

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LAND(S) LOCATED WITHIN THE CITY OF POMPANO BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT IN LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENT; PROVIDING FOR THE RECORDING OF THIS RESOLUTION AND DECLARING SAID LEVY TO BE A LIEN UPON THE CENTRAL PROPERTY FOR UNPAID ASSESSMENTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager or his designated representative has, pursuant to Chapter 96 of the Code of Ordinances, declared the existence of a nuisance upon certain lots or parcels of land described in the list attached hereto and made a part hereof, for violation of the provisions of Chapter 96 of the Code of Ordinances; and

WHEREAS, pursuant to Section 96.28 of the Code of Ordinances of the City of Pompano Beach, the City Manager or his designated representative has inspected the said land(s) and has determined that a nuisance existed in accordance with the standards set forth in Chapter 96 of the Code of Ordinances, and did furnish the respective owner(s) of the land(s) described in the attached list with written notice of public nuisance pursuant to Sections 96.28, 96.29 and 96.30 of the Code of Ordinances described in the nature of the nuisance(s) and sent notice that within seven (7) days from the date of said notice there must abate said nuisance, or file a written request for a hearing to review the decision that a nuisance existed within five (5) days of the date of said

notice, failing which the City of Pompano Beach would proceed to correct this condition by abating such nuisance, and that the cost thereof would be levied as an assessment against that property; and

WHEREAS, the property owner(s) named in the list attached hereto and made a part hereof did fail and neglect to abate the nuisance(s) existing upon their respective lands or to properly request a hearing pursuant to Section 96.28, 96.29 and 96.31 within the time limits prescribed in said notice and Chapter 96 of the Code of Ordinances, or if the property owner(s) did request and receive a hearing, said property owner(s) failed and/or neglected to abate said nuisance(s) within the time designated at the hearing wherein the decision was rendered adverse to the property owner(s); and

WHEREAS, the City of Pompano Beach, through the City Administration or such agents or contractors hired by the City Administration was therefore required to and did enter upon the land(s) described in the listing attached and made a part hereof and incurred costs in abating the subject nuisance(s) existing thereon as described in the notice; and

WHEREAS, the City Manager of the City of Pompano Beach has, pursuant to Chapter 96 of the Code of Ordinances of the City of Pompano Beach, submitted to the City Commission a report of the costs incurred in abating said nuisance(s) as aforesaid; said report indicating the cost per parcel of land involved; and

WHEREAS, the City Commission of the City of Pompano Beach, pursuant to Chapter 96 of the Code of Ordinances desires to assess the cost of such nuisance(s) against said property owner(s); now, therefore

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That assessments in the individual amount as shown by the report of the Code Enforcement Division as directed by the City Manager include the City's cost of abating the aforesaid nuisance(s) upon the lots or parcels of land described in said report, a copy of which is attached hereto and made a part hereof, are hereby levied against the parcel(s) of land described

in said report and in the amount(s) indicated thereon. Said assessments so levied shall immediately become a lien upon the respective lot(s) and parcel(s) of land described in said report of the same nature and to the same extent as a lien for general city taxes and shall be collectible in the same manner as mortgages and foreclosures are under state law.

SECTION 2. That said assessments shall be legal, valid and binding obligations on the property which said assessments are levied.

SECTION 3. That the City Clerk of the City of Pompano Beach is hereby directed to immediately record a certified copy of this Resolution in the public records of Broward County and upon the date and time of recording of the certified copy of this Resolution, a lien shall become effective on the subject property which shall secure the cost of abatement, including costs of inspection and administration and collection costs, including a reasonable attorney's fee. Interest on said lien shall accrue at the rate of seven (7%) percent per annum pursuant to Florida Statute 55.03 as now enacted or as may hereafter be amended.

SECTION 4. That this Resolution shall become effective immediately from the date of adoption. Interest shall accrue on the lien at seven (7%) percent per annum pursuant to Florida Statute 55.03 as now enacted or as hereafter amended and, if collection proceedings are necessary, the cost of such proceedings including a reasonable attorney's fee.

PASSED AND ADOPTED this _____ day of _____, 2020.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jmz
11/24/20
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