

RESOLUTION NO. 15-1322

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA REPEALING AND REPLACING RESOLUTION NO. 04-195 TO AUTHORIZE THE TOWN MANAGER OR HIS/HER DESIGNEE, THE TOWN'S PLANNING DIRECTOR, TO REDUCE CIVIL PENALTIES AND ADMINISTRATIVE COSTS PERTAINING TO PENDING CODE COMPLIANCE MATTERS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on January 13, 2004, the Town Council of the Town of Miami Lakes ("Town") passed Resolution No. 04-195 authorizing the Town Manager to reduce by 50% the amount of any civil penalties and administrative costs owed to the Town by violators in code compliance cases where a violator has remedied his/her outstanding violation(s) prior to the date of a scheduled code enforcement hearing and such action has been confirmed by the Town's Code Compliance Department; and

**WHEREAS**, the Town receives requests to reduce outstanding penalty fees and costs from violators who have received civil violation notices but who comply with the Town's Code prior to a hearing on the violation; and

**WHEREAS**, the Town Council wishes to repeal Resolution No. 04-195 and replace it with this resolution in order to add the Town Manager's designee, the Town's Planning Director, as an authorized person who is able to reduce by 50% the amount of any civil penalties and administrative costs owed to the Town by violators in code compliance cases where a violator has remedied his/her outstanding violation(s) prior to the date of a scheduled code enforcement hearing and such action has been confirmed by the Town's Code Compliance Department.

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

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

**Section 2. Repealing and Replacing Resolution No. 04-195.** Resolution No. 04-195 is hereby repealed in its entirety and replaced by this resolution.

**Section 3 Authorization of the Town Manager and/or His/Her Designee, The Town's Planning Director.** For any violator that has remedied his/her outstanding violation(s) prior to the date of a scheduled Code Enforcement hearing and such action has been confirmed by the Town's

Code Compliance Department, the Town Manager and/or his/her designee, the Town's Planning Director, is authorized to reduce by 50% the amount of any civil penalties and administrative costs owed to the Town by the violator.

**Section 4. Form of Documents.** The form of any documents used by the Town to reduce the penalties and costs shall be approved by the Town Attorney.

**Section 5. Orders of the Hearing Officer.** The authorization provided for in this Resolution shall not extend to orders of the Special Master/Hearing Officer.

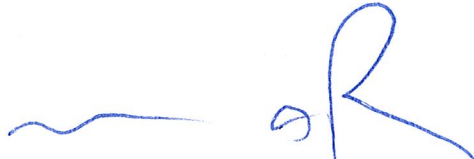
**Section 6. Effective Date.** This Resolution shall be effective immediately upon adoption

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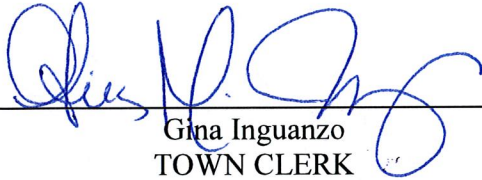
Passed and adopted this 1<sup>st</sup> day of September, 2015.

The foregoing resolution was offered by Cesar Mestre who moved its adoption. The motion was seconded by Tony Lama and upon being put to a vote, the vote was as follows:


Mayor Michael A. Pizzi, Jr.	<u>Yes</u>
Vice Mayor Manny Cid	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Tony Lama	<u>Yes</u>
Councilmember Cesar Mestre	<u>Yes</u>
Councilmember Frank Mingo	<u>Yes</u>
Councilmember Nelson Rodriguez	<u>Yes</u>

  
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Michael A. Pizzi, Jr.  
MAYOR

Attest:

  
\_\_\_\_\_  
Gina Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY