

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**, the 40 year and older Building Safety Inspection Program was created by  
the Broward Board of Rules and Appeals (BORA) in 2005. Modeled after Miami-Dade County’s  
program, which was established in the mid- 1970s, Broward’s program calls for structural and  
electrical safety inspections for buildings 40 years old or older and every ten years thereafter;  
and

**WHEREAS**, the terrible collapse of Champlain Tower South, resulting in 98 deaths,  
has made evident the danger to the public’s health, safety and welfare when a condominium  
incurs building failure; 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 address the clear safety dangers posed by  
potential building failure by increasing public transparency of compliance with existing legal  
requirements; and

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

32           **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**  
33 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**  
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35           **SECTION 1.** The foregoing "Whereas" clauses are hereby incorporated herein.  
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37           **SECTION 2** Chapter 9, "Code Compliance," Section 9-10 is hereby amended as  
38 follows (underline indicates additions, ~~striketrough~~ indicates deletion):

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

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

- 45                   1. Name of the association
- 46                   2. Business address and the legal description of properties governed by the  
47 association
- 48                   3. Name and contact information for the property manager or designated contact  
49 person for the association
- 50                   4. A list of all officers and directors of the association with contact information
- 51                   5. Website of the association, if any
- 52                   6. An impression of the corporate seal of the association, if any
- 53                   7. A legible copy of the By-Laws and the rules and regulations of the association
- 54                   8. A list of planned capital projects, if any, from the date of application through  
55 January 1 of the following year
- 56                   9. A copy of the adopted annual budget
- 57                   10. A copy of the recorded declaration of condominium and any amendments
- 58                   11. Specify the location where all building permits for work in common areas shall  
59 be posted during construction
- 60                   12. A listing of pending litigation, if any
- 61                   13. Contact information for insurance agent, if any
- 62                   14. The date of original building certification.
- 63                   15. The status of recertification. Association will indicate either (1) Recertification  
64 not yet required, (2) Recertification is in process (due within one year but not yet  
65 past due) or (3) Recertification Past Due.

66 16. A copy of any report of a professional engineer or architect concerning the  
67 structural, electrical or life safety conditions of a building within the control of the  
68 Association issued within the previous year.

69 (b) On or before January 30<sup>th</sup> of each year following the year of its initial registration with  
70 the city, every condominium or cooperative apartment association operating within the city  
71 shall file with the City an updated list of its officers and directors and any changes in the  
72 information required in subsection (a) of this section, a copy of its most current by-laws and  
73 a copy of its most recent annual budget.

74 (c) An annual application filing fee of \$150.00 shall be required.

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

### 81 **SECTION 3. SEVERABILITY**

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

### 85 **SECTION 4. INCLUSION IN CODE**

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

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

93 PASSED AND ADOPTED ON 1<sup>ST</sup> reading on \_\_\_\_\_, 2021

94 PASSED AND ADOPTED ON 2<sup>ND</sup> reading on \_\_\_\_\_, 2021.

97 \_\_\_\_\_  
98 JOY F. COOPER  
99 MAYOR

101 SPONSORED BY: COMMISSIONER ANABELLE LIMA-TAUB  
102

104 ATTEST:

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107 \_\_\_\_\_  
JENORGEN M. GUILLEN, CMC

108 CITY CLERK

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110 APPROVED AS TO LEGAL SUFFICIENCY

111 AND FORM

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116 \_\_\_\_\_  
JENNIFER MERINO

117 CITY ATTORNEY

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