



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#23-0609

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: September 5, 2023

TITLE: Resolution Establishing a One-Year Code Enforcement Lien Amnesty
Program - **(Commission Districts 1, 2, 3 and 4)**

Recommendation

Staff recommends the City Commission approve a resolution initiating a one-year Code Enforcement Lien Amnesty Program from October 1, 2023, through September 30, 2024, that will allow the City to settle code enforcement liens on real property for 10% of the lien value.

Background

In January 2004, the City Commission approved Resolution 04-3, authorizing the City Manager to conduct a Lien Amnesty Program until March 1, 2004. Under the 2004 Lien Amnesty Program, the City Manager had the authority to settle certain code enforcement liens for 25% of the face value of the liens for properties with no outstanding violations. On November 6, 2012, the City Commission adopted Resolution 12-210, authorizing the City Manager to conduct a Code Enforcement Lien Amnesty Program from January 7, 2013, to June 28, 2013. The 2012 program allowed qualifying property owners to pay 15% of the total lien value. 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.

In April 2015, the City Commission adopted Ordinance C-15-16 providing the special magistrate with the authority to reduce fines and liens that meet certain criteria. Currently, the amount of the reduction provided by the special magistrate varies but if this resolution is approved, applicants who qualify will receive a reduction of 90% of the lien or fine value. The certainty of a fixed reduction rate may encourage property owners to apply for amnesty and settle their code enforcement fines and liens.

If this Lien Amnesty Program is approved, the implementation of a fixed reduction rate may incentive property owners to rehabilitate dilapidated, vacant, and abandoned properties and to enhance occupied properties. The program will allow property owners to clear the City's lien from their title and encourage the enhancement of properties with cited and uncited code violations which will in turn improve the appearance, safety, and

welfare of the community. This program is also intended to help reduce the amount of older fines and liens on the City's books.

The proposed resolution highlights:

- The Code Enforcement Lien Amnesty Program will be from October 1, 2023, to September 30, 2024.
- Property owners who qualify for lien amnesty will receive approval from the City Manager or his designee to receive a reduction of 90% of the total lien amount.
- An application fee of \$175.00 will be assessed for each property the owner is requesting lien amnesty for.
- 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 Fire Codes.
- 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 and will not be included in the calculation for the 90% reduction.
- 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. If a property owner fails to pay within the 90 days provided, the costs will revert to the original amount.
- No later than sixty (60) days prior to the expiration of the amnesty period, Staff will recommend whether the City Commission should consider extending the program.

Resource Impact

As of May 2023, outstanding code enforcement liens and fines are valued at approximately \$62.5 million. If one-third of eligible property owners apply for lien amnesty (conservative estimate), and those liens are reduced by the 90% allowed in the proposed resolution, the City could anticipate collecting approximately \$2.1 million.

Strategic Connections

This item supports 2022 City Commission Priority, Community Response and Safety – Code Enforcement Resources

- The Neighborhood Enhancement Focus Area.
- Goal 4: Build a thriving and inclusive community of neighborhoods.
- The Internal Support Area
- Goal 8: Build a leading government organization that manages all resources wisely and sustainably.
- Objective: Maintain financial integrity through sound budgeting
- practices, prudent fiscal management, cost effective operations, and long-term planning.

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Housing Element
- Goal 2: Be a community of strong, beautiful, and healthy neighborhoods

Attachment

Exhibit 1 – Resolution

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Department Director: Christopher Cooper, AICP, Development Services Department