our identity ceases without a thriving business community.”*

Recorded Aug. 11, 2026, 11:23:43 a.m. EDT | Self-identified Resident | Area: Central Wilton Manors

> *“I’d make local commercial space significantly more affordable for small, independent businesses. Wilton Manors gets its unique charm from its unique gay shops and culture spots, and giving homegrown shops and local venues long-term staying power keeps our city’s character intact.”*

Recorded Aug. 13, 2026, 1:54:07 p.m. EDT | Self-identified Resident | Area: West Side

These residents’ comments express priorities, not verified findings about particular properties. Wilton Drive is, in the City’s own words, our cultural and economic heart.[19]

Why storefront vacancy is a shared concern

The cost of inaction is shared. A 2026 New York City Comptroller analysis found that storefronts within 250 feet of a vacant storefront had a **15.4% vacancy rate**, compared with **11.0% citywide**; even within 750 feet, the rate was **13.0%**. This is evidence that empty storefronts cluster, not proof that one vacancy caused another. New York is not Wilton Manors, but the pattern shows why a vacancy can be a corridor issue rather than only an owner issue.[2]

U.S. research on store closures helps explain the concern. In a peer-reviewed study using chain bankruptcies and nationwide establishment records, economists Daniel Shoag and Stan Veuger found that roughly **9% of nearby retailers dependent on foot traffic disappeared** after a nearby anchor closed. [20]

A separate U.S. academic working paper estimated **4%-6% fewer visits to nearby stores** following an anchor closure.[21] Research on Dutch shopping streets found that stronger pedestrian traffic and more nearby shops were associated with higher storefront-owner rental income; greater foot traffic was also associated with lower vacancy risk. While this does not serve as a direct estimate for the city of Wilton Manors, it provides additional insight into the potential impacts of vacancies on our business community.[22]

Together, these studies lend support to a commonsense concern: **as empty storefronts accumulate, a corridor can lose some of the combined draw that brings customers past neighboring businesses**. They do not prove that one small vacancy causes the next, establish a local effect size, or show that an inspection fee alone will fill a space. That is why this proposal pairs accountability with an accurate inventory, active promotion, and help for businesses trying to open.

We also need to be honest about what we do not know. The City once received regular commercial real-estate activity reports; a publicly available Q4 2023 report presented office and retail vacancy measures.[13] As a commissioner, I no longer receive that regular readout. Without a current, consistently defined citywide inventory, I cannot responsibly say that the number of vacant commercial spaces is rising or falling, even if residents understandably perceive a change. This ordinance should restore a verified baseline and publish comparable updates so the Commission, owners, and public can judge the trend objectively.

A local warning about vacant buildings

We need look no further than our own community's recent history to see the potential perils surrounding a vacant building. On April 13, 2022, fire destroyed the former Center for Spiritual Living (CSL) building at 1550 NE 26th Street. The property manager told fire investigators that the vacant building was boarded up because people had been living inside without authorization. Fire officials called it the city's largest fire in about two decades; a later account put the loss at **$2.28 million**. The fire at the CSL property shows why securing vacant structures, keeping an owner reachable, and checking visible hazards matter to neighbors and first responders.[18]

What we have seen in our own backyard is not unique to Wilton Manors. Neighboring governments and national safety agencies have documented the fire hazards, unauthorized occupancy, and deterioration that can accompany vacant or unsecured buildings. A Miami-Dade redevelopment study described the City of Miami's vacant-structure ordinance as a response to fire hazards, temporary unauthorized occupancy, vandalism, and other crime at blighted or unsecured properties.[14] In a 2025 NW 7th Avenue corridor plan, Miami-Dade identified **335 unsafe structures**; the plan's listed warning conditions included unsecured vacant openings, combustible debris, loose building materials, and structural deterioration. Not all 335 structures were vacant, but the inventory shows the kinds of hazards a local safety program must be able to detect and refer.[15]

The U.S. Fire Administration advises communities to **monitor, secure, inspect, and mark** vacant or abandoned buildings. Its guidance tells fire officials to check for immediate hazards, fire-growth potential, and possible structural collapse. A routine City inspection would not replace a qualified structural or fire inspection; it should identify visible warning signs and get the right professionals involved.[16]

These are not abstract risks. The National Fire Protection Association documented a **2024 fire at a vacant California commercial building** with an estimated **$10 million loss**. It reported an incendiary fire involving trash and rubbish, previous fires that had compromised parts of the building, no detection system, and a person helped out by arriving firefighters. That event does not predict what will happen in Wilton Manors. It shows why neglected, unsecured commercial space should not be invisible to local government.[17]

I have personally received complaints about vacant commercial properties in disrepair, covered with litter, and occupied without authorization by people seeking shelter. Those reports deserve a timely response, but I am not presenting each complaint as a verified code violation or suggesting that every vacant property is dangerous. People entering an unsafe space can be at risk, too. An accurate contact record and routine inspection give the City a way to check conditions before a problem worsens.

The plan: accountability plus an open door

Wilton Drive is the starting point for this conversation, **not a geographic limit on the ordinance**. The same registration, inspection, and assistance program should apply along Andrews Avenue ("The Avenue") and in every other commercial area of the city. It should cover every verified vacant nonresidential commercial building and separately occupiable commercial unit citywide - including a vacant ground-floor shop in a mixed-use building. Residential dwelling units, including apartments in multifamily buildings, should be excluded. The City Attorney should refine the precise definition and exemptions before introduction.

1. Know which spaces are actually vacant. An absent or expired local business tax receipt would trigger a review, not an automatic bill. Staff would verify the space is unoccupied, give the owner notice and a chance to correct the record, and recognize active permitted build-outs, signed leases nearing occupancy, casualty repair, and genuine redevelopment progress. A business tax receipt is a useful lead; it is not proof of physical vacancy.[3]

2. Keep a responsible person reachable. For a verified vacancy, registration would record the owner, an authorized local property manager or agent, a 24-hour emergency contact, the condition and security plan, the date and reason the space became vacant, and the owner's path toward lease, sale, rehabilitation, or reuse. An annual inspection would focus on lawful property-maintenance and safety standards: secure openings, litter and landscaping, exterior condition, and visible hazards, with referral of possible structural or fire concerns to qualified officials. Public-records rules would apply to City-held information; the City should not promise secrecy it cannot provide.[4]

3. Help market the opportunity. Owners and brokers could opt into “Available in Wilton Manors,” a directory of commercial properties and suites **for sale or lease**. Listings could show size, permitted-use guidance, broker contact, accessibility and build-out facts, and an optional asking rent, rent range, or sale price. The City would seek updates and connect tenants and buyers to owners or brokers, without setting prices or choosing occupants.

4. Make the fee rise with the work. A first year would cover intake, verification, inspection, and contact records. A second year would add renewed inspection, owner outreach, and a written activation check-in. Each further year would require a higher-touch review and a cost-supported renewal tier. The City Attorney and a public cost-of-service study must set the actual rates. If documented costs stop rising, the fee must not climb simply to punish vacancy. Code violations would be addressed separately through the legally required enforcement process.[5]

5. Put one staff member on the entrepreneur’s side of the counter. The City Manager should designate a business-opening liaison - not another approval layer - to help every new business navigate the steps from first inquiry to opening day.

Florida communities show what is possible

Wilton Manors: build on the rules we already have. Chapter 13 requires registration of certain vacant properties tied to mortgage default or foreclosure, with a **$150 annual fee per property**. It already contains maintenance, security, and lawful-inspection provisions; general nuisance standards apply to vacant and occupied property alike. Open Doors should fill the different gap of ordinary vacant commercial buildings and individual suites, preserve existing mortgagee duties, share records and site visits where possible, and charge only for additional, documented work - never twice for the same inspection.[23]

Miami: a rising annual schedule. Miami's FY 2024-25 revenue manual lists annual registration of **$262.50 in year one, $394 in year two, and $525 in year three and later** for a *blighted, unsecured, vacant, or abandoned structure*. This is the closest Florida precedent for the shape of an increasing schedule, though its scope is narrower than every vacant storefront. Wilton Manors needs its own legal review and cost study; we should not copy Miami's numbers blindly.[6]

Sunny Isles Beach: commercial registration and current contacts. Its program requires registration of vacant lots/buildings, annual owner or agent updates, and an annual **$5,000** fee for a multifamily/commercial vacant lot or building until active use. Its form asks for a local property manager and a person reachable at all hours. That is a building/lot program, not a per-suite storefront fee, but it demonstrates Florida use of vacancy registration to prevent neglected property.[7]

Miami-Dade County: an inspection at registration and renewal. The county's foreclosure registry covers specified nonresidential properties in unincorporated areas. It conducts an inspection after initial registration or renewal to check maintenance and security. This is not a general vacancy program, but the contact-plus-inspection mechanism is instructive.[8]

Miami Beach: promote the space while improving the street. Its Business Concierge helps businesses navigate permits and licensing and offers a commercial-space search. Its Vacant Storefront Cover Program uses preapproved designs and broker information to improve empty windows and market the spaces. Miami Beach reported **28 properties enhanced and beautified** through that program. That is a documented appearance outcome - not evidence that 28 spaces were leased.[9]

Wauchula: the wider payoff of sustained downtown activation. Florida's Department of State reported that Main Street Wauchula had added **99 businesses and 398 jobs since 1995** and that only one building remained vacant and not renovated or under renovation in 2024. That result came from a broad, long-term revitalization effort, not a vacancy fee. It is a reminder of the community value of putting existing buildings back to work.[10]

A City partner from permit to opening day

Residents also described an obstacle on the other side of the vacant window: getting a business ready to open.

> *“I would make it easier for people to get development permits, and make Community Development Services more responsive.”*

Recorded Aug. 9, 2026, 5:43:42 p.m. EDT | Self-identified Resident | Area: not provided

> *“Having just gone through the process, I can say it was significantly inefficient and emotionally draining as well as a financial burden.”*

Recorded Aug. 12, 2026, 12:38:27 p.m. EDT | Self-identified Resident | Area: Central Wilton Manors

> *“The system should be more efficient, transparent, and user-friendly, with faster turnaround times and modern technology.”*

Recorded Aug. 10, 2026, 8:44:28 a.m. EDT | Self-identified Resident | Area: not provided

These are anonymous, first-person survey accounts. They do not establish the cause or average length of City permitting delays. They are, however, a compelling reason to improve the experience and measure it.[1]

I want the City to designate a **Business Opening Liaison** with a public name, email, and phone number. Within two business days of an inquiry, that person should offer a pre-application conversation; provide one written roadmap for zoning, building, fire, signage, accessibility, business tax, and outside-agency steps; coordinate questions among departments; and give a weekly status update while an application is active. If instructions conflict, the liaison should elevate the issue to a supervisor and give the applicant one documented answer. The liaison should track both City processing time and applicant-response time so we can fix bottlenecks honestly. They would not waive standards or guarantee approval.

Miami Beach’s Business Concierge shows that a Florida city can make one-on-one permit and licensing guidance a public-facing economic-development service.[9] Wilton Manors can do the same at our scale. The liaison and broad business-promotion work should be funded through an appropriate economic-development or general-fund appropriation, not assumed to be chargeable to owners through a regulatory inspection fee.[5]

A rising fee can be fair - and must be lawful

Florida gives municipalities broad home-rule powers and expressly recognizes economic development as a public purpose.[5] But labeling a charge an “inspection fee” does not make it one. The City Attorney must determine the proper authority and ensure each tier reasonably reflects the cost of the regulatory work actually performed. Building-code fee revenue, where that authority is used, has particularly strict statutory limits and cannot be treated as a general-purpose business-development fund.[5]

My proposed direction is a rising annual schedule, not an arbitrary vacancy tax. Staff should return with a published cost-of-service study and three elements: a base first-year registration and inspection; a higher second-year package with documented follow-up work; and a higher third-year-and-after package, with further annual increases only if additional services or measured cost increases support them. That is how to keep the incentive to act while preserving a defensible connection between charge and service. A case of active permitted construction or a signed lease with real progress should have a sensible deferral; an owner must be able to challenge a mistaken vacancy determination.

The City should publish what the program costs, what it collects, and what happens to the spaces. If revenues exceed supportable costs, fees should come down. If a property is unsafe or an owner ignores a valid requirement, ordinary code-enforcement procedures - not a disguised fee - are the appropriate enforcement tool.[5]

Chicago offers a useful outside-Florida storefront comparison: its registry covers occupied buildings with one or more storefronts vacant for more than 30 days, with contact updates, maintenance requirements, fees, and six-month renewal.[11] Phoenix requires nonresidential properties vacant more than 30 days to register a local contact; its registry is free and designed to speed notices about crime, blight, and code issues.[12] The two models show that registration, fees, and help to reach owners can be combined differently. They do not prove a particular Wilton Manors fee will reduce vacancy.

The Commission decision I am asking for

Direct the City Manager and City Attorney to return with a citywide Open Doors ordinance and implementation plan that: (1) applies to verified vacant nonresidential commercial buildings and units throughout Wilton Manors, including commercial units in mixed-use buildings, but excludes residential dwelling units and apartments in multifamily buildings; (2) verifies vacancy instead of treating a missing business tax receipt as conclusive; (3) requires current owner, local management, and emergency contacts and an annual property inspection with appropriate safety referrals; (4) proposes a rising annual registration/inspection schedule supported by a public cost study, exemptions, notice, appeal, and separate code-enforcement procedures; (5) creates an opt-in, owner-supplied “Available in Wilton Manors” directory for commercial properties and suites offered for sale or lease; and (6) designates a named Business Opening Liaison who helps applicants coordinate the permit path from initial inquiry through opening.

We should judge the effort by outcomes residents can see: verified vacant buildings and suites by corridor and duration; property conditions corrected; owners with reachable local contacts; properties actively marketed for sale or lease; tenant and buyer inquiries connected; permits in progress; median City and applicant processing time; and spaces that reopen. Publish a citywide baseline before launch, then comparable quarterly updates and a 12-month evaluation. The survey is a call to act, not a substitute for that baseline.

> *“This is an opportunity to be a better partner to property owners, entrepreneurs, and the people who believe life is just better here in Wilton Manors. We can ask more of long-vacant spaces - and more of City Hall - at the same time.”*
>
> **CHRIS CAPUTO | VICE MAYOR, WILTON MANORS**

Sources and evidence notes

[1] Chris Caputo constituent survey, September 12, 2026 read-only production review (357 completed; 277 drafts excluded). The 48% and 10% figures are rounded from 173/357 and 35/357 respectively. The open-ended vacancy count is 10 distinct self-identified current residents among 316 such respondents; it was manually checked for explicit references to vacant or empty commercial space, excluding a response about vacant houses. This count describes spontaneous mentions, not the full extent of concern about vacancies. Anonymous quotes are verbatim excerpts from completed responses, with each writer's self-selected respondent type identified; all eight people quoted here selected current resident. Quote attribution fields were checked against the September 8 completed-response snapshot, which contains all eight quoted records. Times are the response records' creation timestamps converted from UTC to Eastern Daylight Time; they are not necessarily the moment the quoted words were typed or the survey was submitted. Neighborhoods are self-reported; two quoted respondents left that field blank. This voluntary survey is not a representative poll, City vacancy inventory, or verification of allegations; no contact details are published.

[2] New York City Comptroller, *Who’s Minding the Storefronts?* (June 2026).

[3] Fla. Stat. § 205.053 (2026), local business tax receipts.

[4] Fla. Stat. § 119.01 (2026), public-records policy.

[5] Fla. Stat. § 166.021, home rule; § 166.221, business fees; § 166.222, inspection fees; § 553.80, Building Code fees; ch. 162, enforcement (2026). These provisions do not automatically authorize this fee; the City Attorney must review the ordinance and cost basis.

[6] City of Miami, FY 2024-25 Revenue Manual, vacant/abandoned-structure registration schedule.

[7] City of Sunny Isles Beach, Vacant Property Registration and registration form.

[8] Miami-Dade County, Foreclosure Registry.

[9] City of Miami Beach, Business Concierge and Vacant Storefront Cover Program and Economic Development accomplishments report.

[10] Florida Department of State, Main Street Wauchula results (2024).

[11] City of Chicago, Vacant Buildings and Storefronts Registry.

[12] City of Phoenix, Vacant Property Registry.

[13] City of Wilton Manors / Colliers, Real Estate Activity Report, Q4 2023. Vice Mayor Caputo reports no longer receiving regular updates; public search cannot rule out newer internal reports. Historic market rates are not a current count of vacant units.

[14] Miami-Dade County, Omni redevelopment finding of necessity (2009), discussing Miami's 2008 vacant-structure ordinance.

[15] Miami-Dade County, NW 7th Avenue CRA Action Plan (July 2025), pp. 28-29.

[16] U.S. Fire Administration, Reducing Arson at Vacant and Abandoned Buildings.

[17] National Fire Protection Association, Large-Loss Fires and Explosion Incidents in the United States for 2024, p. 3.

[18] South Florida Gay News / Wilton Manors Gazette, "Origin of Church Fire Remains a Mystery" (Jan. 5, 2023), p. 17; WSVN, Apr. 13, 2022. The investigation went to the State Fire Marshal; no final cause determination was located for this report.

[19] City of Wilton Manors, FY2025 Annual Comprehensive Financial Report, introductory section, pp. ii-iii.

[20] Daniel Shoag and Stan Veuger, "Shops and the City," *Review of Economics and Statistics* 100(3), 2018. The study concerns large chain anchors, not individual small storefronts.

[21] Samsun Knight, "Retail Demand Interdependence and Chain Store Closures," working paper, revised Feb. 2024. The combined range reflects a 4%-5% average decline after Sears or Kmart closures and a 5%-6% average decline after grocery closures; effects varied among nearby-store types. Not peer-reviewed or locally estimated.

[22] Hans Koster, Ilias Pasidis, and Jos van Ommeren, "Shopping Externalities and Retail Concentration: Evidence from Dutch Shopping Streets," *Journal of Urban Economics* 114, 2019.

[23] Wilton Manors Code of Ordinances, ch. 13, arts. II, VI, VIII, especially §§ 13-2, 13-28, 13-29(g)-(i), 13-52; 2025 consolidated fee schedule, listing the $150 abandoned-property charge and annual commercial fire-inspection fees. Viewed Sept. 13, 2026.

[24] Chris Caputo, public issues board, “Most voted” ordering; live public issues API checked Sept. 13, 2026 at 10:39 a.m. EDT. The board showed 91 issues and 502 total upvotes, for a mean of 502/91 = 5.516 votes per issue; 32/5.516 = 5.8 after rounding. The two named issues were tied at 32 votes, so they occupied the second and third displayed positions but were tied for second by vote count. Upvoting is voluntary; the public board does not establish that each voter is a Wilton Manors resident or that each vote is a separate survey respondent. Counts and ordering may change.

This is a public policy proposal and research brief, not a City ordinance or legal opinion. Fee authority, design, and the final ordinance require City Attorney review before adoption.

APPENDIX A | POLICY LANGUAGE FOR LEGAL REVIEW

Starting-point ordinance language

Appendix A | Discussion draft for the City Attorney and City Commission - September 13, 2026

This is policy language for legal and staff review, not an introduction-ready ordinance or legal opinion. Bracketed text requires a local-code citation, staff decision, fiscal analysis, or City Attorney approval. In particular, no dollar amount or automatic annual fee increase should be enacted without a publicly available cost-of-service study and a confirmed legal basis for charging owners of vacant commercial premises.

How this fits existing City law. Chapter 13, Article VI already defines "abandoned real property" as vacant property associated with mortgage default, foreclosure, a pending tax sale, or specified transfers. Section 13-29(g) requires the **mortgagee** to register qualifying property, pay **$150 annually per property**, and update changed information within **10 days**. Sections 13-29(h)-(i) already impose maintenance and security duties. Chapter 13's general maintenance rules apply to vacant and occupied property, and §13-52 provides a consent-or-lawful-authority inspection framework. The 2025 consolidated fee schedule also has separate commercial fire-inspection charges. The City's Community Development Services page lists an abandoned-property form, but its linked file returned 404 on September 13, 2026; staff must confirm the live form and any administrative procedures before filing this ordinance. The draft below adds owner-side coverage of *ordinary* vacant commercial buildings and separately occupiable units, without displacing mortgagee registration or charging twice for the same regulatory service.

Proposed ordinance text

ORDINANCE NO. 2026-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, AMENDING CHAPTER 13, NUISANCES, OF THE CODE OF ORDINANCES BY CREATING ARTICLE IX, "VACANT COMMERCIAL PREMISES REGISTRATION, INSPECTION, AND ACTIVATION"; PROVIDING FOR CITYWIDE APPLICABILITY, DEFINITIONS, NOTICE AND VERIFICATION OF VACANCY, OWNER REGISTRATION AND CONTACT INFORMATION, COORDINATION WITH EXISTING ABANDONED-PROPERTY REGISTRATION AND INSPECTIONS, COST-BASED FEES, ADMINISTRATIVE REVIEW, BUSINESS-OPENING ASSISTANCE, ENFORCEMENT, ANNUAL REPORTING, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City has a legitimate interest in identifying and addressing unsecured openings, litter, deteriorating exteriors, and other observable conditions at vacant commercial premises that may affect public health, safety, and welfare; and

WHEREAS, an accurate, consistently defined citywide inventory of vacant commercial premises will help the City and the public evaluate conditions and changes over time, rather than relying on perception alone; and

WHEREAS, an absent or expired local business tax receipt may justify an inquiry but does not, by itself, prove that a building or unit is physically vacant; and

WHEREAS, Chapter 13 already regulates property maintenance and certain mortgage-default or foreclosure-related abandoned real property, so this article must supplement, not duplicate, existing registration, inspection, security, and enforcement work; and

WHEREAS, the City also seeks to help owners and prospective businesses connect through accurate, owner-supplied information about available space and a designated City liaison for the business-opening process; and

WHEREAS, any fee under this article must be supported by lawful authority and a reasonable relationship to the cost of the regulatory work for which it is charged, and code-enforcement fines must remain separate from such fees;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA:

Section 1. Article IX of Chapter 13 is created to read:

ARTICLE IX. VACANT COMMERCIAL PREMISES REGISTRATION, INSPECTION, AND ACTIVATION. [Codifier and City Attorney to confirm article and section numbering immediately before introduction.]

Sec. 13-57. Short title; purpose.

(a) This article may be cited as the “Open Doors in Wilton Manors Ordinance.”

(b) Its purposes are to maintain an accurate record of vacant commercial premises; ensure a responsible owner or agent can be reached promptly; identify and refer visible maintenance and safety concerns; establish a fair, cost-supported registration and inspection process; and facilitate the lawful reuse of available commercial space. The article applies citywide and is not limited to Wilton Drive.

(c) This article does not require an owner to lease, sell, renovate, or occupy a premises by a particular date; regulate rent or tenant selection; authorize entry without lawful consent or other legal authority; or replace otherwise applicable building, fire, property-maintenance, or code-enforcement requirements.

Sec. 13-58. Definitions.

(a) **Commercial premises** means a building, structure, or separately occupiable unit within the City that is lawfully designed or approved for retail, restaurant, office, professional service, personal service, lodging, industrial, warehouse, or another commercial use. A commercial unit in a mixed-use building is a commercial premises even though other units in the same building are residential. A structure designed solely for religious or other institutional assembly is not covered unless it contains a separately approved commercial unit. [City Attorney to align this definition with existing land-use classifications.]

(b) **Dwelling unit** means a unit designed or used for living, sleeping, cooking, and sanitation as a residence. A dwelling unit is not a commercial premises under this article, whether in a single-family, two-family, or multifamily building. The nonresidential portion of a mixed-use building may remain subject to this article. [City Attorney to reconcile this definition with the City's land-development and building codes; clarify treatment of hotel guest rooms and short-term lodging.]

(c) **Owner** means the person or legal entity holding title to the commercial premises, including an authorized representative where applicable. The owner remains responsible under this article even after appointing an agent.

(d) **Vacant commercial premises** means commercial premises that, for at least **90 consecutive days**, have had no actual, bona fide occupancy or use for an approved nonresidential purpose. Occasional access, incidental storage, a sign in a window, or an unexecuted expression of interest does not by itself establish occupancy. A missing, expired, or surrendered local business tax receipt does not by itself establish vacancy; a current receipt does not by itself establish

occupancy. The City must evaluate the premises and available records as a whole.

(e) **Vacancy year** means a consecutive 12-month period beginning on the effective date of a final vacancy determination under section 13-59. The count ends when the City verifies that the premises have returned to bona fide occupancy; a fee deferral does not reset the count. A later vacancy begins a new count only after [90] consecutive days of bona fide occupancy. [City Attorney and Finance to review this reset rule for administrability and abuse prevention.]

Sec. 13-59. Identification, notice, and vacancy determination.

(a) The City may screen for possible vacancy using business tax receipts, utility or permit records lawfully available to it, owner statements, publicly observable conditions, and other reliable information. No screening indicator alone shall constitute a final determination.

(b) Before requiring registration or assessing a fee, the City shall give the owner written notice identifying the premises, the facts supporting possible vacancy, the proposed vacancy start date, the registration requirements, and the method and deadline for contesting the determination. The owner shall have **30 days** after notice to provide evidence of occupancy or request a deferral under section 13-63. Notice under this subsection shall be delivered by a method approved by the City Attorney. Any later code-enforcement notice must separately comply with applicable law.

(c) The City shall issue a written determination stating the evidence considered, the effective date, the applicable registration deadline, and review rights. No registration fee shall be due while a timely administrative challenge to the initial vacancy determination is pending.

Sec. 13-60. Registration and updates.

(a) Within **30 days** after a final vacancy determination, the owner shall register each covered premises on a City form. The City may accept a single consolidated filing for multiple units under common ownership while tracking each unit separately. The form shall request only information reasonably needed to administer this article, including:

1. Premises address, suite identifier, approximate floor area, and owner name and mailing address;
2. Name and contact information for a person authorized to manage the premises and a natural person reachable at all times for emergencies;
3. The owner-reported date and reason for vacancy, current physical condition, security and maintenance arrangements, and emergency-access instructions;
4. The status of any active building permit, casualty repair, rehabilitation, redevelopment application, executed lease, or sale affecting the premises;
5. Whether the premises are being offered for lease or sale, the name of any authorized broker, and an estimated availability date, if known; and
6. Whether the owner elects to participate in the voluntary public available-space directory described in section 13-64.

(b) The owner shall update emergency and management contacts within **10 days** after a change, and shall update other material registration information within **30 days** after a change. Registration shall be renewed each vacancy year until the City verifies exit from the program. If section 13-29(g) also applies, its separate ten-day update duty remains in force for the mortgagee; a single update filed in the City's coordinated system may satisfy both articles if all required parties and fields are identified.

(c) Asking rent, a rent range, lease incentives, sale price, photographs, and marketing copy may be requested for the voluntary directory, but shall not be required for regulatory registration. The City shall explain that records submitted to it may be subject to Florida public-records law and shall not promise confidentiality absent a specific legal exemption.

Sec. 13-61. Maintenance and security.

(a) A covered premises shall be maintained in compliance with otherwise applicable City and state requirements, including Chapter 13, Articles II and VI when applicable. The owner's duties to keep exterior openings secured; remove litter and unlawful dumping; maintain landscaping and exterior surfaces; and address visible hazards shall be measured against those existing standards. This subsection does not create a second, inconsistent technical building or maintenance standard, or diminish duties imposed by section 13-29(h) or (i).

(b) Upon observing a condition potentially involving structural instability, fire safety, hazardous materials, or unlawful occupancy, program staff shall refer the matter promptly to the official or agency with jurisdiction. Registration or a routine inspection is not a City certification that the premises are safe.

Sec. 13-62. Inspections and lawful access.

(a) The City shall perform and document at least one routine exterior condition inspection during each vacancy year. To the extent practicable, staff shall combine it with an inspection already scheduled under section 13-29, section 13-52, or another applicable City program, recording which program requirements were fulfilled. A separate visit or additional exterior check may be made only when the covered scope or conditions warrant and the fee study accounts for the incremental work.

(b) Staff may observe areas open to the public or visible from lawful vantage points. Access to nonpublic areas shall be by consent, valid warrant, or another legally recognized basis. The City shall provide reasonable scheduling notice for a requested interior inspection, except as otherwise authorized by law. Refusal of consent alone shall not be treated as proof of a violation; the City may pursue lawful inspection-warrant procedures when appropriate.

(c) Staff shall give the owner a written inspection summary identifying observed conditions and any referral or separate notice of violation. An inspection under this article shall not substitute for a required Florida Building Code, fire, or other specialized inspection.

Sec. 13-63. Limited deferrals; administrative review.

(a) Registration and the emergency-contact obligation remain in place while a premises is vacant, but the City Manager or designee may defer a renewal fee or place a premises in a reduced-service tier for up to **180 days** upon documentation of: active permitted construction or repair; a bona fide executed lease with a reasonably imminent opening; casualty or declared-disaster recovery; or substantial, documented rehabilitation or redevelopment progress. An extension may be granted upon renewed proof of material progress. A listing for lease or sale alone is not an automatic deferral.

(b) The owner may request review of a vacancy determination, denial of a deferral, fee classification, or refusal to close a registration. The City shall issue a written decision stating reasons. The owner may appeal within **15 days** to [an independent hearing officer or other designated official who did not make the initial decision]. A timely appeal stays collection of a disputed registration fee until a final administrative decision, but does not stay enforcement of an independently established unsafe or unlawful condition.

(c) When the City verifies bona fide reoccupancy, it shall close the registration promptly. The fee resolution shall specify a credit or refund method for amounts collected for services not yet performed, consistent with the adopted cost study and applicable law.

Sec. 13-64. “Available in Wilton Manors” directory and business-opening liaison.

(a) The City may maintain an opt-in public directory of commercial buildings and separately occupiable commercial units offered for sale or lease. Listings shall be based on owner- or broker-supplied information and may include approximate area, authorized contact, availability date, whether the premises are for sale or lease, permitted-use guidance, accessibility or build-out facts that the City can verify, and voluntarily supplied asking rent, rent range, or sale price, as applicable. The City shall date each listing, seek periodic confirmation, remove stale entries, and state that it does not guarantee availability, permitted use, or the accuracy of private sale or lease terms.

(b) The City Manager shall designate a named **Business Opening Liaison** and publish a contact method. The liaison shall help prospective businesses identify applicable zoning, building, fire, signage, accessibility, local business tax, and outside-agency steps; coordinate questions among departments; and provide a written roadmap and status updates. The City Manager shall publish service targets, including an initial response within two business days and weekly status updates for active applications, with any missed target recorded and explained. The liaison shall not waive legal standards, issue approvals outside delegated authority, or promise an opening date.

(c) The directory, corridor promotion, and general business-opening assistance are separate economic-development services. They shall be funded from a lawful appropriation other than the registration and inspection fee unless the City Attorney determines that a discrete activity is legally chargeable and the adopted cost study expressly includes it.

Sec. 13-65. Fee schedule; accounting; annual adjustment.

(a) No fee under this article shall be collected until the City Commission has adopted a fee schedule by resolution following a publicly available cost-of-service study and legal review. The study shall identify the legal authority, direct and reasonable indirect costs, expected number of covered premises, services actually provided in each tier, anticipated receipts, any overlapping charges under existing City programs, and the method for credits and refunds. The fee shall not be set to raise general revenue or to penalize vacancy.

(b) The schedule may contain these consecutive vacancy-year tiers, but each tier's amount shall be no greater than the reasonably allocated cost of its defined regulatory services:

1. **Initial year:** intake, verification, registration, contact-record maintenance, and one routine exterior inspection;
2. **First renewal:** updated records and condition plan, renewed exterior inspection, documented owner or agent follow-up, and [a second exterior condition check, if actually provided and included in the cost study]; and
3. **Second and later renewals:** updated records, renewed inspection, documented follow-up, and [additional periodic exterior checks or other specifically described regulatory work actually provided and included in the cost study].

(c) A later-year tier may exceed an earlier tier only to the extent its documented service and cost justify the difference. After adoption, the Commission may adjust the schedule once per fiscal year by resolution **only after** Finance publicly certifies that current projected revenue will not exceed supportable program cost and that the proposed amount for each tier remains reasonably related to services in that tier. The adjustment may not exceed the lesser of [the annual change in a specified CPI index] or [the documented increase in per-premises cost] without a new cost study. There shall be no automatic increase merely because another year has passed.

(d) The City shall account for this program separately from Florida Building Code permit and inspection fee revenue, annual fire-inspection fees, the section 13-29(g) abandoned-property registration fee, and code-enforcement fines. It shall not use this program's fee proceeds for general marketing, the Business Opening Liaison's general services, or unrelated government activity. When a covered property is also subject to section 13-29(g), a written fee worksheet shall identify the existing per-property charge and credit the portion attributable to registration, contact maintenance, or inspection work already paid for or performed. The owner may be charged only for supported incremental work under this article. Shared-building work shall not be charged in full to each vacant suite; the cost study shall establish a reasonable allocation or multi-unit discount. No mortgagee or owner shall be billed twice for the same documented service.

(e) Before each annual fee-schedule adjustment, the City shall publish program receipts, expenditures, number and type of inspections, and any material surplus or shortfall. The City shall reduce, credit, or refund fees as necessary to maintain a lawful relationship between charges and costs.

Sec. 13-66. Enforcement; other remedies.

(a) Failure to register after final notice, failure to maintain required contact information, or violation of a substantive maintenance requirement may be enforced through the City's existing code-enforcement process under Chapter 162, Florida Statutes, and applicable City ordinances. Required notices, opportunity to correct, hearing, fines, and appeals shall follow the procedures governing the enforcement method actually used.

(b) A registration or inspection fee is not a fine. Nonpayment shall be addressed only by collection remedies specifically authorized by law and approved by the City Attorney; it shall not by itself be converted into a Chapter 162 daily fine. Nothing in this article limits a building official, fire official, or law-enforcement officer from exercising independent lawful authority regarding an unsafe or emergency condition.

Sec. 13-67. Coordination with existing programs; reporting.

(a) This article is supplementary to Chapter 13, Article VI; it does not repeal, narrow, or replace section 13-29(g)'s mortgagee registration, ten-day update, annual $150-per-property fee, or the maintenance and security requirements of sections 13-29(h)-(i). Where the same commercial property is subject to both articles, the City shall offer a coordinated filing or cross-reference that identifies both the owner and mortgagee, carries forward information already on file, and requests only missing information. Each party retains its legally assigned duty. The City shall maintain a single premises status and contact record, coordinate visits under section 13-62, and apply the fee credits required by section 13-65(d). Property-maintenance violations remain enforceable under existing Chapter 13 procedures; this article does not turn an ordinary, properly maintained commercial vacancy into a Chapter 13 "abandoned real property" nuisance absent the elements of section 13-28. Residential dwelling units remain outside this article. Business-tax, residential-rental, building-permit, fire-inspection, and other existing programs retain their independent legal scope and funding restrictions.

(b) Within **180 days** after implementation, the City shall publish a citywide baseline of verified vacant commercial premises, distinguishing buildings from individual units and identifying the definition and data sources used. At least quarterly thereafter, the City shall publish comparable aggregate counts by corridor and duration, without representing business-tax-receipt gaps or survey opinions as verified vacancy counts.

(c) At 12 and 24 months, the City Manager shall report to the Commission on registered premises, owner-contact completeness, inspections, observed conditions referred or corrected, directory participation, businesses assisted, reoccupancies, fee revenue and cost, appeals, and recommendations for amendment or repeal.

Section 2. Codification.

The provisions of Section 1 shall be codified in the City Code. The codifier may renumber sections and correct cross-references without changing substance.

Section 3. Severability.

If any provision of this ordinance or its application is held invalid, the remaining provisions and applications shall remain effective to the extent they can be given effect independently.

Section 4. Effective date.

This ordinance shall take effect [180 days after adoption], except that no registration or inspection fee shall be charged until the fee resolution required by section 13-65 has been adopted. The City Manager may undertake forms, systems, staff training, and notice preparation before that date.

Decisions required before introduction

1. **Confirm legal authority for the charge.** Florida's municipal home-rule and fee statutes provide a framework, but section 166.221 addresses regulation of businesses, professions, and occupations, and section 166.222 addresses building-code inspection fees. Neither should be assumed, without City Attorney analysis, to authorize this entire owner-paid property program. Section 553.80(7) tightly restricts use of Florida Building Code fee revenue; it cannot simply finance storefront promotion or general business assistance. Section 166.021 and section 166.201 supply broader municipal-purpose and fee context, not a substitute for a defensible cost nexus.
2. **Implement the Chapter 13 handoff.** Confirm the current Article VI text, §13-52 inspection process, the City's live abandoned-property form (the posted link returned 404 on Sept. 13, 2026), and actual staff workflow. Section 13-29(g) already imposes a $150 annual *per-property* mortgagee registration and ten-day update rule. The new per-building/per-suite owner program must not displace that obligation or duplicate its charges. Compare the current consolidated fee schedule, including annual commercial fire inspections, and the residential-rental ordinance; document shared records, inspection credit, and multi-suite allocation in the fee study. The City's published code-enforcement process uses Chapter 162 and a special magistrate.
3. **Adopt a real fee study.** Miami's published tiered registration schedule shows a Florida precedent for higher second- and third-year charges for blighted, unsecured, vacant, or abandoned structures, but it does not establish that every commercial vacancy in Wilton Manors may be charged the same way. Specify actual later-year work and costs before fixing rates. An indefinite increase based solely on vacancy duration should not be disguised as an inspection fee.
4. **Protect due process and lawful access.** Chapter 162 governs the City's selected code-enforcement route. Sections 933.20-933.26 govern inspection warrants; the ordinance should not claim an unrestricted right to enter private space. Section 205.053 governs local business-tax receipts and does not make a missing receipt conclusive proof of vacancy. Chapter 119 means the City should not promise owners that submitted rental or contact details will be confidential absent an applicable exemption.
5. **Separate policy from law.** Survey responses and complaints support putting the issue on the Commission's agenda; they do not establish a measured rise in vacancies or prove violations at particular sites. The City's first baseline should precede claims about whether this ordinance has reduced vacancy or blight.