



City of Hallandale Beach City Commission Agenda Cover Memo

Hallandale Beach
PROGRESS. INNOVATION. OPPORTUNITY.

Meeting Date:	January 31, 2018		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other		
					X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading		
	X				X			
Funding Source:	5050.329160 \$31,575 (revenue)		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No		
					X			
Account Balance:			Quasi Judicial: <i>(Enter X in box)</i>	Yes		No		
							X	
Project Number :			RFP/RFQ/Bid Number:					
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: <i>(Enter X in box)</i>					
	X							Safety <input checked="" type="checkbox"/>
								Quality <input checked="" type="checkbox"/>
								Vibrant Appeal <input checked="" type="checkbox"/>
Sponsor Name:	Roger M. Carlton, City Manager		Department: Development Services		Keven Klopp, Director Jose Campa, Code Compliance Mgr.			

Short Title:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 14 "MINIMUM PROPERTY MAINTENANCE AND OCCUPANCY CODE" OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 14-2 "DEFINITIONS"; CREATING SECTION 14-13 "VACANT PROPERTY REGISTRATION"; REQUIRING OWNERS TO REGISTER PROPERTIES AND PAY AN ANNUAL REGISTRATION FEE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Background:

This agenda item recommends the amendment of Chapter 14. MINIMUM PROPERTY MAINTENANCE AND OCCUPANCY CODE, creating Section 14-13 Vacant Property Registration. In an effort to reduce blight and nuisance, to reach prompt compliance, and to encourage development, a vacant property registration is being proposed. This will apply to properties which are vacant or abandoned or have been foreclosed. This registry will keep the City informed with helpful contacts to reach in case a violation is found, streamlining the compliance process. This registry will be provided to the Police Department on a monthly basis for use in roll call and watch orders for the protection of public safety. To accomplish this, the City will be procuring through a Manatee County Contract the services of "Community Champions Corp" to create and maintain a portion of this registry. This contract is currently being prepared for submittal by Procurement.

The second element of the registry process will be handled in house pertaining to non-foreclosed vacant properties. The charge for this process will be \$25 per registration. 387 registration are expected.

This ordinance includes language which provides the Police Department with consent to enforce trespass penalties as described in F.S. § 810.08. Sec 14-13 (1)(c). It also requires property owners to post a notice with contact information for any passer-by to have access to communicate with property owners or representatives, making the community more involved; keeping the City informed of any activity in the property that will aid in enforcement/compliance process. Sec 14-13 (d).

A fee schedule is proposed and penalties are described in Section 14-13 (7) (a)(b)(c).

1. Vacant structure (single family) \$250 yearly.
2. Vacant structure (multi-family- two units or more) \$250 per unit yearly.
3. Vacant land \$25 yearly.

Definitions added in Section 14-1(a).

Evidence of vacancy means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to, overgrown and/or dead vegetation, stagnant and unsanitary pool water; nonfunctioning electric, water or gas utilities; the accumulation of abandoned personal property; the accumulation of circulars, flyers, pamphlets, newspapers and other similar items; statements by neighbors, passers-by, delivery agents, or government agency; or any other evidence that the property is vacant.

Foreclosure means the process by which a property, placed as security for a real estate loan, is sold at public sale to satisfy the debt if the borrower defaults.

Vacant means any structure, building or premises which is not used or occupied. A structure that is unoccupied and is not actively used as a place of residence or business. Actively used shall not include occupancy or use by persons with no legal authority to be present on the property.

Vegetation means all natural growth upon a lot or parcel of ground, including grass, weeds, trees, vines, bushes, underbrush and the waste material arising there from.

Revision to Section 14-13(c)(3) *Exemptions*

Properties that are listed for sale or rent and are monitored by owner or owner's representative ~~every 2 days~~ at least once a week;

Why Action is Necessary:

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, a City Ordinance must be adopted by the City Commission to amend the Code of Ordinances.

In this case the City of Hallandale Beach has experienced difficulty with a number of properties which are abandoned. The registration process will help identify a contact responsible for repair and/or securing the property.

Fiscal Impact: Account #5050.329.160

FY 17/18 revenue of \$46,175 is estimated during the first year of implementation. Net impact is estimated to be \$31,575 after paying for the foreclosure monitoring service at a cost of \$100 per registration. The remaining revenue will fund the cost of the Code Compliance Specialists that are monitoring and compelling the proper maintenance at the blighted, unsecured, vacant, and abandoned structures.

Description: Estimate based on 146 units:

Foreclosed/vacant properties yearly fee	\$250 x 146 = \$36,500
Vendor cost	\$100 x 146 = \$14,600
Net proceeds	\$150 x 146 = <u>\$21,900</u>

Description: Estimate based on 387 lots:

Vacant land yearly registration \$25 x 387 = \$9,675

Total estimated net revenue \$21,900 (foreclosures) + \$9,675 (vacant lots) = \$31,575

Proposed Action:

Staff recommends approval, on First Reading on January 31, 2018 of the attached ordinance amending Chapter 14, MINIMUM PROPERTY MAINTENANCE AND OCCUPANCY CODE ARTICLE I. Sec. 14-1 Definitions and Sec 14-13. – Vacant Property Registration, and to set Second Reading to February 21, 2018.

Attachment(s):

- Exhibit 1- Proposed Amended Chapter 14.
- Exhibit 2 - Florida Statute 810.08 Trespass in structure or conveyance.

Prepared by: Jose Campa
Jose Campa
Code Compliance Manager

Concurred with: 
Keven R. Klopp, Director
Development Services