

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING A CITY-WIDE CODE VIOLATIONS ENFORCEMENT LIEN AMNESTY PROGRAM; PROVIDING FOR THE REDUCTION OF CODE COMPLIANCE LIEN AMOUNTS; AUTHORIZING THE CITY MANAGER TO APPROVE SETTLEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 166.021, Florida Statutes, the City of North Miami Beach through its home rule powers may exercise any power for municipal purposes except those expressly prohibited by law; and

WHEREAS, Section 162.09(3), Florida Statutes, provides that code compliance liens run in favor of the local governing body, and the local governing body may agree to satisfy or release code compliance liens; and

WHEREAS, a local governing body, such as the City Commission, may delegate its authority to execute satisfactions or releases of code compliance liens so long as such delegation does not result in a complete divestiture of such liens by the City Commission to a private party; and

WHEREAS, the City Commission pursuant to its home rule authority, has determined that a code enforcement lien amnesty program promotes and a compliant community that has well maintained properties; and

WHEREAS, in alignment with the City of North Miami Beach Strategic Plan, this program is intended to directly contribute to the continued commitment to being a Safe, Clean, and Beautiful Community; and

WHEREAS, the City Commission finds that this Resolution is in the best interest and the general health, safety and welfare of the residents of the City of North Miami Beach; and

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. Adoption. The City of North Miami Beach Code Enforcement Lien Amnesty Program (the “Program”), from XXX, 2022, through September 30, 2023, is hereby adopted. The Program shall be administered by the City Manager or Designee in accordance with the City’s Code Violations Enforcement Lien Amnesty Program outline which includes eligibility, criteria, terms and process and is attached hereto as Exhibit “A” and incorporated herein by reference. Notwithstanding the foregoing, the City Manager or Designee may extend the time period for the Lien Amnesty Program for an additional six (6) months from its ending date of September 30, 2023.

Section 3. Authorization. The Mayor and City Commission hereby authorizes the City Manager or designee to take any actions necessary to implement the provisions of this resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

APPROVED AND ADOPTED by the City Commission of the City of North Miami Beach, Florida, at its regular meeting assembled this ___ **day of** _____, **2022.**

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

(CITY SEAL)

ANTHONY F. DEFILLIPO
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

HANS OTTINOT
CITY ATTORNEY

SPONSORED BY: Mayor and City Commission