

CITY OF HALLANDALE BEACH
MEMORANDUM

DATE: August 31, 2009

TO: D. Mike Good, City Manager

FROM: Richard Cannone, Director of Development Services

SUBJECT: An Ordinance of the City of Hallandale Beach, Florida Pertaining to Public Health and Safety; Amending Chapter 14 "Minimum Property Maintenance and Occupancy Code" by Creating Article IV, "Lot Maintenance and Clean Up" in Order to Require the Clean-up of Property Under Certain Conditions; Providing the Purpose and Intent of the Revision Providing Definitions; Declaring Certain Conditions on Lots, Parcels, and Tracts Within the City Boundaries to be a Nuisance; Prohibiting the Accumulation of Trash, Junk, or Debris, Living and Nonliving Plant Material, and Stagnant Water; Prohibiting the Excessive Growth of Grass, Weeds, Brush, and Other Overgrowth; Prohibiting the Keeping of Fill on Property that Results in Certain Conditions; Prohibiting Certain Conditions that Constitute an Imminent Threat to Public Health; Authorizing the City to Undertake Immediate Abatement and Remedy of Imminent Public-Health Threats; Providing for Enforcement of Violations; Requiring Notices to Owners and, if Applicable, Agents, Custodians, Lessees, and Occupants of Property in Violation of this Article; Providing for Appeals of Violation Notices; Authorizing the Imposition and Levy of Special Assessments if Costs are Incurred by the City and not Reimbursed by the Property Owner and, if Applicable, the Property Agent, Custodian, Lessee, or Occupant; Requiring Notices of Assessment; Creating Assessments for the Cost of Lot Clean-up; Establishing the City as a Special Assessment District; Authorizing the Levy of Non-Ad Valorem Assessment in Connection with Violations of this Article; Providing for Collection of Non-Ad Valorem Assessments; Authorizing an Agreement with the Broward County Property Appraiser and Tax Collector; Authorizing and Requiring the Adoption of a Resolution Regarding the City's Use of the Uniform Method of Collecting Non-Ad Valorem Assessments; Providing for Annual Non-Ad Valorem Assessment Rolls; Providing Transition Provisions and Ratifying Assessments to Recover Costs Incurred by the City to Remedy Violations Prior to the Ordinance's Enactment; Repealing all Ordinances Inconsistent with this Ordinance; Providing for Severability; Providing and Effective Date. (First Reading)

PURPOSE:

To adopt on Second Reading an Ordinance establishing a City-wide Special Assessment as a way to recover cost associated with the clean-up and maintenance of vacant and unkempt properties within the City.

BACKGROUND:

The City Commission at the August 27, 2009 City Commission Meeting approved the attached Ordinance on First Reading.

DISCUSSION

No changes were made to the Ordinance at First Reading.

RECOMMENDATION

Staff recommends the City Commission:

1. Adopt the attached Ordinance on Second Reading;
2. Authorize the City Manager to negotiate and enter into a written agreement with both the property appraiser and tax collector pursuant to F.S. 197.3636(2) providing for reimbursement of necessary administrative costs incurred with the collection of the assessments; and
3. Bring forward a resolution at a public hearing prior to January 1, 2010, or March 1, 2010 if agreed by the property appraiser, and tax collector stating the City's intent to use the uniform method of collecting such assessment.

Reviewed:

D. Mike Good, City Manager

Date

____ Approved

____ Disapproved

____ Hold for Discussion

Comments: