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Heron Pond Condominiums

Pembroke Pines, FL (August 14, 2023) -- In the interest of public safety and full compliance with Florida Building and Fire & Life Safety Codes, the City of Pembroke Pines has issued an Order to the unit owners of Heron Pond Condominium buildings 3 and 10 to evacuate occupants from the structures no later than August 24, 2023. The City's Fire and Building Officials consider Buildings 3 and 10 to be unsafe structures under Florida law and have posted a 10 day notice.

The City has given the condominium owners of these specific buildings ample time and opportunity to come into compliance with the City's requested corrective measures to ensure the life, health and safety of the Heron Pond residential community. To date, minimal, unsatisfactory actions have been taken by the unit owners to address the life, health and safety issues expressed by the City of Pembroke Pines and cited under Florida's Building and Fire regulations.

The Unsafe Structure designation of the buildings and Order to evacuate each unit are being made pursuant to the following sections of the Florida Building Code, and the Florida Fire Prevention Code, which includes Florida Statutes, Broward County Local Amendments, and NFPA 1.

- **Florida Statute 633.228 Violations; orders to cease and desist, correct hazardous conditions, preclude occupancy, or vacate; enforcement; penalties.**
 - (1) If it is determined by the department that a violation specified in this subsection exists, the State Fire Marshal or her or his deputy may issue and deliver to the person committing the violation an order to cease and desist from such violation, to correct any hazardous condition, to preclude occupancy of the affected building or structure, or to vacate the premises of the affected building or structure. Such violations are:
 - (a) Except as set forth in paragraph (b), a violation of any provision of this chapter, of any rule adopted pursuant thereto, of any applicable uniform fire safety standard adopted pursuant to s. 633.206, which is not adequately addressed by any alternative requirements adopted on a local level, or of any minimum fire safety standard adopted pursuant to s. 394.879.
 - (b) A substantial violation of an applicable minimum fire safety standard adopted pursuant to s. 633.208, which is not reasonably addressed by any alternative requirement imposed at the local level, or an unreasonable

interpretation of an applicable minimum fire safety standard, and which violation or interpretation clearly constitutes a danger to life safety.

- **(c) A building or structure which is in a dilapidated condition and, as a result thereof, creates a danger to life, safety, or property.**

- **Broward County Amendments to the Florida Fire Prevention Code: F-103.2.9** Orders To Eliminate Dangerous Or Hazardous Conditions: Whenever the Fire Chief or their duly authorized representative shall find in any building or upon any premises, dangerous or hazardous conditions or materials, including, but not limited to violations of the requirements encompassed in Chapter 633, Florida Statutes, or the following Paragraphs they shall order such violations and dangerous conditions or materials removed or remedied.

- Additionally, as per **NFPA 1, Section 10.1.4.1** - Where structural elements have visible damage, the Authority Having Jurisdiction (AHJ) shall be permitted to require a technical analysis prepared in accordance with Section 1.15 to determine if repairs are necessary to restore structural integrity.
 - The owner, operator, or occupant of a building that is deemed unsafe by the AHJ shall abate, through corrective action approved by the AHJ, the condition causing the building to be unsafe either by repair, rehabilitation, demolition, or other corrective action approved by the AHJ (NFPA 1:10.2.4).

Please also note: **Section 116** Florida Building Code Broward County Amendments

Posting to Building #3

[<https://www.ppines.com/DocumentCenter/View/18980/Heron-Pond-Bldg3-Unsafe-Structure-Notification>]

Posting to Building #10

[<https://www.ppines.com/DocumentCenter/View/18981/Heron-Pond-Bldg10-Unsafe-Structure-Notification>]

The City understands residents and renters of units at these specific buildings will be impacted by this public safety action and encourage all to address the situation directly with their land lord/owner.

Media seeking information may reach Marianne Wohlert 954-392-2076.

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