

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING AN ONE-YEAR (1) CODE ENFORCEMENT LIEN AMNESTY PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in January 2004, the City Commission of the City of Fort Lauderdale (“City”) approved Resolution 04-3, authorizing the City Manager to conduct a Lien Amnesty Program; and

WHEREAS on November 6, 2012, the City adopted Resolution No. 12-210, authorizing the City Manager to conduct a Code Enforcement Lien Amnesty Program; and

WHEREAS, both programs did not allow settlement of liens previously reduced or settlements that were less than the cost of the City’s expenditure in the underlying enforcement; and

WHEREAS, in April 2015, the City adopted Ordinance No. C-15-16, providing the special magistrate with the authority to reduce fines and liens that meet certain criteria; and

WHEREAS, the Lien Amnesty Program will implement a fixed reduction rate so property owners may rehabilitate dilapidated, vacant, and abandoned properties, and enhance occupied properties which will improve the appearance, safety, welfare of the community, as well as clear the City’s liens from their title; and

WHEREAS, this Lien Amnesty Program is also intended to help reduce the amount of older fines and liens on the City’s books;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Manager is authorized to conduct a Code Enforcement Lien Amnesty Program beginning October 1, 2023, and ending close of business September 30, 2024.

SECTION 2. To qualify or participate in the Code Enforcement Lien Amnesty Program, the following conditions must be met:

1. The property that is subject of the lien and all properties owned by the property owner, must be in full compliance with the Code of Ordinances of the City of Fort Lauderdale, Florida Building Code, and Florida Fire Code.
2. All administrative fees, hard costs, and any liens including lot clearing charges, utility liens, board up charges, demolition charges, civil penalties, vessel removal charges, condemnation costs, and legal fees, are exempt from lien amnesty.
3. The lien cannot have been previously reduced by the special magistrate under Section 11-3(c) of the Code of Ordinances of the City of Fort Lauderdale.
4. The property owner may not be the respondent in a pending foreclosure instituted by the City.
5. Full and final payment of all fees and costs associated with the Code Enforcement Lien Amnesty Program shall be made no later than ninety (90) days from the date of amnesty approval.
6. The code enforcement lien will not be released by the city until full payment of the amnesty amount of the fines/line and payment of the administrative fee is received and processed by the City.

SECTION 3. Upon meeting the conditions set forth in Section 2 above, the amount of the code enforcement lien fine reduction shall be ninety (90%) percent of the total amount owed on the code enforcement fine or lien. For all properties, a \$125 non-refundable fee will be assessed for each lien amnesty requested to offset the administrative costs of the Amnesty Program.

SECTION 4. Failure to pay the entire lien amnesty amount within the allowable time shall automatically cause the fine or lien amount to revert to the original fine or lien amount.

SECTION 5. The City Manager shall not approve, compromise, or settle any code enforcement fine, whether or not it has resulted in a lien on the real property, for which the underlying violation remains uncorrected. The City Manager shall not approve, compromise, or settle any hard costs, including, but not limited to any lot clearing costs, board-up costs, demolition costs or any associated legal fees incurred by the City as a result of a code enforcement case.

SECTION 6. The City Manager, or designee, shall provide an administrative release of lien or satisfaction of lien upon compliance with the requirements set forth in this Resolution.

SECTION 7. The Office of the City Attorney shall review and approve as to form and correctness all documents prior to their execution by City Manager.

SECTION 8. That this Resolution shall be in full force and effect upon final passage and adoption with an effective date of October 1, 2023.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Warren Sturman _____