

PROPOSED

ORDINANCE NO. 2017-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY ZONING CODE; AMENDING SECTION 39-138 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), DELEGATING AUTHORITY FOR COMPROMISE AND SETTLEMENT OF LAND CLEARANCE LIENS TO THE COUNTY ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Michael Udine)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 39-138 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 39-138. Pre-assessment and assessment hearings related to land clearance and abatement of violations.

...

(d) At the conclusion of the informal hearing, based on the amount of costs and administrative fees incurred by the County in clearing the property, and any statements and documentation presented at the informal hearing, the Director may recommend to the County Administrator the settlement, adjustment, or other compromise of the violation pursuant to the provisions of Section 1-51.3, Broward County Code of Ordinances. ~~Recommended settlements, adjustments, or compromises of land clearance costs and fees up to and including twenty five hundred dollars (\$2,500.00) may be forwarded to the Mayor pursuant to the provisions of Section 1-51.3(A) of the Broward County Code of~~

1 ~~Ordinances. Recommended settlements, adjustments, or compromises of land~~
2 ~~clearance costs and fees in excess of twenty five hundred dollars (\$2,500.00) shall be~~
3 ~~approved by the Board of County Commissioners pursuant to Section 1-51.3(E)(1) of the~~
4 ~~Broward County Code of Ordinances (f) below.~~

5 ...
6 (f) Notwithstanding any provisions of the Broward County Code of Ordinances
7 and the Broward County Administrative Code to the contrary, any powers conferred upon
8 the Board of County Commissioners to execute satisfactions and releases or otherwise
9 settle or mitigate land clearance liens pursuant to this article is hereby delegated to the
10 County Administrator. The County Administrator shall provide a quarterly report to the
11 Board of County Commissioners of the satisfactions and releases executed and recorded
12 during the prior calendar year quarter.

13 Section 2. SEVERABILITY.

14 If any portion of this Ordinance is determined by any Court to be invalid, the invalid
15 portion shall be stricken, and such striking shall not affect the validity of the remainder of
16 this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot
17 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
18 circumstance(s), such determination shall not affect the applicability hereof to any other
19 individual, group, entity, property, or circumstance.

20 Section 3. INCLUSION IN CODE.

21 It is the intention of the Board of County Commissioners that the provisions of this
22 Ordinance shall become and be made a part of the Broward County Code; and that the
23 sections of this Ordinance may be renumbered or relettered and the word "ordinance"
24

1 may be changed to "section," "article," or such other appropriate word or phrase in order
2 to accomplish such intentions.

3 Section 4. EFFECTIVE DATE.

4 This Ordinance shall become effective as provided by law.

5
6 ENACTED

7 FILED WITH THE DEPARTMENT OF STATE

8 EFFECTIVE

9
10 Approved as to form and legal sufficiency:
11 Joni Armstrong Coffey, County Attorney

12 By /s/ Maite Azcoitia 05/05/17
13 Maite Azcoitia (date)
14 Deputy County Attorney

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21
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23 MA/gmb
05/05/17
24 Ch39 Lot Clear Liens Ordinance
#17-412

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

PROPOSED