

Legislation Details (With Text)

File #: 17-88 **Version:** 1 **Name:**

Type: Ordinance / Regular Agenda **Status:** Passed

File created: 11/22/2016 **In control:** City Commission

On agenda: 1/10/2017 **Final action:** 1/10/2017

Title: P.H. 2017-16: (PUBLIC HEARING 2ND READING)
AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.58, "MORTGAGEE REGISTRATION REQUIREMENTS," TO MODIFY DEFINITIONS AND REQUIREMENTS FOR REGISTRATION OF PROPERTIES IN THE CITY BY LIENHOLDERS IN FORECLOSURE ACTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: DECEMBER 13, 2016

Sponsors:

Indexes:

Code sections: 96.58 - MORTGAGEE REGISTRATION REQUIREMENTS.

Attachments: 1. Staff Report for 2nd Reading, 2. Staff Report, 3. City Attorney Communication, 4. Ordinance Amended for 2nd Reading, 5. Ordinance 2009-51, creating 96.58

Date	Ver.	Action By	Action	Result
1/10/2017	1	City Commission	ADOPTED AS AMENDED	Pass
12/13/2016	1	City Commission	APPROVED FIRST READING	Pass

P.H. 2017-16: (PUBLIC HEARING 2ND READING)

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.58, "MORTGAGEE REGISTRATION REQUIREMENTS," TO MODIFY DEFINITIONS AND REQUIREMENTS FOR REGISTRATION OF PROPERTIES IN THE CITY BY LIENHOLDERS IN FORECLOSURE ACTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: DECEMBER 13, 2016

(Staff Contact: Karen Friedman/Robin Bird)

Summary Explanation/Background:

(Note for 2nd Reading: The Ordinance has been revised to add a definition for "Out of Area". A memo explaining the revision is in the back-up). In 2009, via Ord. 2009-51, the City adopted regulations related to vacant foreclosed properties in order to address the threats to the public health, safety, and welfare of the community (a copy is included in the back up). The regulations were intended to prevent blight and decay, curb property neglect, and address problems such as overgrown grass, weeds, and other vegetation, stagnant swimming pools, broken windows, and unauthorized access to structures that are commonly associated with properties whose owners are in default of their mortgage payments and/or the property has been foreclosed. The 2009 regulations require vacant properties which have been subject to a Notice of Default to be maintained and secured and also require registration of a contact. It is not uncommon, however, for a home owner or tenant to remain in a property which has been subject to a Notice of Default and/or foreclosure for several months or

years, with little reason to maintain the property during that time. Therefore since 2009 the City has observed that many of the property neglect and nuisance issues occur both at vacant and occupied properties. The proposed text amendments recommend extending the existing regulations to include occupied foreclosed properties. Additionally, the proposed text amendments clarify when a property must be registered and who is the responsible party to maintain the property and pay the registration fee.

Origin of request for this action: Development Services Department

Fiscal impact and source of funding: N/A