

EXHIBIT 1

ORDINANCE NO. 2020-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, THE "CONDOMINIUM TRANSPARENCY AND ACCOUNTABILITY ACT," ESTABLISHING REGISTRATION REQUIREMENTS FOR CODOMINIUM, MULTI-FAMILY HOMEOWNERS AND COOPERATIVE ASSOCIATIONS WITHIN THE CITY; CREATING REGISTRATION DATABASE TO BE AVAILABLE TO THE PUBLIC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Hallandale Beach is home to over four hundred condominium, cooperative and multi-family homeowner associations; and

**WHEREAS**, the City receives frequent and documented complaints relating from residents of these associations; and

**WHEREAS**, the City administration has historically spent considerable time determining the extent to which potential code violation complaints are in fact governed by private homeowner and condominium regulations or are, alternatively, enforceable violations of City Code; and

**WHEREAS**, unscrupulous or absentee property management agents of condominium, homeowner, and cooperative apartment associations create additional burdens on taxpayer resources as residents seek assistance on private contractual matters and have nowhere else to turn; and

**WHEREAS**, the City believes it is in the best interest of the business and residential property owners, residents and tenants of the City to create a registration system requiring Associations within the City to register with Code Enforcement so there is an easily accessible database of Community Associations doing business in the City; and

**WHEREAS**, the City believes it is in the best interest of the residents to maintain a

census database of all condominium, cooperative apartment, and homeowner associations within the City to facilitate communication and transparency; and

**WHEREAS**, it is the hope of the City that such a registration will reduce the burden on taxpayer resources of consistent complaints and of the staff time required to research those complaints and will assist residents in obtaining information they otherwise find it difficult to obtain; and

**WHEREAS**, the City Commission deems that it is in the best interest of the residents of the City of Hallandale Beach to enact the amendments herein.

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby incorporated herein.

**SECTION 2** Chapter 9, "Code Compliance," Sections 9-10, et al are hereby created to read as follows:

**Sec. 9-10. - Associations required to register.**

(a) All condominium associations, multi-family homeowner and cooperative apartment associations operating property located within the City shall be required to file with the code compliance unit a registration on a form provided for same. This section does not apply to homeowner associations consisting exclusively of single-family homes. The application shall require the following:

1. Name of the association

2. Business address and the legal description of properties governed by the association

3. Name and contact information for the property manager or designated contact person for the association

4. Name and contact information for an emergency contact for the association (cannot be the same individual identified in item 3)

5. A list of all officers and directors of the association with contact information

6. Website of the association, if any

7. An impression of the corporate seal of the association

8. A legible copy of the By-Laws

9. A list of planned capital projects, if any, from the date of application through October 1 of the following year

67                   10. A copy of the most recent financial audit

68                   11. Specify the location where all building permits for work in common areas shall  
69                   be posted during construction

70                   (b) On or before October 1 of each year following the year of its initial registration with the  
71                   city, every condominium or cooperative apartment association operating within the city shall  
72                   file with the City an updated list of its officers and directors and any changes in the  
73                   information required in subsection (a) of this section, a copy of its most current by-laws and  
74                   a copy of its most recent annual budget.

75                   (c) An initial annual application filing fee of \$150.00 shall be required and may be amended  
76                   annually pursuant to adoption of the city's fee booklet.

77                   (d) *Enforcement.* An association that fails to file the required registration will first be issued  
78                   a warning providing 30 days to file the registration. If the registration is not filed within 30  
79                   days, the association will be subject to fine of \$150, which shall be collected in addition to  
80                   the required registration fee. If the registration is not filed within 60 days of the initial  
81                   warning, the fine shall increase to \$500.

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83                   **Sec. 9-11 - Publicly Accessible Database of Association Registrations**

84                   (a) The City shall maintain a database containing the application and attachments of each  
85                   Association registered with the City pursuant to Sec. 9-10.

86                   (b) The database shall be made available to members of the public upon request.

87                   (c) The City will post the registration requirements of Sec. 9-10 on the City's website along  
88                   with a notice to the public that the database is available upon request and the contact  
89                   information for requesting access to the database.

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91                   **SECTION 3. SEVERABILITY**

92                   If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion  
93                   shall be stricken, and such striking shall not affect the validity of the remainder of this  
94                   Ordinance.

95                   **SECTION 4. INCLUSION IN CODE**

96                   It is the intention of the City Commission that the provisions of this Ordinance shall become  
97                   and be made a part of the City of Hallandale Beach Code; and that the sections of this  
98                   Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to  
99                   "section," "article," or such appropriate word or phrase in order to accomplish such intentions.

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101                   **SECTION 5. Effective Date.** This Ordinance shall take effect October 1, 2020.

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105                   PASSED AND ADOPTED ON 1<sup>ST</sup> reading on May 20, 2020

106                   PASSED AND ADOPTED ON 2<sup>ND</sup> reading on \_\_\_\_\_, 2020.

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\_\_\_\_\_  
JOY COOPER  
MAYOR

113 SPONSORED BY: COMMISSIONER ANABELLE LIMA-TAUB

ATTEST:

**FIRST READING VOTE ON ADOPTION**

\_\_\_\_\_  
JENORGEN M. GUILLEN, CMC  
CITY CLERK

Mayor Cooper	<u>YES</u>
Vice Mayor Javellana	<u>YES</u>
Commissioner Butler	<u>YES</u>
Commissioner Lazarow	<u>YES</u>
Commissioner Lima-Taub	<u>YES</u>

APPROVED AS TO LEGAL SUFFICIENCY  
AND FORM

**FINAL VOTE ON ADOPTION**

\_\_\_\_\_  
JENNIFER MERINO  
CITY ATTORNEY

Mayor Cooper	_____
Vice Mayor Javellana	_____
Commissioner Butler	_____
Commissioner Lazarow	_____
Commissioner Lima-Taub	_____

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