

RESOLUTION NO. 06- 428

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF ROYAL OAKS PLAZA, INC. TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2005-1053; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the "Town"), through its Code Compliance Department, issued Citation No. C2005-1053 to Royal Oaks Plaza, Inc. (the "Violator"); and

**WHEREAS**, the Violator subsequently corrected the violation and paid the Town the accrued fines of \$4,315.36; and

**WHEREAS**, the Violator filed an appeal in the Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida, Case # AP-154 AP ("Appeal"), which is currently pending and no dismissal has been filed; and

**WHEREAS**, the Violator requested that the Town reduce the fine; and

**WHEREAS**, the Town Manager, having reviewed the file, recommends to the Town Council approval of a reduction of the fine to \$3,020.76; and

**WHEREAS**, any reduction and refund of the balance of the fine is contingent on the filing of a dismissal with prejudice of the Appeal by the Violator.

**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 fine for Code Compliance Case No. C2005-1053 is reduced to \$3,020.76 contingent upon dismissal with prejudice of the

Appeal. The Town Manager is authorized to execute appropriate documents to facilitate the return of the balance of the fine the Violator already paid, once the Violator files a notice of voluntary dismissal with prejudice of the appeal and the Town is able to confirm that the Appeal is dismissed.

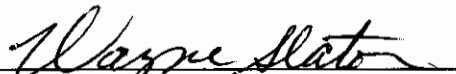
**Section 3. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 11 day of July, 2006.


Motion to adopt by Mary Collins, second by Robert Meador.

**FINAL VOTE AT ADOPTION**


Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador II	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>absent</u>

  
Wayne Slaton  
MAYOR

ATTEST:

  
Debra E. Eastman  
TOWN CLERK

Approved as to form and legality for the use and benefit of the Town of Miami Lakes only:

  
Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.A.  
TOWN ATTORNEY