



Clarifying Authority for Structural-Safety & Building-Compliance Improvements in Safe Neighborhood Districts

Background

Safe Neighborhood Districts (SNDs), created under Part IV, Chapter 163, F.S., were designed to support crime-prevention activities and environmental-design strategies that improve neighborhood safety. Many SNDs—especially in older communities—now face significant structural-safety, infrastructure, and building-recertification needs, including compliance with state and local recertification programs.

A statewide OPPAGA-commissioned performance review of all SNDs found that although residents increasingly expect districts to address structural-safety issues, the current statute does not clearly authorize SNDs to participate in these improvements unless they have a direct crime-prevention nexus.

Problem Identified

- Many neighborhoods require structural or building-safety improvements that are essential to public safety but fall outside the statutory “crime prevention” definition.
- Even when residents support and approve such expenditures, districts lack explicit legal authority to carry them out.
- This creates an enforcement and compliance gap, particularly as communities face state-mandated structural recertifications.
- The OPPAGA review highlighted the risk of audit findings when districts fund safety improvements without clear statutory authorization.
- In practice, resident-approved funds in districts like Lauderhill’s are used for both crime-prevention infrastructure (gates, security technology, CPTED features) and non-crime-prevention structural and building-safety enhancements needed to protect residents and meet recertification requirements.

Purpose of the Amendment

To provide narrow, conditional statutory clarity so that SNDs may plan, finance, or carry out structural-safety or building-compliance improvements when their residents authorize it, without expanding the general powers or intent of Part IV, Chapter 163, F.S.

This amendment supports:

- Resident control
- Local safety priorities
- State structural-recertification compliance
- Alignment with OPPAGA recommendations
- Avoidance of audit exposure

Proposed Statutory Language (New Subsection to §163.516, F.S.)

“() Notwithstanding any other provision of this part, an existing Safe Neighborhood District may plan, finance, or carry out structural-safety or building-compliance improvements, including those required under state or local structural-recertification programs, if such improvements are approved by:

- (a) A majority vote of the district’s residents; or
- (b) An advisory council composed of residents of the district, if such a council has been established by local ordinance pursuant to §163.506, F.S.

Improvements authorized under this subsection must be consistent with the purposes of this part, limited to property or infrastructure located within the district boundaries, and reasonably related to the safety, integrity, and resilience of the neighborhood.”

Key Benefits

- Resident-driven authority for needed safety investments.
- Clarifies statutory ambiguity identified by OPPAGA.
- Supports compliance with structural-recertification and building-safety requirements.
- Does not expand the broader purpose or scope of SNDs.
- Provides a practical statewide model for aging neighborhoods without creating new taxing entities.

Contact

For OPPAGA findings, legislative analysis, or municipal case examples, please contact:

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