

RESOLUTION NO. 13-1047

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM METROPOLITAN HOMES, LLC TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2011-3057; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town of Miami Lakes (“Town”), through its Code Compliance Department, issued Citation No. C2011-3057 (“Citation”) to Zinovy Briskin and Marina Briskin (“Previous Owners”); and

**WHEREAS**, the Citation was issued to the Previous Owners but the violations were subsequently corrected by Metropolitan Homes LLC. (“New Owner”); and

**WHEREAS**, the New Owner has incurred a total fine of \$5,763.83; and

**WHEREAS**, the New Owner has requested that the Town reduce the fines, and the Town Manager, having reviewed the file, has recommended to the Town Council approval of a reduction of the fine from \$5,763.83 to \$1,272.31 (which is equal to four days of fines and the costs incurred by the Town to process the case); and

**WHEREAS**, the New Owner has agreed to sign a release of the Town from any claims relating to the Citation as a condition of the reduction.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Reduction of Fine.** The civil penalties/fines for Code Compliance Cases No. C2011-3057 are reduced to \$1,272.31 subject to the New Owner paying the reduced amount no later than 60 days from the effective date of this Resolution. The Town

Manager is authorized to execute appropriate documents, including a release and waiver by the New Owner for any and all claims relating to the Citation and this reduction.

**Section 3. Conditions.** In the event the reduced fine is not paid within sixty (60) days of the effective date of this Resolution, the original fine amount shall be reinstated and continue to accrue interest as if this Resolution had not existed.

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


**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 22 day of January, 2013.

Motion to adopt by Michael Pizzi, second by Tony Lama.

**FINAL VOTE AT ADOPTION**

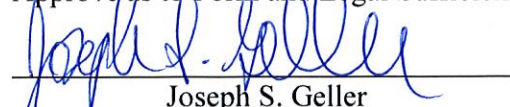
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>

  
\_\_\_\_\_  
Michael Pizzi  
MAYOR

Attest:

  
\_\_\_\_\_  
Marjorie Tejada  
TOWN CLERK

Approve as to Form and Legal Sufficiency

  
\_\_\_\_\_  
Joseph S. Geller  
Greenspoon Marder PA  
TOWN ATTORNEY