

ORDINANCE NO. 2025-XXX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING THE “CONDOMINIUM, COOPERATIVE, AND HOMEOWNERS ASSOCIATIONS TRANSPARENCY AND ACCOUNTABILITY ORDINANCE.” ESTABLISHING REGISTRATION REQUIREMENTS FOR ASSOCIATIONS; REQUIRING DISCLOSURE OF KEY DOCUMENTS; ALIGNING WITH THE REQUIREMENTS OF HB 913 (2025) AS ADOPTED BY THE FLORIDA LEGISLATURE; REQUIRING ANNUAL REPORTING TO THE STATE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach is home to hundreds of condominium, cooperative, and homeowners’ associations; and

WHEREAS, it is in the public interest to increase transparency, accountability, and safety within these associations; and

WHEREAS, the Florida Legislature enacted House Bill 913 during the 2025 Legislative Session to strengthen governance, structural safety, financial transparency, and oversight of condominium and cooperative associations; and

WHEREAS, this ordinance is intended to align with the requirements of HB 913 (2025), as adopted by the Florida Legislature, including provisions for Structural Integrity Reserve Studies (SIRS), milestone inspections, financial disclosures, and mandatory reporting to the Department of Business and Professional Regulation (DBPR); and

WHEREAS, pursuant to Chapter 166, Florida Statutes, the City has the authority to enact ordinances that protect the public health, safety, and welfare, including regulation of community associations within its jurisdiction; and

WHEREAS, the City Commission finds this Ordinance to be necessary for the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Commission of the City of North Miami Beach, Florida, as follows:

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Ordinance; all exhibits attached hereto are made a specific part of this Ordinance.

Section 2. The Condominium, Cooperative, and Homeowners Associations Transparency and Accountability Ordinance shall read as follows:

SECTION 1. SHORT TITLE

This ordinance shall be known as the “Condominium, Cooperative, and Homeowners Association Transparency and Accountability Ordinance.”

SECTION 2. DEFINITIONS

“Association” means a condominium association, cooperative association, or homeowner’s association as defined in Chapters 718, 719, and 720, Florida Statutes, respectively.

“Milestone Inspection” means the structural inspections required pursuant to Section 553.899, Florida Statutes, as amended by HB 913.

“Structural Integrity Reserve Study (SIRS)” means the reserve study required pursuant to Section 718.112(2)(g), Florida Statutes.

SECTION 3. REGISTRATION REQUIREMENTS

All associations operating within the City shall register annually with the City Clerk or their designee. The registration must include the following, submitted via the City’s designated online portal unless otherwise approved in writing by the City Clerk:

1. Name of the association
2. Business address and legal description of the properties
3. Contact information for the property manager or designated contact
4. List of officers and directors with mailing and email contact information
5. Website, if any
6. Corporate seal, if any
7. By-laws and association rules (most recent versions)
8. List of planned capital projects through January 1 of the following year
9. Adopted annual budget
10. Recorded declaration of condominium and amendments
11. Posting location for building permits
12. Pending litigation (cases filed within the past three years)
13. Insurance agent contact
14. Date of original building certification
15. Status of structural recertification
16. Most recent structural or safety inspection report
17. Name and license of community association manager (CAM) and CAM firm

SECTION 4. ANNUAL UPDATE

By January 30th of each year, each association shall submit an updated registration reflecting any changes to the required information. Failure to submit updated information shall be considered noncompliance under Section 6 of this Ordinance.

SECTION 5. FEES

An annual registration fee of \$150 shall be submitted with each application or renewal. The City Manager may establish additional administrative procedures regarding fee collection. Fee waivers may be considered under limited circumstances upon written request.

SECTION 6. ENFORCEMENT

(a) If an association fails to register by the due date, the City shall issue a written Notice of Noncompliance, allowing 30 calendar days to cure the violation.

(b) If no corrective action is taken within 45 days, the City may post a Notice of Noncompliance at the association's main entrance and notify all unit owners by mail or email, if available.

(c) A civil fine of \$500 shall be assessed on the 45th day of noncompliance. A subsequent fine of \$1,000 shall be assessed on the 60th day of noncompliance.

(d) The City may pursue enforcement through its Code Compliance Division or Special Magistrate, consistent with Chapter 162, Florida Statutes.

SECTION 7. STATE COMPLIANCE AND REPORTING

Pursuant to HB 913, all associations subject to state-mandated milestone inspections or Structural Integrity Reserve Studies (SIRS) shall:

- Submit reports and documentation to the City annually.
- Provide evidence of compliance or a timeline for required repairs.
- Authorize the City to report required data to the Department of Business and Professional Regulation (DBPR) by October 1 of each year.

The City's role is to facilitate compliance and reporting but does not replace the association's obligations under state law.

SECTION 8. SEVERABILITY

If any part of this Ordinance is found invalid by a court, the remainder shall remain in full force and effect.

SECTION 9. CODIFICATION

This Ordinance shall be incorporated into the City Code and the *sections **may be renumbered, as necessary.***

SECTION 10. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption and shall apply to all associations operating within the City as of the effective date.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this ____ day of September 2025.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF NORTH MIAMI BEACH ONLY:

GREENSPOON MARDER, LLP.

By: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission