

RESOLUTION NO. 23-187

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, IMPOSING NUISANCE ABATEMENT ASSESSMENTS AGAINST CERTAIN PROPERTIES LOCATED IN THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A NUISANCE ABATEMENT ASSESSMENT ROLL, AND PROVIDING FOR SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida ("City Commission") has enacted Ordinance C-09-18, which authorizes the imposition of nuisance abatement assessments for the abatement of public nuisances on properties located within the City of Fort Lauderdale ("City"); and

WHEREAS, the imposition of a nuisance abatement assessment at a rate equal to the actual costs incurred by the City to abate each nuisance each Fiscal Year is an equitable and efficient method for collecting the actual costs paid by the City; and

WHEREAS, the City Commission desires to impose nuisance abatement assessments within the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2023; and

WHEREAS, on July 5, 2023, the City Commission established September 13, 2022, at 5:01 p.m., as the date and time for a public hearing to consider comments for the proposed Fiscal Year 2024 nuisance abatement non-ad valorem assessment; and

WHEREAS, on August 24, 2023, and August 31, 2023, a Notice of Hearing to Impose and Provide for Collection of Nuisance Abatement Assessments was published in the Sun-Sentinel daily newspaper;

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

SECTION 1. IMPOSITION OF NUISANCE ABATEMENT ASSESSMENTS.

(A) The parcels of the assessed properties located in the City of Fort Lauderdale, Florida, described in the Nuisance Abatement Assessment Roll, which is incorporated herein and hereby approved, are hereby found to be specially benefited by the services provided in the corresponding amounts set forth in the Nuisance Abatement Assessment

Roll, a copy of which was present or available for inspection at the above referenced public hearing. It is hereby ascertained, determined and declared that each parcel of assessed property described in the Nuisance Abatement Roll has been specially benefited by the City's abatement of a nuisance on such parcel. Adoption of this Resolution constitutes a legislative determination that all parcels assessed have derived a special benefit and that the nuisance abatement assessments are fairly and reasonably apportioned among the properties that have received a special benefit.

(B) The method for computing nuisance abatement assessments, to wit, the City's actual costs incurred, for each assessment described in the Nuisance Abatement Assessment Roll, is hereby approved.

(C) Nuisance abatement assessments imposed pursuant to this Resolution shall constitute a lien upon each of the assessed properties so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(D) The Nuisance Abatement Assessment Roll as herein approved, shall be delivered to the Broward County Tax Collector for collection using the tax bill collection method in the manner prescribed by law.

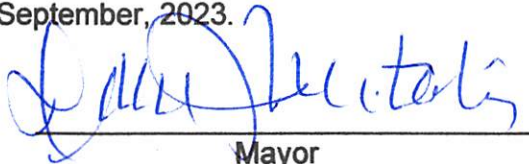
SECTION 2. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Nuisance Abatement Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Nuisance Abatement Assessment Roll, and the levy and lien of the nuisance abatement assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of this Resolution.

SECTION 3. SEVERABILITY. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

SECTION 4. CONFLICTS. This Resolution or parts of resolutions in conflict herewith, be and the same are rescinded to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This Nuisance Abatement Resolution shall take effect immediately upon its passage and adoption.

ADOPTED this 13th day of September, 2023.

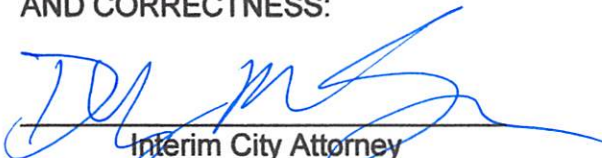


Mayor
DEAN J. TRANTALIS

ATTEST:


City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:


Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis	<u>Yea</u>
John C. Herbst	<u>Not Present</u>
Steven Glassman	<u>Yea</u>
Pamela Beasley-Pittman	<u>Yea</u>
Warren Sturman	<u>Yea</u>