

EXHIBIT 1

RESOLUTION NO. 2016-

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA ESTABLISHING AND ADOPTING an AMNESTY PROGRAM TOOL FOR RESIDENTIAL PROPERTY OWNERS WHO PERFORMED WORK WITHOUT PERMITS TO FACILITATE BRINGING PROPERTY INTO COMPLIANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there continues to be been an excess of work performed without permits which goes unchecked for compliance with the city codes and which neglects to preserve occupant safety; and

WHEREAS, this has led to an increased concern for the safety, welfare and health of residents and tenants; and

WHEREAS, currently each property identified, must go through the special magistrate process which makes the overall process slow, costly and burdensome on both the City and property owners; and

WHEREAS, in spite of the City's special magistrate process property owners have continued to enlarge and/or modify their homes without first acquiring permits, and this is compounded by changes in ownership. Many deficient properties remain undiscovered and more still remain non-compliant due to the costs of bringing the property into compliance; and

WHEREAS, this has prompted the City to institute a process to uniformly seek compliance for deficient residential properties through an Amnesty Program Tool; and

WHEREAS, the Amnesty Program Tool is designed to help mitigate illegal conversions being addressed by the NUCAP Initiative. As an incentive to bringing deficient properties into compliance, the City will provide amnesty from penalties and fines associated with the permitting

process to help alleviate compliance costs and hold in abeyance code enforcement illegal conversion or work without permit cases and if applicable any running fines. The Amnesty Program Tool would sunset with the NUCAP Initiative and only applies to converted residential dwelling units; and

WHEREAS, City Administration believes that the implementation of an Amnesty Program Tool will educate property owners, and create an opportunity to bring their properties into compliance; and

WHEREAS, City Administration recommends establishment and adoption of the Amnesty Program Tool, as attached as Exhibit “A”, to give property owners a window of opportunity to disclose work performed without permits while receiving amnesty from penalties and fines associated with the permitting process; and

WHEREAS, the Mayor and City Commissioner have determined that the recommendation of the establishment of an Amnesty Program Tool is in the best interest of the City of Hallandale Beach, and its residents.

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

SECTION 1: Establishment of Amnesty Program. The Mayor and City Commission hereby establish and adopt the Amnesty Program Tool as attached in Exhibit “A”, and as may be amended from time to time.

SECTION 2: City Manager Authorization. The City Manager is hereby authorized to implement the Amnesty Program Tool and take the necessary steps to effectuate the program. The Amnesty Program Tool shall remain effective for the duration of the NUCAP Initiative.

SECTION 3: Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this ____ day of September, 2016.

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72 SPONSORED BY: CITY ADMINISTRATION

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74 ATTEST:

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78 MARIO BATAILLE, CMC

79 CITY CLERK

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82 APPROVED AS TO LEGAL SUFFICIENCY

83 AND FORM

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87 V. LYNN WHITFIELD

88 CITY ATTORNEY

JOY F. COOPER
MAYOR

Exhibit A

City of Hallandale Beach Amnesty Program Tool – Double Permit Fee Exemption

Pursuant to Resolution of the City Commission, to give residential property owners a window of opportunity to mitigate the cost of penalties and fines usually associated with the building permit process. The penalty fee outlined in the City's fee resolution as outlined below is waived, subject to the conditions outlined below:

PENALTY FEE:

2015-110

Any work commenced prior to obtaining a permit is subject to double the base permit fee for each trade

Forego the double permit fee and fine for applicants bringing converted residential units compliance:

1. Only applies to converted residential dwelling units that are being brought into compliance.
2. Tool is available to all properties in the City even though there are a limited number of properties within the NUCAP pilot program initiative.
3. Property must comply with the latest edition of the Florida Building Code. There are no grandfathering provisions as there is no statute of limitations on work performed without permits, but the original existing structure can use the provisions of the Existing Building Code when considering the new work
4. Applicant must produce professional as-built plans and certification for all structural components.