

EXHIBIT 1
ORDINANCE NO. 2021-

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE "CONDOMINIUM TRANSPARENCY AND ACCOUNTABILITY ACT," TO MODIFY REGISTRATION REQUIREMENTS FOR CONDOMINIUM, MULTI-FAMILY HOMEOWNERS AND COOPERATIVE ASSOCIATIONS WITHIN THE CITY; 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, on June 3, 2020 the City passed the "Condominium Transparency and Accountability Act"; and

WHEREAS, the City desires to amend the registration requirements of the act to better achieve the purpose of the original ordinance; and

WHEREAS, the City desires to amend the date of registration to accommodate typical election and budget cycles of many associations. It is the intent that of the City that those associations that registered in 2020 would have until January 30, 2022 to submit their next yearly registration; 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 9-9 is hereby created as follows:

33 **Section 9-9- Short Title**

34 Sections 9-9 through 9-11 shall hereafter be known as the "Condominium and
35 Homeowner Association Transparency and Accountability Act."

36 **SECTION 3** Chapter 9, "Code Compliance," Sections 9-10, et al are hereby
37 amended as follows (underline indicates additions, ~~strike through~~ indicates deletion):

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

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

- 44 1. Name of the association
- 45 2. Business address and the legal description of properties governed by the
46 association
- 47 3. Name and contact information for the property manager or designated contact
48 person for the association
- 49 4. A list of all officers and directors of the association with contact information
- 50 5. Website of the association, if any
- 51 6. An impression of the corporate seal of the association, if any
- 52 7. A legible copy of the By-Laws and the rules and regulations of the association
- 53 8. A list of planned capital projects, if any, from the date of application through
54 ~~October 1~~ January 1 of the following year
- 55 9. ~~A copy of the most recent financial audit~~ A copy of the adopted annual budget
- 56 10. A copy of the recorded declaration of condominium and any amendments
- 57 ~~4011.~~ 11. Specify the location where all building permits for work in common areas
58 shall be posted during construction
- 59 12. A listing of pending litigation, if any
- 60 13. Contact information for insurance agent, if any

61 (b) On or before ~~October 1~~ January 30th of each year following the year of its initial
62 registration with the city, every condominium or cooperative apartment association
63 operating within the city shall file with the City an updated list of its officers and directors
64 and any changes in the information required in subsection (a) of this section, a copy of its
65 most current by-laws and a copy of its most recent annual budget.

66 (c) An annual application filling fee of \$150.00 shall be required.

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

SECTION 3. SEVERABILITY

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

SECTION 4. INCLUSION IN CODE

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

SECTION 5. Effective Date. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED ON 1ST reading on March 17, 2021

PASSED AND ADOPTED ON 2ND reading on _____, 2021.

JOY F. COOPER
MAYOR

SPONSORED BY: COMMISSIONER ANABELLE LIMA-TAUB
AND MAYOR JOY F. COOPER

ATTEST:

JENORGEN M. GUILLEN, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

JENNIFER MERINO
CITY ATTORNEY