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**EXHIBIT 1
ORDINANCE 2024 -**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 9, "CODE COMPLIANCE," SECTION 9-46 "MITIGATION," OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES TO REVISE THE MITIGATION DELEGATION AND AUTHORIZE FULL RELEASE OF CODE ENFORCEMENT LIENS ON HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY PROPERTY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 9, Section 9-46, the City Commission has delegated authority to the City Manager and his designees to mitigate code enforcement fines and liens; and

WHEREAS, Staff recommends revisions to that section to reflect the current mitigation policy adopted by way of Resolution 2023-015; and

WHEREAS, further, according to Florida Statute 163.370(2)(c)(1), the Hallandale Beach Community Redevelopment Agency (HBCRA) is authorized to acquire property for the elimination of slum and blight to facilitate redevelopment in targeted areas; and

WHEREAS, the HBCRA seeks to acquire certain real property for redevelopment and revitalization, however the properties may be encumbered by code enforcement liens; and

WHEREAS, the Mayor and the City Commission have determined that adoption of the recommended Code amendments is in the best interest of the residents and citizens of the City to streamline the code section and to permit the public purpose of redevelopment and revitalization of areas within the HBCRA.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF HALLANDALE BEACH, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are confirmed as true and incorporated herein.

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SECTION 2. Chapter 9, “Code Compliance”, Section 9-46 “Mitigation” is hereby amended as follows:

Sec. 9-46. - Mitigation.

(a) An aggrieved party may, by written application submitted to the city manager request a mitigation of fines and liens. ~~Such application shall set forth such fact and circumstances in favor of the application as the petitioner shall deem appropriate, as well as the amount, if any, offered in such compromise or settlement. A copy of such application shall be served on the city attorney at the time the original is filed.~~ The city manager, or his designee, shall consider such application, sworn testimony and information or documents submitted by either party and, after due deliberation, the city manager, or his designee, shall have the right, duty, power, authority and jurisdiction to make decision to mitigate a fine in accordance with policies adopted by the city commission by resolution.

(b) The city manager shall have the right, duty, power authority and jurisdiction to mitigate or release fines or liens encumbering property acquired by the City or any dependent special district of the City when such property is acquired for a public purpose, including, but not limited to, community redevelopment purposes.

SECTION 3. Conflict. All ordinances or portions of the Code of Ordinances of the City of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the extent of such conflict.

SECTION 4. Codification. It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words “ordinance” or “section” may be changed to other appropriate words.

SECTION 5. Severability. Should any provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

