



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 st Reading	2 nd Reading	
4/15/2026	26-133	<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	4/15/2026	5/6/2026
			Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			Advertising Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):		Funding Source:	Project Number:	
N/A	N/A		N/A	N/A	
Contract Required:	P.O. Required:	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Jennifer Merino	City Attorney	
Strategic Plan Focus Areas:					
<input type="checkbox"/> Fiscal Stability	<input checked="" type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: N/A			Estimated End Date: N/A		

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 9, "CODE COMPLIANCE," SECTION 9-6 "SPECIAL MAGISTRATE"; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

STAFF SUMMARY:

Code enforcement actions that are not addressed timely by property owners often result in substantial liens. Local governments are not required by state statute to offer any mitigation of recorded code enforcement liens, but may elect to enact such a program pursuant to their Home Rule powers if, in the local government's discretion, it would serve the best interests of the City.

The City Commission established a voluntary mitigation process for mitigation of code enforcement lien fines. This process was updated on November 20, 2024 when the

City Commission adopted Ordinance 2024-033 to delegate authority to the City Manager to mitigate such liens in accordance with the policy simultaneously adopted by the City Commission. Unfortunately, Ordinance 2024-033 failed to identify a secondary reference to mitigation in the code that conflicted with the intention of the City Commission to delegate mitigation authority only to the City Manager and his designees and establish rules for appeal only by way of the mitigation policy.

As noted in Florida Attorney General Opinion 2002-62, Florida Statutes § 162.09 does not grant the Special Magistrate the authority to reduce or mitigate fines that have been recorded as a lien and only the local governing board, or its designee, has the authority to exercise that power. The attached ordinance would correct the secondary reference to comport with the intent of Ord. 2024-033.

In addition, in accordance with other magistrate selection processes more recently approved by the City Commission, the selection of the Special Magistrate should be from a list approved by the City Commission of authorized professionals, rather than solely at the discretion of the City Attorney.

In accordance with Section 166.041(4), Florida Statutes, the City estimates that the proposed Ordinance will have no direct economic impact on private, for-profit businesses in the City of Hallandale Beach; that the mitigation process is voluntary and has no effect by commercial businesses; that the proposed Ordinance will have no new direct compliance costs that businesses may reasonably incur; that the proposed Ordinance will not impose any new charge or fee for which businesses will be financially responsible; and that the proposed Ordinance will not impact the City of Hallandale Beach's regulatory costs and will not generate any revenue from new charges or fees to businesses. The City estimates that no businesses are likely to be impacted by the proposed Ordinance.

ATTACHMENT(S):

Exhibit 1 – **Proposed Ordinance**