

REQUESTED COMMISSION ACTION:

X Consent Ordinance X Resolution Consideration/ Discussion Presentation

SHORT TITLE A Resolution of the City Commission of the City of Pompano Beach, Florida, temporarily reinstating a period of partial amnesty for Code Enforcement liens and setting a reduction formula and schedule for payment of accrued code liens; Setting requirements for participants; providing an effective date.

Summary of Purpose and Why:

The City Commission previously authorized a Code Enforcement Lien Amnesty Program which expired on February 19, 2011. The passage of this resolution will extend the previous Amnesty Program for a six month period effective March 23, 2011 to run through September 23, 2011 and amend the settlement terms to the lesser of 25% of the face value of the Code Enforcement lien, or \$2,000.

- (1) Origin of request for this action: Finance Department
(2) Primary staff contact: Suzette Sibble, Finance Director Ext. 4680
(3) Expiration of contract, if applicable: NA
(4) Fiscal impact and source of funding: NA

Table with 4 columns: DEPARTMENTAL COORDINATION, DATE, DEPARTMENTAL RECOMMENDATION, DEPARTMENTAL HEAD SIGNATURE. Includes entries for Finance Dept., City Attorney, and Budget.

X City Manager [Signature]

ACTION TAKEN BY COMMISSION: Table with columns for Ordinance/Resolution/Consideration and rows for 1st and 2nd Reading with Results columns.

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TEMPORARILY REINSTATING A PERIOD OF PARTIAL AMNESTY FOR CODE ENFORCEMENT LIENS AND SETTING A REDUCTION FORMULA AND SCHEDULE FOR PAYMENT OF ACCRUED CODE LIENS; SETTING REQUIREMENTS FOR PARTICIPANTS; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 37.10 of the City Code of Ordinances provides for the establishment of a fine and lien for code enforcement violations, and many properties in the City contain fines for one or more code violations, resulting in liens on said properties; and

**WHEREAS**, the Mayor, City Commission and City staff desire to expedite the compliance of properties and payment of unpaid violation liens by accepting a reduced payment of accrued liens for a limited period of time; and

**WHEREAS**, the City had established an amnesty program to accept such a reduced payment and now desires to re-establish the amnesty program; now, therefore,

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That the City hereby re-establishes a Code Enforcement Lien Amnesty Program, and fines and resulting liens imposed pursuant to Section 37.10 of the City's Code of Ordinances for code enforcement violations are hereby superseded by a six (6) month period beginning March 23, 2011 through and including September 23, 2011, only as to payment of the full amount of accrued Code Enforcement liens, and under the terms and conditions set forth herein, and only to the extent of the following disposition of such code enforcement liens:

A reduction of the lien to 25% of the face value of the Code Enforcement lien, or \$2,000.00, whichever is less, with 180 days to pay the full reduced amount after an applicant is qualified for participation in the Program.

**SECTION 2.** That participation in the Code Enforcement Lien Amnesty Program shall be available only for cases in which all violations cited in a case have been placed in compliance and which remain in compliance as of the time of application during the time period the program is in effect, and no such fines to be reduced may still be open and running. All nuisance abatement and unsafe structure liens on a property must first be paid in full in order to participate in the Amnesty Program. In addition, no additional code enforcement cases that are not in full compliance may be pending on a property in order to qualify for the Amnesty Program, and liens which are the subject of pending foreclosure litigation instituted by the City are not eligible for the program.

**SECTION 3.** The Code Enforcement Lien Amnesty Program set forth above, shall be effective only for the time period beginning March 23, 2011, and ending at the close of business on September 23, 2011, and all property owners eligible under the terms herein, enter into a written agreement on a form provided by the City, and that said agreement and payment from said eligible property owners must be received by the City within said time period specified above for the Program, or the original lien amount shall reinstate, minus any amounts paid.

**SECTION 4.** The Special Magistrate shall enter all usual and appropriate orders, upon the program requirements having been met, including those orders for reduction of lien in the amounts provided above, as well as for satisfaction of any such liens upon receipt and verification from the City of compliance with Program requirements and receipt of proper payment.

**SECTION 5.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**MARY L. CHAMBERS, CITY CLERK**

GBL/jrm  
3/11/11  
l:reso/2011-210