



## **City of Lauderdale Lakes**

Office of the City Clerk

4300 Northwest 36 Street - Lauderdale Lakes, Florida 33319-5599

(954) 535-2705 - Fax (954) 535-0573

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### **WORKSHOP MEETING AGENDA**

**Alfonso Gereffi Room**

**February 13, 2017**

**5:00 PM**

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- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**

FEBRUARY 14, 2017 AGENDA REVIEW

This discussion item serves to review the February 14, 2017 Commission Agenda.

**4. DISCUSSION OF PROPOSED ORDINANCE(S)**

- A.** DISCUSSION REGARDING PROPOSED ORDINANCE 2017-003 AMENDING SECTIONS 30-33, 30-52, 30-86 AND 30-87.1 OF CHAPTER 30 OF THE CODE OF ORDINANCES

This is a discussion on a proposed Ordinance which would amend the jurisdiction of, and appointment of members to, the Code Enforcement Board and establishes civil penalties for certain violations of the Code.

- B.** ORDINANCE REGARDING PROPOSED ORDINANCE 2017-004 CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II

This is a discussion regarding a proposed Ordinance which would amend and create Sections in Chapter 86, the Traffic and Vehicles code as it relates to parking in and around the City of Lauderdale Lakes.

- C.** DISCUSSION REGARDING PROPOSED ORDINANCE 2017-005 AMENDING SECTION 2-315 OF THE CODE OF ORDINANCES; PROVIDING FOR QUALIFICATIONS OF MEMBERS OF NON-STATUTORY BOARDS

This is a discussion regarding a proposed Ordinance which would amend Section 2-315 of the Code of Ordinances to provide for expanded opportunities for citizens of the City to participate on non-statutory boards.

**5. ADDITIONAL WORKSHOP ITEMS**

- A.** DISCUSSION REGARDING HOSTING THE 2017 UNIFEST EVENT COORDINATED BY THE GREATER CARIBBEAN AMERICAN CULTURAL COALITION WITHIN THE CITY OF LAUDERDALE LAKES (5:30 P.M. TIME CERTAIN)

This is a discussion in reference to hosting the 2017 Unifest Event coordinated by the Greater Caribbean American Cultural Coalition (GCACC) within the City of Lauderdale Lakes on May 21, 2017 pending that GCACC comply with all facility policies and procedures and all City, County, and State permit obligations, rules and regulations.

- B.** DISCUSSION REGARDING THE UPCOMING FY 2017 ANNUAL MID-YEAR BUDGET REPORT

This is a discussion regarding the FY 2017 Mid-Year Budget Report. The Financial Services Department will prepare the FY 2017 Mid-Year Budget Report in the upcoming months through

March 2017. The mid-year report provides a summary of the financial condition of the City.

**C. UPDATE REGARDING THE STORMWATER PROJECT**

City staff will provide an update and presentation on the Stormwater project.

**D. DISCUSSION REGARDING THE INSTALLATION OF A FOUR-WAY STOP SIGN AT THE INTERSECTION OF NW 34TH STREET AND NW 35TH AVENUE**

This is a discussion regarding the proposed installation of a 4-way stop sign at the intersection of NW 34th Street and NW 35th Avenue.

**E. DISCUSSION REGARDING THE INSTALLATION OF SPEED TABLES THROUGHOUT THE CITY OF LAUDERDALE LAKES**

This is a discussion regarding speed tables throughout the City.

**F. DISCUSSION REGARDING THE GUIDELINES FOR AWARDS AND/OR PRESENTATIONS**

This is a discussion regarding the guidelines for giving Proclamations, Commendations, Certificates of Appreciation and other awards as determined according to Resolution 2006-66.

**G. DISCUSSION REGARDING TRANSITION PERIOD FOR NEWLY ELECTED OFFICIALS**

This is a discussion related to the guidelines for newly elected officials transitioning to office.

**H. DISCUSSION REGARDING THE "MY BROTHER'S KEEPER" INITIATIVE**

This is a discussion regarding the "My Brother's" Keeper Initiative.

**I. DISCUSSION REGARDING THE "MY BAG" CAMPAIGN**

This is a discussion regarding the My Bag Campaign. The My Bag Campaign provides children in Foster Homes with luggage and/or backpacks to carry their belongings.

**6. REPORTS**

**A. REPORT ON THE COMMUNITY DEVELOPMENT BLOCK GRANT**

This is a report on the 40th Year Community Development Block Grant (CDBG). The 40th year CDBG Minor Home Repair program was not completed in the time frame required, therefore projects completed outside the program will not be funded.

**B. REPORT ON THE SHOPPES AT ORIOLE**

This is a report related to the research on "The Shoppes at Oriole" vacant out parcel and how it integrates with the overall development of the site.

**FUTURE MEETINGS:**

Next scheduled Commission Workshop and Meeting: TBD

**PLEASE TURN OFF ALL CELL PHONES DURING THE MEETING**

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

Any person requiring auxiliary aids and services at this meeting may contact the City Clerk's Office at (954) 535-2705 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

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**Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips,  
Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams**

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# CITY OF LAUDERDALE LAKES

## Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title

FEBRUARY 14, 2017 AGENDA REVIEW

Summary

This discussion item serves to review the February 14, 2017 Commission Agenda.

Staff Recommendation

**Background:**

**Funding Source:**

**Sponsor Name/Department:**

**Meeting Date:** 2/13/2017

### ATTACHMENTS:

Description

Type



February 14, 2017 Commission Meeting Agenda

Backup Material



## **City of Lauderdale Lakes**

Office of the City Clerk

4300 Northwest 36 Street - Lauderdale Lakes, Florida 33319-5599

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### **COMMISSION MEETING AGENDA**

**Commission Chambers**

**February 14, 2017**

**7:00 PM**

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**1. CALL TO ORDER**

**2. ROLL CALL**

**3. INVOCATION AND PLEDGE OF ALLEGIANCE**

**A.** SHARON THOMAS, CITY RESIDENT, WILL LEAD THE PLEDGE OF ALLEGIANCE

**4. PROCLAMATIONS/PRESENTATIONS**

**A.** PROCLAMATION FOR BRENDA D. FORMAN, BROWARD COUNTY CLERK OF COURTS

**5. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

**A.** APPROVAL OF MINUTES

January 23, 2017 Commission Workshop Minutes

January 24, 2017 Commission Meeting Minutes

**6. PETITIONS FROM THE PUBLIC**

**A.** PETITIONS FROM THE PUBLIC

All petitioners must sign in with the City Clerk and will be seated in a designated area. Petitioners will be allowed to speak for five (5) minutes. Petitions from the Public will not exceed 30 minutes in aggregate time.

**7. CONSIDERATION OF ORDINANCES ON SECOND READING**

**8. CONSIDERATION OF ORDINANCES ON FIRST READING**

**A.** ORDINANCE 2017-003 AMENDING SECTIONS 30-33, 30-52, 30-86 AND 30-87.1 OF CHAPTER 30 OF THE CODE OF ORDINANCES

This Ordinance amends the jurisdiction of, and appointment of members to, the Code Enforcement Board and establishes civil penalties for certain violations of the Code.

**B.** ORDINANCE 2017-004 CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II

This Ordinance amends and creates Sections in Chapter 86, the Traffic and Vehicles code as it relates to parking in and around the City of Lauderdale Lakes.

**C.** ORDINANCE 2017-005 AMENDING SECTION 2-315 OF THE CODE OF ORDINANCES; PROVIDING FOR QUALIFICATIONS OF MEMBERS OF NON-STATUTORY BOARDS

This Ordinance amends Section 2-315 of the Code of Ordinances to provide for expanded

opportunities for citizens of the City to participate on non-statutory boards.

**9. CONSIDERATION OF RESOLUTIONS ON CONSENT AGENDA**

**10. CONSIDERATION OF RESOLUTIONS ON REGULAR AGENDA**

- A.** RESOLUTION 2017-015 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN AGREEMENT BETWEEN MARTY KIAR, AS BROWARD COUNTY PROPERTY APPRAISER, AND THE CITY OF LAUDERDALE LAKES ("TAXING AUTHORITY") AS THE TAXING AUTHORITY FOR NON-AD VALOREM ASSESSMENTS - NUISANCE ABATEMENT

This Resolution authorizes the City Manager to execute an agreement between Marty Kiar, as Broward County Property Appraiser, and the City of Lauderdale Lakes for Non-Ad valorem assessments – Nuisance Abatement Fees.

- B.** RESOLUTION 2017-016 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN AGREEMENT BETWEEN MARTY KIAR, AS BROWARD COUNTY PROPERTY APPRAISER, AND THE CITY OF LAUDERDALE LAKES FOR NON-AD VALOREM ASSESSMENTS FOR FIRE RESCUE SERVICES

This Resolution authorizes the City Manager to execute an agreement between Marty Kiar, as Broward County Property Appraiser, and the City of Lauderdale Lakes for Non-Ad valorem assessments for Fire-Rescue Services.

- C.** RESOLUTION 2017-017 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN AGREEMENT BETWEEN MARTY KIAR, AS BROWARD COUNTY PROPERTY APPRAISER, AND THE CITY OF LAUDERDALE LAKES FOR NON-AD VALOREM ASSESSMENTS FOR STORM WATER SERVICES

This Resolution authorizes the City Manager to execute an agreement between Marty Kiar, as Broward County Property Appraiser, and the City of Lauderdale Lakes for Non-Ad valorem assessments for Stormwater Services.

- D.** RESOLUTION-018 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN AGREEMENT BETWEEN MARTY KIAR, AS BROWARD COUNTY PROPERTY APPRAISER, AND THE CITY OF LAUDERDALE LAKES FOR NON-AD-VALOREM ASSESSMENTS FOR PROPERTY OWNERS WITHIN THE CITY FOR SOLID WASTE SERVICES

This Resolution authorizes the City Manager to execute an agreement between Marty Kiar, as Broward County Property Appraiser, and the City of Lauderdale Lakes for Non-Ad valorem assessments for Solid Waste Services.

- E.** RESOLUTION 2017-019 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN GRANT AGREEMENT FM# 439409-1-54-01 EDTF, WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN AN AMOUNT NOT TO EXCEED ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS, FOR THE NORTHWEST 31 AVENUE CORRIDOR IMPROVEMENT PROJECT, A SUMMARY OF WHICH IS ATTACHED HERETO AS EXHIBIT A

This Resolution authorizes the execution of an agreement between the City of Lauderdale Lakes and the State of Florida Department of Transportation to provide funding totaling \$1,000,000 for the Northwest 31 Avenue Corridor Improvement Project.

- F.** RESOLUTION 2017-020 CANCELLING THE CITY COMMISSION WORKSHOP MEETING PRESENTLY SCHEDULED FOR MARCH 13, 2017, AND THE REGULAR CITY COMMISSION MEETING SCHEDULED FOR MARCH 14, 2017

This Resolution cancels the City Commission Workshop presently scheduled for March 13, 2017 and the City Commission Meeting presently scheduled for March 14, 2017.

**11. CORRESPONDENCE**

**12. REPORT OF THE MAYOR**

**13. REPORT OF THE VICE MAYOR**

**14. REMARKS OF THE COMMISSIONERS**

15. REPORT OF THE CITY MANAGER
16. REPORT OF THE CITY ATTORNEY
17. ADJOURNMENT

### **PLEASE TURN OFF ALL CELL PHONES DURING THE MEETING**

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**Mayor Hazelle Rogers - Vice-Mayor Veronica Edwards Phillips**  
**Commissioner Sandra Davey - Commissioner Gloria Lewis - Commissioner Beverly Williams**

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## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title
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DISCUSSION REGARDING PROPOSED ORDINANCE 2017-003 AMENDING SECTIONS 30-33, 30-52, 30-86 AND 30-87.1 OF CHAPTER 30 OF THE CODE OF ORDINANCES
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Summary
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This is a discussion on a proposed Ordinance which would amend the jurisdiction of, and appointment of members to, the Code Enforcement Board and establishes civil penalties for certain violations of the Code.
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Staff Recommendation
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#### Background:

In September of 2016, the Lauderdale Lakes City Commission adopted ten ordinances comprising of comprehensive amendments to the City's Code of Ordinances. These amendments added new language to the appearance and safety codes to enable the Code Compliance Division to address matters of concern that were not previously citable under the City's code provisions, incorporated revisions that added additional breadth and/or restrictions to the Code, and also provides for improved administration and enforcement of code provisions. On October 24, 2016, this item was put on the workshop agenda for discussion, the Commission provided feedback and staff responding to that feedback with correction for review tonight.

This Ordinance serves as the final step in the comprehensive amendment of the City's Code, and addresses the following:

1. Jurisdictional designations for the Code Enforcement Board and Special Masters.
2. Appointment of members to the Code Enforcement Board.
3. Revision of notice requirements.
4. Civil penalties for violations of amended code sections.
5. Providing for a funding source for the Code Enforcement Trust Fund.

#### Funding Source:

To be determined by the City Commission.

**Sponsor Name/Department:** Tanya Davis-Hernandez, AICP, Director of Development Services

**Meeting Date:** 2/13/2017

#### ATTACHMENTS:

Description	Type
<input type="checkbox"/> Ordinance 2017-003 - Amendments to Chapter 30 of the Code of Ordinance Providing For Code Enforcement Board and Civil Penalties	Ordinance
<input type="checkbox"/> Chapter 30 Memorandum	Cover Memo

## ORDINANCE 2017-003

AN ORDINANCE AMENDING SECTIONS 30-33, 30-52, 30-86, AND 30-87.1 AND CREATING SECTION 30-96 OF ARTICLES II AND III OF CHAPTER 30, OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF CODE ENFORCEMENT WITHIN THE CITY; PROVIDING FOR CRITERIA FOR TRUST FUND CONFERRING BENEFITS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property values of a community are generally improved by the enhancement of the community's housing stock and environs, and

WHEREAS, a community's clean, well-lighted and safe streets sustain the entire community, giving rise to higher aspirations and improving opportunities, and

WHEREAS, the Code Enforcement and Development Services staffs have reviewed the Code of Ordinances and upon such review made recommendations for improvements to the Code by way of clarification, consistency and modernization, and

WHEREAS, there is a need for and a public purpose in establishing a code enforcement board and citation process within the City, and

WHEREAS, the City Commission has reviewed the recommendations and determined to implement the same,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Section 30-33 of Article II of Division 1 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-33. - Jurisdiction of code enforcement board and special master.



- (a) There shall be one City of Lauderdale Lakes Code Enforcement Board and one or more special masters.
- (b) The enforcement board shall have the exclusive jurisdiction to hear and decide cases in which violations are alleged of any provision of the building code, plumbing code, electrical code, gas code, and fire code chapters 18, 38, 46, and 50 of this code, excluding cases resulting from the issuance of citations in accordance with Section 30-87.1 herein.
- (c) Special masters shall have the exclusive jurisdiction to hear and decide cases involving violations of the business tax receipt regulations, and land developmental regulations code, chapters 6, 10, 22, 42, 54, 74, 82, 86 and 90 of this code, and all cases resulting from the issuance of citations in accordance with Section 30-87.1 of this code.
- (d) Should for any reason the enforcement board be unavailable, inactive, vacated or there exists a conflict of interest between a member of the enforcement board and a party to a case or should a hearing held before such enforcement board conclude in a tie vote, such case otherwise within the jurisdiction of the enforcement board shall be heard and decided by a special master. Likewise, should a special master appointed to hear a case be removed from office, unavailable, or there exists a conflict of interest between the appointed special master and a party to a case, the applicable case, otherwise within the jurisdiction of the special masters, shall be heard and decided by the enforcement board.

SECTION 3. AMENDMENT: Section 30-52 of Article II of Division 3 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-52. - Appointment and qualifications of members.

The city commission shall appoint a seven-member code enforcement board. Each member of the five-member city commission shall nominate for ratification by the city commission one member to the code enforcement board, with the remaining two members appointed by majority vote of the city commission. The terms of office of each member shall commence on July 1 and end on June 30 of the last year of the term for

which the appointment is made. Members of the code enforcement board shall be residents of the city and shall not become candidates for election to any public office or

hold any other appointive office or position under federal, state, county or municipal government while serving in this position, except one having extraordinary powers only. Appointments to the board shall be made in accordance with applicable laws and ordinances on the basis of experience or interest in the fields of zoning and building control. The membership of the code enforcement board shall, whenever practicable, include an architect, a businessman, an engineer, a general contractor, a subcontractor and a realtor. If this is not practicable, the city commission may appoint such persons of such qualifications as it deems advisable. The city commission may appoint up to two alternate members for the code enforcement board, each of whom may serve in the absence of an appointed board member by appointment of the chair. In the event of a vacancy on the enforcement board, the city commission shall appoint a person to fill such vacancy for the unexpired term thereof.

SECTION 4. AMENDMENT: Section 30-86 of Article II of Division 4 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-86. - Notices.

(a) All notices required by this article shall be provided to the alleged violator by:

(1) Certified mail, return receipt requested, provided if such notices are sent under this paragraph to the owner of the property in question at to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. An additional notice may also be provided, and to any other address provided to the city may find for by such the property owner, and is returned as unclaimed or refused. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within thirty (30) days after the postmarked date of mailing, notice may be provided by posting as described herein and by first class mail directed to the address furnished to the local government with a properly executed proof of mailing or affidavit confirming the first class mailing;

(2) ~~by~~ hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the city; or

(3) ~~by~~ leaving the notice at the violator's usual place of residence with any person therein who is above fifteen (15) years of age and informing such person of the contents of the notice;

(4) in the case of commercial premises, leaving notice with the manager or other person in charge.

(b) In addition to providing the notice as set forth in subsection (a) of this section, at the option of the enforcement board, or special master, or the city, as applicable, notice may also be served by publication or posting, as follows:

(1) ~~S~~such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in Broward eCounty. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.

(c) In lieu of publication as described in subsection (b) of this section, such notice may be posted for at least ten (10) calendar days in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be in the city hall.

(d) Proof of posting shall be by affidavit of the person placing the notice, which affidavit shall include a copy of a notice posted and the date and places of its posting.

(e) Notice by publication or posting may run concurrently with, or may follow, an attempt to provide notice by hand delivery or by mail as required under subsection (a) of this section.

(f) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a) of this section, together with proof of publication or posting as provided in subsections (b) and (c) of this section, shall be sufficient to show that the notice

requirements of this article have been met, without regard to whether or not the alleged violator actually received notice.

SECTION 5. AMENDMENT: Section 30-87.1 of Article II of Division 5 of Chapter 30 of the Code of Ordinances is hereby amended to read as follows:

Sec. 30-87.1. - Supplemental code enforcement procedures, citation and schedule of civil penalties.

- (a) *Intent.* It is the intention of this section to further promote, protect and improve the health, safety and welfare of the citizens and residents of the city by providing an equitable, expeditious, effective and inexpensive method of enforcing any code or ordinances in force in the city where a pending or repeated violation continues to exist.
- (b) *Adoption.* The city by this section adopts the alternate code enforcement system set forth in Part II of Chapter 162, Supplemental County or Municipal Code or Ordinance Enforcement Procedures, presently codified at F.S. § 162.21, as the same may be amended.
- (c) *Penalties.* The following schedule sets forth those code violations for which civil penalties may be cited under this section ~~of violations and penalties shall be assessed by code inspectors for violations of city codes or ordinances,~~ pursuant to the procedures established in F.S. pt. II of ch. 162. The descriptions of violations are provided for purposes of general identification only. The specific code provisions applicable thereto are indicated in addition to the respective violation description. Amendments affecting the numbering of the referenced sections shall not affect the validity of the fines.

Violation Category	1st Offense	Repeat: 2nd Offense	Repeat: 3rd Offense	Repeat: 4th Offense
<del>Sec. LDR 704.2.3. Prohibited sales.</del>	\$50.00	\$75.00	\$100.00	\$100.00
<del>Sec. LDR 712.6.1. Storage of damaged vehicles.</del>	50.00	75.00	100.00	100.00
<del>Sec. LDR 712.25. Outdoor cooking and barbecuing.</del>	75.00	100.00	125.00	125.00
<del>Sec. LDR 712.26. Outdoor sales, and service/or storage.</del>	50.00	75.00	100.00	100.00

Sec. LDR 905. Sign design, maintenance, and general standards.	100.00	150.00	300.00	500.00
Sec. <del>CO 54</del> 10. Public solicitation. (Car washing, etc.)	50.00	75.00	100.00	100.00
<u>Sec. 6-7. - Hours during which sales are prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 6-8. - Additional requirements for lounges and nightclubs.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 6-9. - Music or entertainment creating disturbing noises.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 6-10. - Certain activities prohibited at alcoholic beverage establishments.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 10-4. - Feeding of wild or stray animals prohibited.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 10-10. – Nuisance animals prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 10-11. – Animal cruelty prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 10-32. - Running at large prohibited.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
Sec. <del>GO 10</del> 38. Allowing animal to defecate on public or private property.	100.00	150.00	300.00	500.00
<u>Sec. 18-11. – Placement of Permit Card.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 18-12. – Work commencing before permit issuance.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 18-13. – Stop work order.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 18-21. – Requirements for construction waste.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
Sec. <del>CO 22-143(a)</del> (f). Certificate of use required.	50.00	75.00	100.00	100.00
<u>Sec. 22-151. - Display of certificate.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 22-181. - Use of city address.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 22-184. – Business signage.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>
<u>Sec. 22-185. – Prohibited Outdoor Uses.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>
<u>Sec. 38-36. - Alarms caused by unregistered system or system without permit.</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>	<u>50.00</u>
<u>Sec. 42-6(b)(2). - Trash accumulation.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(11). - Maintenance of irrigation systems.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(12). - Lighting and illumination.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-6(b)(13). - Drainage systems.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-6(b)(14). - Building openings and passageways.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(16). - Storage of waste or salvaged materials.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(17). - Garbage disposal.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(b)(18). - Appliances and white goods.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>

<u>Sec. 42-6(b)(20). - Garbage containers and enclosures.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-6(c)(1). - Outside laundry.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-6(c)(2). - Storage of personal property.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-6(c)(3). - Outdoor storage.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-7(d). - Tree abuse prohibited.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-8. - Temporary storage of portable storage containers and shipping containers.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-11(c). – Swimming pool inspections; right of entry.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 42-13. - Extermination of pests.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-14. - Placement of play equipment.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-32(i). Prohibited conditions. Bulk trash on swale area.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-32(h)(i). Prohibited conditions. Overgrown grass on/or trees.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-35. Littering.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-36. Outdoor storage of junk.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-6. Patio screen maintenance.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-6. Pool enclosure screens.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. LDR 1107.10(1). Swimming pools and spas.</del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<del>Sec. CO <u>42-7. Graffiti on property.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-61. – Sanitary nuisance.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<del>Sec. CO <u>42-88. Noise. Prohibited acts. Noise disturbance.</u></del>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 42-89. – Noise. Construction sites.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 42-91. - Limitation on noise emission of amplifiers.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 46-32. - Fire prevention codes. Violations.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 54-15. – Standards for the placement of flags.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 54-16. – Placement of signs on property of others.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 54-17. – Sales events and special events. Permit required.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 54-20. – Compliance with land developments regulations.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 54-241. – Yard Sales. Prohibition.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 74-35. - Unlawful disposal of waste.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<del>Sec. CO <u>74-37. Removal of receptacle from right-of-way; garbage container(s) removal, storage.</u></del>	<u>25.00</u>	<u>50.00</u>	<del>100.00</del> <u>75.00</u>	<u>100.00</u>

<u>Sec. 78-17. – Obstruction of public streets and sidewalks.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. 78-18. – Prohibited sprinkling or propelling of water.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 78-19. – Unlawful discharge onto public property.</u>	<u>75.00</u>	<u>100.00</u>	<u>125.00</u>	<u>125.00</u>
<u>Sec. CO 82-31. Business tax receipt required.</u>	50.00	75.00	100.00	100.00
<u>Sec. 86-7. - Through truck traffic prohibited.</u>	<u>100.00</u>	<u>150.00</u>	<u>300.00</u>	<u>500.00</u>
<u>Sec. 86-15. - Repair and maintenance of vehicles.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 86-16. – Parking of a vehicle for washing or greasing.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 86-17. – Displaying a motor vehicle, boat or trailer for sale.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. 86-18. – Storage of materials, supplies or equipment in or on vehicles.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 86-30. - Standing or parking prohibited in specified places.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 86-35. - Parking in residential zones.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. CO 86-35(e). Repairs to vehicle.</u>	100.00	150.00	300.00	500.00
<u>Sec. CO 86-35(4). Parking in residential zones. Storage of materials.</u>	35.00	50.00	100.00	100.00
<u>Sec. 86-36. - Use of parking facilities in non-residential zoning districts.</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>	<u>100.00</u>
<u>Sec. 90-73. - Year-round restrictions on landscape irrigation.</u>	<u>25.00</u>	<u>50.00</u>	<u>75.00</u>	<u>100.00</u>
<u>Sec. LDR 704.2.3. Illegal sale of fruit or merchandise</u>	50.00	75.00	100.00	100.00
<u>Sec. LDR 1112.5. Prohibited home occupations.</u>	50.00	75.00	100.00	100.00
<u>Sec. LDR 704.2.3. Prohibited sales.</u>	\$50.00			
<u>Sec. LDR 712.6.1. Storage of damaged vehicles.</u>	50.00			
<u>Sec. LDR 712.25. Outdoor cooking and barbecuing.</u>	75.00			
<u>Sec. LDR 712.26. Outdoor sales, and service/or storage.</u>	50.00			
<u>Sec. LDR 905. Sign design, maintenance, and general standards.</u>	100.00			
<u>Sec. CO 54 10. Public solicitation. (Car washing, etc.)</u>	50.00			
<u>Sec. CO 10 38. Allowing animal to soil on public or private property.</u>	25.00			
<u>Sec. CO 22-143(a) – (f). Certificate of use required.</u>	50.00			
<u>Sec. CO 42-32(i). Prohibited conditions. Bulk trash on swale.</u>	50.00			
<u>Sec. CO 42-32(h)(i). Prohibited conditions. Overgrown</u>	50.00			

<del>grass and/or trees.</del>	
<del>Sec. CO 42-35. Littering.</del>	<del>25.00</del>
<del>Sec. CO 42-36. Outdoor storage of junk.</del>	<del>50.00</del>
<del>Sec. CO 42-6. Patio screen maintenance.</del>	<del>50.00</del>
<del>Sec. CO 42-6. Pool enclosure screens.</del>	<del>50.00</del>
<del>Sec. LDR 1107.10(1). Swimming pools and spas.</del>	<del>50.00</del>
<del>Sec. CO 42-7. Graffiti on property.</del>	<del>50.00</del>
<del>Sec. CO 42-88. Prohibited acts. Noise disturbance.</del>	<del>50.00</del>
<del>Sec. CO 74-37. Removal of receptacle from right of way, garbage container(s) removal, storage.</del>	<del>25.00</del>
<del>Sec. CO 82-31. Business tax receipt required.</del>	<del>50.00</del>
<del>Sec. CO 86-35(e). Repairs to vehicle.</del>	<del>50.00</del>
<del>Sec. CO 86-35(4). Parking in residential zones. Storage of materials.</del>	<del>35.00</del>
<del>Sec. LDR 704.2.3. Illegal sale of fruit or merchandise.</del>	<del>50.00</del>
<del>Sec. LDR 1112.5. Prohibited home occupations.</del>	<del>50.00</del>

(d) *Citations.*

- (1) Code inspectors shall have the authority to initiate enforcement proceedings by issuing a citation to a person that may require the appearance of the violator or property owner at an administrative hearing before a special magistrate.
- (2) Prior to issuing a citation, the code inspector shall provide a written notice to the person or the property owner in violation that there is a violation of a city code or ordinance, and shall establish a reasonable time period, not to exceed thirty (30) calendar days, within which the person must correct the violation. If, upon personal investigation, the code inspector finds that the person has not corrected the violation within the designated time period, the code inspector may issue a citation to the person who has committed the violation or the property owner where the violation has occurred.
- (3) Service of notice of a citation shall be deemed appropriate by hand delivering the citation to the violator or property owner; or posting the citation at the



location of the mailing address identified in the public records of the county property appraiser or sState Division of Corporations, through the registered agent, for the violator or property owner in a conspicuous manner.

- (4) The code inspector is not required to provide the alleged violator or property owner with a reasonable period of time to correct the violation prior to issuing the citation if a repeat violation is found, or if the code inspector has reason to believe that the violation presents a serious threat to the public health, safety or welfare, or that the violator or the property owner is engaged in violations of an itinerant or transient nature, or if the violation is irreparable or irreversible.
- (5) The citation form shall include, but not be limited, to the following:
  - a. Date and time of issuance;
  - b. Name of the code inspector and jurisdiction;
  - c. Name and address of the violator;
  - d. Code section or ordinance that has been violated;
  - e. Brief description of the nature of the violation, including location, date and time of violation;
  - f. Amount of the applicable civil penalty;
  - g. Procedure for the person to follow in order to pay the civil penalty or to contest the citation;
  - h. Notice that if the person fails to pay the civil penalty within the time allowed, ~~and fails to request an administrative hearing before the special master within ten calendar days of service of the citation,~~ the person shall be determined to ~~have waived their rights to~~ contest the citation and ~~that,~~ in such a case, an administrative hearing shall be scheduled before a special magistrate judgment may be entered for the applicable maximum civil penalty; and

i. Notice that the person may be liable for reasonable costs of the hearing should the violator be found guilty of the violation.

(e) Citation issued to appear before a special ~~master~~ magistrate:

- (1) The person who has been served with a citation to appear before a special magistrate shall either correct the violation, and pay the civil penalty in the manner indicated on the citation; or
- (2) Request an administrative hearing before a special magistrate to appeal the decision of the code inspector. ~~Said appeal shall be filed not later than ten calendar days after the service of the citation.~~
- (3) Failure of the violator or property owner to correct the violation and pay the civil penalty ~~appeal the decision of the code inspector~~ within the ~~ten~~ twenty-one (21) calendar days shall ~~constitute a waiver of the violator's right to~~ result in the scheduling of an administrative hearing before a special magistrate. ~~A waiver of the right to an administrative hearing may result in the imposition of a fine against the violator and/or costs which may result in a lien on the property where the violation occurred.~~
- (4) Should the violator ~~appeal the citation and~~ be found in violation by the special magistrate, in addition to the imposition of a fine, the violator shall be assessed an administrative cost of \$35.00, which may result in a lien on the property where the violation occurred. The special magistrate shall not waive the administrative costs.

~~(f) The following table sets forth those code violations for which civil penalties may be cited under this section. The descriptions of violations are provided for purposes of general identification only. The specific code provisions applicable thereto are indicated in addition to the respective violation description. Amendments affecting the numbering of the referenced sections shall not affect the validity of the fines.~~

Violation Category	1st- Offense	Repeat: 2nd-	Repeat: 3rd Offense	Repeat: 4th Offense
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		Offense		
<del>Sec. LDR 704.2.3. Prohibited sales.</del>	<del>\$50.00</del>	<del>\$75.00</del>	<del>\$100.00</del>	<del>\$100.00</del>
<del>Sec. LDR 712.6.1. Storage of damaged vehicles.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 712.25. Outdoor cooking and barbecuing.</del>	<del>75.00</del>	<del>100.00</del>	<del>125.00</del>	<del>125.00</del>
<del>Sec. LDR 712.26. Outdoor sales, and service/or storage.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 905. Sign design, maintenance, and general standards.</del>	<del>100.00</del>	<del>150.00</del>	<del>300.00</del>	<del>500.00</del>
<del>Sec. CO 54-10. Public solicitation. (Car washing, etc.)</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 10-38. Allowing animal to soil on public or private property.</del>	<del>100.00</del>	<del>150.00</del>	<del>300.00</del>	<del>500.00</del>
<del>Sec. CO 22-143(a)-(f). Certificate of use required.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-32(i). Prohibited conditions. Bulk trash on swale area.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-32(h)(i). Prohibited conditions. Overgrown grass on/or trees.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-35. Littering.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-36. Outdoor storage of junk.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-6. Patio screen maintenance.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-6. Pool enclosure screens.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 1107.10(1). Swimming pools and spas.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-7. Graffiti on property.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 42-88. Prohibited acts. Noise disturbance.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 74-37. Removal of receptacle from right-of-way, garbage container(s) removal, storage.</del>	<del>25.00</del>	<del>50.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 82-31. Business tax receipt required.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. CO 86-35(e). Repairs to vehicle.</del>	<del>100.00</del>	<del>150.00</del>	<del>300.00</del>	<del>500.00</del>

<del>Sec. CO 86-35(4). Parking in residential zones. Storage of materials.</del>	<del>35.00</del>	<del>50.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 704.2.3. Illegal sale of fruit or merchandise</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>
<del>Sec. LDR 1112.5. Prohibited home-occupations.</del>	<del>50.00</del>	<del>75.00</del>	<del>100.00</del>	<del>100.00</del>

SECTION 6. AMENDMENT: Section 30-91 of Article III of Chapter 30 of the Code of Ordinances is hereby created to read as follows:

Sec. 30-91. - Criteria for conferring trust fund benefits.

In order to be eligible for a trust fund award, an applicant shall be required to show, by substantial, competent evidence, in the record, must be low to moderate income within the meaning of then current HUD guidelines, and in compliance with at least two of the following:

- (1) Senior citizen (55 years of age or older);
- (2) Affected property is homestead property within the meaning of section 4 of article X of the Florida Constitution;
- (3) The death of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support within a one-year period immediately prior to the filing of the application contemplated in section 30-90;
- (4) A debilitating illness, physical or mental condition of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support within a one-year period immediately prior to the filing of the application contemplated in section 30-90;
- (5) The hospitalization of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support for a period in excess of fourteen (14) calendar days within any 30-day period, or twenty-one (21) calendar days within any 90-day period, next preceding the filing of the application;

(6) Unemployment of the applicant's spouse or significant-other, who provided for substantially all of the applicant's support for a period of three or more months next preceding the date of application as a result of a physical or mental impairment; or

(7) Applicant has conceded the propriety of the violation.

(8) The cause of the violation being entirely out of the property owner's control and the direct result of a violation of certain provisions of this Code by an unrelated third- party.

SECTION 7. CREATION: Section 30-96 of Article III of Chapter 30 of the Code of Ordinances is hereby created to read as follows:

Sec. 30-96. – Funding.

A funding source for the Code Enforcement Trust Fund shall be established by a resolution adopted by the city commission.

SECTION 8. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 9. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 10. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word

"Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 11. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING BY THE CITY COMMISSION ON THE 14<sup>TH</sup> DAY OF FEBRUARY, 2017.

PASSED ON SECOND READING BY THE CITY COMMISSION THE \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
HAZELLE ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
SHARON HOUSLIN, CITY CLERK

JCB:jla

Sponsored by: EDWARD WALLACE, Code Compliance Supervisor/Development Services

**VOTE:**

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

# **CITY OF LAUDERDALE LAKES**

## ***Development Services Department***

### **INTEROFFICE MEMORANDUM**

**TO: Phil Alleyne  
City Manager**

**DATE: February 14, 2017**

**FROM: Tanya Davis-Hernandez, AICP  
Development Services Director**

**RE: An Ordinance amending Sections 30-33, 30-52, 30-86 and 30-87.1 of Chapter 30 and creating Section 30-96 of the code of Ordinances; Providing for Code Enforcement Board and Civil Penalties.**

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**February 14, 2017 City Commission Agenda – 1st Reading**

#### **RECOMMENDATION**

It is recommended that the City Commission approve the proposed ordinance providing the jurisdiction of, and appointment of members to, the Code Enforcement Board and establishes civil penalties for certain violations of the Code.

#### **THE REQUEST**

Staff has reviewed Sections of Chapter 30 and finds that updating Sections 30-33, 30-86 and 30-87.1 along with creating Section 30-96 are necessary to provide clarity on jurisdictional entities, processes related to appointments, assessing of civil penalties and addressing the funding of the Code Enforcement Trust Fund. Amending these Sections will provide consistency with the other code amendments approved previously by the City Commission and will allow the Code Department to function effectively. These updates will be in the best interest of the public health, safety and welfare of the City as the City continues its effort to improve the overall physical appearance of the City.

#### **BACKGROUND**

In September of 2016, the Lauderdale Lakes City Commission adopted ten ordinances comprising of comprehensive amendments to the City's Code of Ordinances. Then on October 24, 2016 the proposed amendments to chapter 30 were worked shop by the City Commission. These amendments added new language to the appearance and safety codes to enable the Code Compliance Division to address matters of concern that were not previously citable under the City's code provisions, they incorporate revisions that added additional breadth and/or restrictions to the Code, and also provides for improved administration and enforcement of code provisions.

This Ordinance serves as an additional step in the comprehensive amendment of the City's Code, and addresses the following:

1. Jurisdictional designations for the Code Enforcement Board and Special Masters.
2. Appointment of members to the Code Enforcement Board.



3. Revision of notice requirements.
4. Civil penalties for violations of amended code sections.
5. Providing for a funding source for the Code Enforcement Trust Fund.

### **ANALYSIS**

These code amendments provide an alternative to the City of Lauderdale Lakes to take citations through the court system, it does not reduce or remove the need for the special magistrate. It simply gives the City the option to address violations when the property owner is not responsible. For example, the revised code will allow for the Code Division to write a violation for a car parked on public right of way when ownership cannot be determined by routing the citation through the court system.

### **FISCAL IMPACT**

The intent of this ordinance is to have a positive impact on the general appearance of the City and to show the community that administration is listening to their concerns; however a positive financial impact may be derived from the enforcement of the ordinance.

**Attachment(s):** Proposed Ordinance

## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title
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ORDINANCE REGARDING PROPOSED ORDINANCE 2017-004 CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II
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Summary
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This is a discussion regarding a proposed Ordinance which would amend and create Sections in Chapter 86, the Traffic and Vehicles code as it relates to parking in and around the City of Lauderdale Lakes.
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Staff Recommendation
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**Background:**

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Tanya Davis-Hernandez, AICP, Director of Development Services

**Meeting Date:** 2/13/2017

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Ordinance 2017-004 - Amending Chapter 86 of the Code of Ordinances Providing For the Governing of Parking	Ordinance
<input type="checkbox"/> Chapter 86 Memorandum	Cover Memo

## ORDINANCE 2017-004

AN ORDINANCE CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF PARKING, STOPPING AND STANDING OF VEHICLES WITHIN THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property values of a community are generally improved by the enhancement of the community's housing stock, and

WHEREAS, a community's clean, well-lighted and safe streets sustain the entire community, giving rise to higher aspirations and improving opportunities, and

WHEREAS, the Code Enforcement and Community Development staffs have reviewed the Code of Ordinances and upon such review made recommendations for improvements to the Code by way of clarification, consistency and modernization, and

WHEREAS, there is a need for and a public purpose for regulating parking and the movement of vehicles within the City, and

WHEREAS, the City Commission has reviewed the recommendations and determined to implement the same on a chapter-by-chapter basis,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. CREATION: Section 86-5 of Chapter 86 of Article II of the Code of Ordinances is hereby created to read as follows:

Sec. 86-5. – ~~Reserved~~ Florida Uniform Traffic Control Law Adopted.

The city hereby adopts the Florida Uniform Traffic Control Law, established in Chapter 316 of the Florida State Statutes, as it may be amended from time to time. Any violation of the Florida Uniform Traffic Control Law warranting a citation or enforcement action shall be hereby considered an enforceable violation of this Code.

SECTION 3. AMENDMENT: Section 86-35 of Chapter 86 Article II of the Code of Ordinances is hereby amended to read as follows:

Sec. 86-35. - Parking in residential zones.

(a) Prohibitions

1. No passenger vehicle shall be parked within a residential district except upon a driveway paved with a hard, dust-free paving material complying with the Florida Building Code, as amended from time to time, or within a carport, garage or screened side yard but not to encroach into any rear setback or easement.
2. No passenger vehicle, recreational vehicle, trailer, or commercial vehicle shall be parked upon a driveway in a manner that is parallel to the right-of-way abutting such driveway, except where a driveway or portion thereof is of a circular or semi-circular design, in which case all vehicles shall be parked parallel to the perimeter edge of such driveway.
3. No passenger vehicle, recreational vehicle, trailer, or commercial vehicle wider than eight feet, longer than 22 feet or taller than eight feet shall be permitted to park in any residentially zoned district. For the purposes of this section, width of vehicles shall be measured using the permanent sides of the vehicle; length shall be measured from front bumper to rear bumper; height shall be measured from level grade to highest permanent point. Trailers used to transport recreational vehicles shall be permitted to exceed the length of the recreational vehicle a maximum of 25 percent.
4. No heavy commercial vehicle or equipment, as defined herein, shall be permitted to park in any residential district, unless otherwise noted.
5. No residentially zoned property shall be utilized for the storage of vehicles for sale by or in the inventory of any motor vehicle dealer. The presence of more than one vehicle displaying a dealer's license plate upon any residential

property shall be prohibited. The same shall be reasonably considered prima facie evidence of the operation of an unlicensed motor vehicle dealership which shall be punishable under the provisions of this code.

6. It shall be unlawful to park any passenger vehicle or commercial vehicle upon any driveway or swale area in a manner which obscures or prevents the visibility of an attached license tag from the nearest right-of-way.

(b) Parking within swale areas

1. No motor vehicle, regardless of ownership, is permitted in the swale areas adjacent to the following designated collector or arterial roads at any time:
  - a. Oakland Park Boulevard.
  - b. State Road 7 (U.S. 441).
  - c. NW 52nd Avenue (between Oakland Park Boulevard and NW 43rd Court ~~and NW 41st Street~~).
  - d. NW 50th Avenue (between Oakland Park Boulevard and NW 36th Street ~~NW 43rd Court and NW 42nd Street~~).
  - e. NW 43rd Avenue (between Oakland Park Boulevard and NW 36th Street ~~NW 44th Avenue and NW 37th Street~~).
  - f. NW 41st Street.
  - g. NW 47th Terrace (between Oakland Park Boulevard and ~~to~~ NW 34th Street).
  - h. NW 44th Street (between SR7 and NW 31st Avenue ~~NW 43rd Avenue and Oakland Park Blvd.~~).
  - i. NW 33rd Street (between NW 43rd Avenue and NW 46th Avenue ~~Oakland Park Blvd.~~).
  - j. NW 26th Street (between ~~SR7~~ NW 49th Avenue and NW 39th Way).
  - k. NW 21st Street (between SR7 to the Park).
  - l. NW 19th Street.
  - m. NW 24th Street (between SR 7 and NW 34th Avenue)
  - n. NW 29th Street (between SR 7 and NW 33rd Avenue)
  - o. NW 34th Street (between SR 7 and NW 36th Terrace)
  - p. NW 36th Terrace (between Oakland Park Boulevard and NW 34th Street)
  - q. NW 35th Avenue (between Oakland Park Boulevard and NW 35th Street)
  - r. NW 37th Street (between SR 7 and eastern City Limit)
  - s. NW 39th Street (between NW 31st Avenue and NW 31st Terrace)

- t. NW 36th Street (between SR 7 and Cul-de-sac)
  - u. NW 46th Avenue (between Oakland Park Boulevard and 33rd Street)
  - v. NW 49th Avenue (between Oakland Park Boulevard and southern City Limit)
  - w. The Access Road between Oakland Park Blvd and NW 52nd Avenue.
- 2. Where an accessway intersects a public right-of-way or where property abuts the intersection of two or more public rights-of-way, it shall be prohibited to park any vehicle within twenty feet of the intersection of any two streets.
  - 3. Except where prohibited herein, private passenger vehicles owned or operated by the owner, occupant, tenant or their guests of real property within a single-family zoning district (RS-2, RS-3, RS-4) shall be permitted to park within swale areas abutting such property between the hours of 6:00 p.m. to 10:00 a.m.
  - 4. No person shall drive, operate or park a motor vehicle within a swale area which abuts the private real property of another without the express permission of the owner, lessee and/or occupant of the private real property abutting such swale or swale area, and the city hereby devotes the swale or swale area to the reasonable use of each abutting property owner thereof, his guests, licensees and invitees, to the exclusion of all others; provided that such use shall not be inconsistent with the laws of the city or the rights of the municipal government.
  - 5. It shall be unlawful for any owner, agent, operator or person in charge of any commercial or recreational vehicle to park, store or keep such commercial or recreational vehicle on the pavement of, or in the swale area adjacent to, any public street within the city except in accordance with subsections (c) and (d) herein.
  - 6. Any vehicle lawfully parked within a swale area or other right-of-way within the city shall be parked with the flow of traffic, parallel to the paved portion of the right-of-way, with two wheels parked upon such paved portion of the right-of-way. No vehicle, or portion thereof, nor anything therein or thereon shall extend into, onto or over such paved portion of the right-of-way by more than 18 inches.
  - 7. Nothing contained in this section shall prohibit the operation of a city vehicle, emergency vehicle on an emergency service call, or vehicle owned by a utility which is in the course of official business, to park upon the swale area anywhere within the city.
- (c) Parking of commercial vehicles
- 1. Commercial or heavy commercial vehicles actively engaged in a lawful repair, moving or construction activity for the owners, lessee or occupants, of a property shall be permitted to park upon such property between the

hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. Sundays and national holidays. Construction and moving vehicles actively engaged in a permitted operation may be parked overnight in a residential zone, provided the vehicle is not operating between the hours of 7:00 p.m. to 7:00 a.m. Monday through Saturday and 6:00 p.m. to 9:00 a.m. Sundays and national holidays.

2. Within single-family zoning districts (RS-2, RS-3, RS-4) commercial vehicles shall be parked entirely upon a paved driveway, within a garage, within a carport, or on an area in the side yard located five feet behind the front building setback and a minimum of one foot from the side property line but shall not encroach into any rear setback or easement. Side yard parking areas should be paved if vehicle ingress-egress is frequent enough to cause degradation to the grass area. In all cases the commercial vehicle shall be opaquely screened on three sides by a wall, fence or hedge a minimum of six feet in height.
3. Within single-family zoning districts (RS-2, RS-3, RS-4) commercial vehicles shall be parked on a paved driveway shall not have attached any ladders, or other attachments, which exceed the height of the highest point on the vehicle by more than two feet and such vehicle shall have any signage thereon covered entirely by an opaque cover as permitted in section 86-11 herein. Commercial vehicles may cover signage with a magnetic cover provided it is the same color of the commercial vehicle.
4. Commercial vehicles within multi-family districts (RM-10, RM-16 and RM-20) parked in paved areas that are sufficiently screened from public view. The approved site plan shall dictate the location of areas approved for the parking of commercial and recreational vehicles.
5. Commercial vehicles shall not be used in the conduct of a home business, unless the business has an approved home occupational license from the city. Any person owning or having use of a vehicle parked in a residential district associated with an approved home occupational license shall also abide by the requirements of section 1112 of the land development regulations.
6. No commercial equipment may be stored on a commercial vehicle that is parked on a residentially zoned lot. Such commercial equipment shall be stored only within a fully enclosed structure. No commercial equipment or material which is hazardous, obnoxious, offensive, or has bad odors or dust emanating therefrom may be stored on any residentially zoned property.
7. The restrictions contained herein shall not apply to the temporary parking of any commercial vehicle or equipment while its owner or operator is performing lawful and authorized public or private work, including but not limited to performing service or construction work, making deliveries of merchandise or household items, public utility service work, or any authorized emergency vehicles as defined herein. Additionally, vehicles

owned and operated by a physically impaired individual when a medical doctor has certified that the vehicle is necessary due to said physical impairment shall also be exempt from the restrictions contained herein.

(d) Parking of recreational vehicles

1. Within single-family zoning districts (RS-2, RS-3, RS-4) recreational vehicles shall be parked entirely upon a paved driveway, within a garage, a carport, or on an area in the side yard located five feet behind the front building setback and a minimum of one foot from the side property line but shall not encroach into any rear setback or easement. Side yard parking areas should be paved if vehicle ingress-egress is frequent enough to cause degradation to the grass area. In all cases the recreational vehicle shall be opaquely screened on three sides by a wall, fence or hedge a minimum of six feet in height.
2. Recreational vehicles shall be permitted to be temporarily parked in the front of single-family homes, to allow for loading, unloading, cleaning and minor repairs, provided such time period does not exceed 24 hours prior to or after the recreational vehicles have been used by the resident, but in no case shall the loading and unloading period exceed a total of 48 hours within a seven-day period.
3. Recreational vehicles within multi-family districts (RM-10, RM-16 and RM-20) parked in paved areas that are sufficiently screened from public view. The approved site plan shall dictate the location of areas approved for the parking of commercial and recreational vehicles.
4. Recreational vehicles shall not be occupied and may not maintain electrical, water or sewage connections at any time while parked upon a residentially zoned property except that electrical service connections may be attached for a maximum of 24 hours prior to and in preparation for departure from the property.
5. Parking or storage of recreational vehicles shall be limited to those owned by the occupants of the property or their guests.

SECTION 5. CREATION: Section 86-39 of Chapter 86 of Article II of the Code of Ordinances is hereby created to read as follows:

**Sec. 86-39 Exemptions**

In recognition of the characteristics, configuration or other factors affecting certain areas of the city, the following exemptions shall apply:



1. Motor vehicles, parked in the swale areas adjacent to the following collector or arterial roads shall be exempt from the provisions of Section 86-35(b)(6):

- a. NW 41 Street

SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING BY THE CITY COMMISSION, ON THE 14<sup>TH</sup> DAY OF FEBRUARY, 2017.

PASSED ON SECOND READING BY THE CITY COMMISSION THE  
\_\_\_\_DAY OF FEBRUARY, 2017.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF  
LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE \_\_\_\_DAY OF  
\_\_\_\_\_, 2017.

\_\_\_\_\_  
HAZELLE ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
SHARON HOUSLIN, CITY CLERK

JCB:jla

Sponsored by: EDWARD WALLACE, Code Compliance Supervisor/Development  
Services

**VOTE:**

Mayor Hazelle Rogers	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sandra Davey	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Gloria Lewis	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Beverly Williams	_____ (For)	_____ (Against)	_____ (Other)

# **CITY OF LAUDERDALE LAKES**

## ***Development Services Department***

### **INTEROFFICE MEMORANDUM**

**TO: Phil Alleyne  
City Manager**

**DATE: February 14, 2017**

**FROM: Tanya Davis-Hernandez, AICP  
Development Services Director**

**RE: AN ORDINANCE CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF PARKING, STOPPING AND STANDING OF VEHICLES WITHIN THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.**

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**February 14, 2017 City Commission Agenda – 1st Reading**

#### **RECOMMENDATION**

It is recommended that the City Commission approve the proposed ordinance providing for the creation and amending of several Sections of Chapter 86 as it relates to parking within the City of Lauderdale Lakes.

#### **THE REQUEST**

Staff has reviewed Sections of Chapter 86 and finds that updating Sections 86-35, 86-39 and adding Section 86-5 are necessary to provide clarity on prohibited parking in residential districts by identifying streets within the City where swale parking is allowed or not allowed. This chapter revision will also address commercial vehicle parking and residential recreational vehicle parking within the City of Lauderdale Lakes. These updates will be in the best interest of the public health, safety and welfare of the City as the City continues its effort to provide a safe community for everyone.

#### **BACKGROUND**

In September of 2016, the Lauderdale Lakes City Commission adopted ten ordinances comprising of comprehensive amendments to the City's Code of Ordinances. The City Commission has been working with staff to address deficiencies with the City Codes and these amendments will provide clear direction to the residents and community in general of what is expected from them in terms of parking within City. It is vital that the community adhere to these parking requirements as they assist emergency personnel to

provide efficient service to our community. These amendment changes will also allow for a cleaner appearance of the community and assist with addressing the illegal parking in and around the community as the City provides for improved administration and enforcement of the City Codes.

This Ordinance serves as an additional step in the comprehensive amendment of the City's Code, and addresses the following:

1. Parking in residential zones.
  - (a) Prohibitions
  - (b) Parking within swale areas
2. Parking of commercial vehicles
3. Parking of recreational vehicles

### **ANALYSIS**

1. These code amendments provide for consistency within the City Ordinance by removing any conflicts and clearly specifying where parking is allowed and not allowed as the City works to address the parking problems that are surfacing within Lauderdale Lakes. For example, Section 86-35 (6) was added to state "It shall be unlawful to park any passenger vehicle or commercial vehicle upon any driveway or swale area in a manner which obscures or prevents the visibility of an attached license tag from the nearest right-of-way." This addition will allow for better monitoring of vehicles by Code Compliance and other Public Safety Personnel.

### **FISCAL IMPACT**

The intent of this ordinance is to have a positive impact on the general appearance of the City and to show the community that administration is listening to their concerns; however a positive financial impact maybe derived from the enforcement of the ordinances.

**Attachment(s):** Proposed Ordinance

## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title
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DISCUSSION REGARDING PROPOSED ORDINANCE 2017-005 AMENDING SECTION 2-315 OF THE CODE OF ORDINANCES; PROVIDING FOR QUALIFICATIONS OF MEMBERS OF NON-STATUTORY BOARDS

Summary
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This is a discussion regarding a proposed Ordinance which would amend Section 2-315 of the Code of Ordinances to provide for expanded opportunities for citizens of the City to participate on non-statutory boards.

Staff Recommendation
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#### Background:

Currently Section 2-315 of the Code of Ordinances provides that as a prerequisite for appointment to a nonstatutory board, applicants must present a voter's registration card and State of Florida driver's licenses or current State of Florida identification card. If adopted Section 2-315 would be amended and a voter's registration card would not be required for appointment to a nonstatutory board.


#### Funding Source:

Not applicable

**Sponsor Name/Department:** Sharon Houslin, City Clerk

**Meeting Date:** 2/13/2017

#### ATTACHMENTS:

Description	Type
 Ordinance 2017-005 - Amending Section 2-315 of the Code of Ordinance related to requirement of voter's registration for appointment to nonstatutory boards	Ordinance

ORDINANCE 2017-005

AN ORDINANCE AMENDING SECTION 2-315 OF THE CODE OF ORDINANCES; PROVIDING FOR QUALIFICATIONS OF MEMBERS OF NON-STATUTORY BOARDS; PROVIDING FOR IDENTIFICATION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has indicated a desire to provide expanded opportunities for citizens of the City to participate in the governmental processes, and

WHEREAS, legally present immigrants may not register to vote and, presently, Section 2-315 of the Code of Ordinances requires, as a qualification to serve as a member of a non-statutory board, an applicant submit a voter's registration card,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Section 2-315 of the Code of Ordinances is hereby amended to read as follows:

**Sec. 2-315. - Disclosures and application requirements for appointees.**

Each applicant for appointment to a nonstatutory board shall, as a prerequisite to consideration, file an application on a form to be provided by the city clerk, and present a ~~voter's registration card~~ and State of Florida driver's license or current State of Florida identification card. In those situations in which an applicant must take an oath of office, the applicant shall present a voter's registration and a Florida driver's license or current State of Florida identification card. In those situations where board appointments are made at the discretion of the mayor or a member of the city commission from the dais, such board members shall comply with the application

procedures set forth in this section within 30 days of the appointment or the appointment shall be deemed null and void.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING BY TITLE ONLY, UPON APPROVAL OF AT LEAST FIVE (5) AFFIRMATIVE VOTES OF THE CITY COMMISSIONERS, ON THE 14<sup>TH</sup> DAY OF FEBRUARY, 2017.

PASSED ON SECOND READING BY TITLE ONLY THE \_\_\_\_\_DAY OF FEBRUARY, 2017.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF  
LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
FEBRUARY, 2017.

\_\_\_\_\_  
HAZELLE ROGERS, MAYOR

ATTEST:

\_\_\_\_\_  
SHARON HOUSLIN, CITY CLERK

JCB:jl

Sponsored by: SHARON HOUSLIN, City Clerk

**VOTE:**

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)



## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact: No

Contract Requirement:

Title
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DISCUSSION REGARDING HOSTING THE 2017 UNIFEST EVENT COORDINATED BY THE GREATER CARIBBEAN AMERICAN CULTURAL COALITION WITHIN THE CITY OF LAUDERDALE LAKES (5:30 P.M. TIME CERTAIN)
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Summary
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This is a discussion in reference to hosting the 2017 Unifest Event coordinated by the Greater Caribbean American Cultural Coalition (GCACC) within the City of Lauderdale Lakes on May 21, 2017 pending that GCACC comply with all facility policies and procedures and all City, County, and State permit obligations, rules and regulations.
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Staff Recommendation
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**Background:**

The City of Lauderdale Lakes enters into a Facility Use Agreement and completes a Special Events Application with the GCACC to implement the Annual Unifest Event held at Vincent Torres Memorial Park. The City of Lauderdale Lakes has supported the GCACC with the implementation of the Unifest Event for the past 22 years. City support has been in the form of in-kind services primarily from the Parks and Human Services Department, Public Works Department, and the Broward Sheriff's Office Police and Fire.

GCACC has submitted the initial Facility Use Application to the Department of Parks and Human Services and is in the process of completing the Special Events Application requirements with the Department of Development Services. GCACC is requesting Mayor and Commission approval, per resolution granting permission to host the 2017 Unifest Event, as a co-sponsor, within the City at Vincent Torres Park pending that GCACC comply with all facility policies and procedures and all City, County, and State permit obligations, rules and regulations. As a part of the resolution, it is being requested that the Mayor and Commission approve the in-kind services from the City and request any associated costs be received from GCACC to include deposits or facility rental fees if so desired.

Upon Mayor and Commission approval, GCACC will move forward with completing the submission of the Special Events Application to the Development Services Department including payment in full of all permit fees and related deposits to the proper City department. Upon receipt of all permit fees, deposits, and application obligations, the Parks and Human Services Department will prepare a Facility Use Agreement between the City of Lauderdale Lakes and GCACC to host the 2017 Unifest Event.

**Funding Source:**

Greater Caribbean American Cultural Coalition

**Sponsor Name/Department:** Treasa Brown Stubbs, Director of Parks and Human Services

**Meeting Date:** 2/13/2017

**ATTACHMENTS:**

Description	Type
□ Facility Use Agreement Draft	Cover Memo



**CITY OF LAUDERDALE LAKES**  
**Parks and Human Services Department**

Permit #02062017-01

**FACILITY USE AGREEMENT**

Organization: Greater Caribbean American Cultural Coalition

Address: P.O. Box 17573, Plantation, FL 33318

Representative: Greater Caribbean American Cultural Coalition Title: Chairperson

Telephone Number: (561)209-9000 Additional Numbers: \_\_\_\_\_

Date(s) of Use: Sunday, May 21, 2017

Time of Use: 7:00 am – 11:00 pm

Location: Vincent Torres Park – Main Field, Back Field, Parking Lot, Ireland Property, Classrooms

Title/Description of Activity: Unifest 2017

Estimated Attendance: 1,000 – 7,000 Payment: N/A

The following activities, arrangements and conditions have been approved and agreed upon (attach additional sheets if needed): The Event representative will provide the Parks and Human Services Department with advanced notice of additional arrangements to obtain appropriate approval.

I, Greater Caribbean American Cultural Coalition, understand that I must maintain continuous compliance with the rules, regulations and policies of the City of Lauderdale Lakes Parks and Human Services Department. As the agreement holder, I understand that I am responsible for my actions and that this Agreement may be revoked at any time for noncompliance with City rules, regulations and ordinances.

**INSURANCE REQUIREMENTS**

Yes Comprehensive General Liability Policy

N/A Special Activities Policy

**INSURANCE LIMITS**

(Attach a copy – required)

(Attach a copy – required)

**CONTROLLING PROVISIONS**

(Attachment A, USE RULES AND REGULATIONS)

By signing below, Greater Caribbean American Cultural Coalition agrees he shall indemnify, defend and hold harmless, the City, its officers, agents and employees from and against all suits, claims, damages, liabilities, expenditures, actions or causes of action of any kind arising out of or occurring during the activities of permittee and resulting or accruing from any negligent act, omission or error of permittee, resulting in or relating to injuries to body, limb or property sustained in, about or upon the permitted premises or from use of the premises in accord with the terms of indemnification set forth in Attachment A.

Name: Greater Caribbean American Cultural Coalition

By: \_\_\_\_\_

Signature

Greater Caribbean American  
Cultural Coalition  
Print Name

March\_\_, 2017

\_\_\_\_\_  
Date

**APPROVED:**

By: \_\_\_\_\_  
Director of Parks and Human Service Department

Printed Name: Treasa Brown-Stubbs

Date: March \_\_, 2017

**ADDITIONAL AGREEMENT TO PERMIT:**

THE PERMITEE SHALL COMPLY WITH TITLE I AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT REGARDING NON-DISCRIMINATION BASED ON DISABILITY IN EMPLOYMENT AND IN STATE AND LOCAL GOVERNMENT SERVICES, WHILE PROVIDING ANY SERVICES FUNDED IN WHOLE OR IN PART BY THE CITY OF LAUDERDALE LAKES.

THIS SPECIFIC-USE PERMIT CONTAINS THE FULL UNDERSTANDING BETWEEN PARTIES. NO ORAL OR OTHER REPRESENTATIONS SHALL BE BINDING ON EITHER PARTY. THE PARTIES TO THIS PERMIT MAY NOT ASSIGN THEIR RIGHTS OR OBLIGATIONS UNDER THIS PERMIT WITHOUT WRITTEN CONSENT OF THE OTHER PARTY. ALL RESPONSIBILITIES AND CONDITIONS SPECIFIED WITHIN THIS PERMIT MUST BE IN COMPLIANCE BY THE DATES ESTABLISHED OR THE PERMIT BECOMES INVALID.

By:	Greater Caribbean American Cultural Coalition	March __, 2017
	_____	_____
		Date
Title:	Individually,	
	_____	

**(ATTACHMENT A TO AGREEMENT)**

**CITY OF LAUDERDALE LAKES FACILITY USE RULES AND REGULATIONS**

1. **Greater Caribbean American Cultural Coalition** shall comply with the terms and conditions of the Agreement, all facility policies and procedures, City, County and State permit obligations, rules and regulations.
2. It is understood and agreed by the **Greater Caribbean American Cultural Coalition** that this Agreement may be revoked or canceled at any time with or without cause by the City.
3. Unreserved facilities are open to the public on a first come first serve basis.
4. City scheduled events will take precedence over non-City events.
5. **Greater Caribbean American Cultural Coalition** is responsible for (1) supervision and control of group or individuals to prevent injury and ensure safety, before, during and after use of City facility, (2) payment of fees and charges to include rental and permit fees, and (3) damage or loss to equipment, property or grounds which may be incurred as a result of the scheduled Event.
6. **Greater Caribbean American Cultural Coalition** will be responsible for set up, break down and general clean-up of his reserved space during the rental period. Removal and disposal of garbage, decorations and miscellaneous materials must be completed at the conclusion of the Event.
7. City equipment and supplies are not for private use. **Greater Caribbean American Cultural Coalition** must provide his own equipment and supplies.
8. Only freestanding decorations, signage and banners are permitted. Do not affix anything to any part of any building, including ceilings, walls, doors or windows.
9. The park employs a Lightening Prediction System, which will sound a 15-second horn blast, accompanied by a clashing strobe, alerting you that a storm is imminent. Once the alarm has sounded and strobes remain flashing, outdoor activity is to be suspended only after you hear three (3) 5-second horn blasts indicating that the storm has moved out of the area. **DO NOT REMAIN OUTDOORS AFTER WARNING ALARM IS ISSUED.** If you remain outdoors after a warning alarm is issued, you do so at your own risk.
10. **CANCELLATION, REFUNDS, AND RAINDATES.** In order to be eligible for a refund, cancellations must be made in writing fourteen (14) days prior to the permitted date of use if applicable. An administrative fee will be assessed for all cancellations. Refunds generally take four (4) to six (6) weeks for processing and will be issued in the form of a check. Requests for changes must also be made in writing. The City does not offer rain dates due to inclement weather unless otherwise approved by the Department Director. User/applicant are required to adhere to the City's cancellation policy to reschedule an event or receive a refund when anticipation of inclement weather. Request to reschedule is subject to availability.

*Violation of these policies may result in the immediate termination of the **Greater Caribbean American Cultural Coalition** facility use agreement and any subsequent agreement for a period of up to one (1) year to include the use of any City facilities. If an event is terminated, no refund of deposits, use fees or for time left on the agreement will be granted.*

**Responsibilities of Greater Caribbean American Cultural Coalition:**

- A. Provide the City with a comprehensive general liability policy naming the City as additional insured for the term of the Event, (including days of the setup and breakdown). Limits of liability \$1,000,000. Additionally, coverage must include general liability in the sum of \$1,000,000 to include coverage for food and beverage vendors. The original certificate of insurance must be filed with the City Clerk five (5) days prior to the Event Date.

- B. Provide copies of all Event permits as required by the State and approved, Broward County and the City. Copies of all required permits must be submitted to the City in a reasonable time frame, not less than five (5) days prior to the Event.
- C. Provide site plan for Event, event parking, band staging area and alcohol sales and consumption areas five (5) days prior to the Event Date.
- D. Provide a visual barrier with signs and fencing for the area where alcohol is to be sold and consumed. Patrons will not be allowed to leave the area with the alcoholic beverage pursuant to the City Code Section 15-11, which prohibits consumption of alcoholic beverages in public place.
- E. Only beverages with plastic or metal containers may be sold. The distribution of glass bottles to patrons is strictly prohibited. Sale of alcohol will not be made to persons under 21 years of age or to persons who are intoxicated.
- F. Sale of alcohol will only be conducted by appropriate persons associated with Greater Caribbean American Cultural Coalition and within the hours allowed by the City ordinance. All alcohol must be consumed within the boundaries of each designated area.
- G. Provide for Event promotional and marketing efforts, including brochures, flyers, media, public service announcements to the City Clerk at least five (5) days prior to the Event. The City reserves the right to review and approve any promotional materials related to the event, and any other materials such as banners, tickets, posters and related items prior to advertisement. The City's name or images of its seal or logo shall not be used in any promotion at or in relationship to the Event.
- H. Provide for all entertainment, activities and food and beverage services within the Event boundaries as established by the approved site plan. Provide for the payment of all musical license fees required by American Society of Composer Authors and Publishers, if applicable. Ensure booth and canopy removal and cleanup as part of every concessionaire and vendor's agreement concerning this Event. Provide assurances to the City that all food vendors comply with the Broward County Fire Inspector and Florida Department of Health requirements for proper food handling and sales; provide the City with documentation of compliance before the Event.
- I. All designated areas used during the Event must be returned to the proper condition by 12:00pm, Monday, May 22, 2017. Also, Greater Caribbean American Cultural Coalition shall be responsible for the removal of all Event equipment, supplies, and Event related debris from the City property.

Greater Caribbean American Cultural Coalition shall be responsible for collecting the admission fees at all gates. Greater Caribbean American Cultural Coalition shall provide the City documentation on the number of tickets or bans sold and revenues collected at the event. Greater Caribbean American Cultural Coalition will provide the City a report of the ticket or ban sales and total gate collections at the close of the event.

- J. Provide reimbursement to the City to cover expenses for any excessive damages to Event area and/or property at Vincent Torres Memorial Park. This includes damage to any field area, stages, tents, shelters, parking lot, fencing, outdoor courts, and Event locations that are due to Event staff, volunteers, vendors, patrons or others associated with the Event. Payment in full will be due within ninety (90) days from Event Date.

- K. Greater Caribbean American Cultural Coalition will provide an attendant at the vendor gate from 7:00am (or open) until 11:00pm on May 21, 2017.
- L. Greater Caribbean American Cultural Coalition shall provide adequate organizational security for the Event including, Event site, parking locations and park entrance and exit gate traffic. Also, provide for adequate off-duty BSO law enforcement officers during Event hours. The quantity, scope, and cost of law enforcement security shall be determined by the Broward Sheriff's Office.
- M. Provide and/or secure parking permissions for the Event and security of parking lots including off-site parking overflow locations.
- N. Greater Caribbean American Cultural Coalition shall clean-up of fields, turf and parking lot areas after Event.
- O. Provide designated areas within Vincent Torres Memorial Park to be during Event set up and breakdown.
  - i. Event: (field 1)
  - ii. Beer, sales and consumption: (field 1) northeast section fence required.
  - iii. Activities: (field 2 if needed)
- P. Distribute adequate number of lined trash receptacles, as determined by the City, throughout the park and Event areas, Also, provide for staff to remove all trash and line containers throughout the day and after the Event.
- Q. Greater Caribbean American Cultural Coalition shall not, under any circumstances, sub-lease booth space, without the express written consent of the City.
- R. Exculpation and Indemnification Clause: Greater Caribbean American Cultural Coalition ("Indemnitor") agrees that it will indemnify, hold and save the City, its officers, agents, contractors and employees harmless and, at the City's option defend same, from and against all claims, demands, actions, damages, loss, cost, liabilities, expenses and judgments of any nature recovered from or asserted against City on account of injury or damage to person or property to the extent that any such damage or injury may be incident to, arise out of, or be caused, either proximately or remotely, wholly or in part, by an act, omission, negligence or misconduct on the part of Indemnitor or any of its agents, servants, employees, contractors, patrons, guests, licensees or invitees or of any other person entering upon the property used hereunder with the express or implied invitation or permission of Indemnitor, or when any such injury or damage is the result, proximate or remote, of the violation by Indemnitor or any of its agents, servants, employees, contractors, patrons, guests, licensees or invitees of any law, ordinance or governmental order of any kind, or when any such injury or damage may in any other way arise from or out of the use by Indemnitor, its agents, servants, employees, contractors, patrons, guests, licensees or invitees of the Premises used hereunder. Indemnitor covenants and agrees that in case the City shall be made party to any litigation against Indemnitor, or in any litigation commenced by a party against any party other than Indemnitor relating to this Agreement or to the Premises used hereunder, then Indemnitor shall and will pay all costs and expenses, including reasonable attorney's fees and court costs, incurred by or imposed upon City by virtue of any such litigation. These terms of indemnification shall be effective unless such damage or injury may result from the sole negligence, gross negligence or willful misconduct of City.

#### **Responsibilities of City of Lauderdale Lakes:**

1. Provide designated areas within Vincent Torres Memorial Park to be used by the Greater Caribbean American Cultural Coalition, during festival set up and breakdown.
  - i. Festival: (field 1)
  - ii. Stage: In front of press box if needed
  - iii. Beer, sales and consumption: (field 1) northeast section fence required.
  - iv. Activities: (field 2)
2. Provide small generators for the canopy provided by the City if needed. (Gas will be at the cost of the Greater Caribbean American Cultural Coalition).
3. Provide one large generator if needed. (Gas will be at the cost of the Greater Caribbean American Cultural Coalition).
4. Provide one generator powered light tower in the additional parking lot if needed. (Gas will be at the cost of the Greater Caribbean American Cultural Coalition).
5. Provide for a dumpster to be located in Festival area and provide for the proper removal of the dumpster. (At the cost of the Greater Caribbean American Cultural Coalition).
6. Distribute adequate number of lined trash receptacles throughout the park and Festival areas, Also, provide for staff to remove all trash and line containers throughout the day and after the event. (At the cost of the Greater Caribbean American Cultural Coalition).
7. Provide for the use of existing bleachers in designated areas.
8. Install signs in fenced area regarding alcohol procedures and regulations.
9. Secure and erect entranceway wooden Arch. (All repairs will be at the cost of the Greater Caribbean American Cultural Coalition).
10. Assist in the clean up of fields, turf and parking lot after the event.
11. Host one food and beverage seminars for food vendors prior to the event, to allow vendors to obtain their state certification
12. City shall provide recycling bins around the bar and throughout the event.

## **ADDITIONAL TERMS AND CONDITIONS**

### **Access During Events**

The City's employees responsible for management and maintenance of the Facilities shall have the right to access the Facilities at any time during any Event.

### **Accident Management**

In the case of an accident or emergency, Event Holder agrees to cooperate with Facilities Management in the formulation of an action plan and response to media inquiries. All accidents, occurrences and incidents must be reported to the City's Facilities Management as soon as possible, but not later than the next business day. Reports must include:

1. Name, address and telephone number of the injured person or persons.
2. Name, address and telephone number of any witnesses.
3. A description of the accident (how, when, and where it happened).

### **Deliveries**

Deliveries will not be accepted by any City employee for any Event or Event Holder.

### **Facility Alterations**

Vendors may not undertake any plumbing, electrical, telephone-communications, carpentry or mechanical work on any of the Facilities. All alterations must be requested in writing and submitted a minimum of thirty (30) days prior to the Event.

### **Hazardous Waste**

Greater Caribbean American Cultural Coalition agrees, at all times, he is on City property, not to have in its possession, collect, distribute, dispose, release or otherwise discharge any toxic or hazardous waste as defined by City, State and Federal law. In the event he shall be in possession of such hazardous or toxic waste, he shall immediately notify the City and the Florida Department of Environmental Protection, as well as the Federal Environmental Protection Agency, and such other governmental agency or body as may be required by law, relative to such materials. Additionally, he agrees not to dispose of any refuse or empty any fluids on the City's property. In the event he, or its agents, vendors, or it agents, sub- licensees, concessionaires or employees dump grease or other hazardous waste in the Facility sewer system, or at locations not authorized by the City, or shall otherwise violate the provisions of this paragraph, the City will hold Greater Caribbean American Cultural Coalition responsible and shall subject him to a fine of \$1,000.00, by the City for each infraction and he shall be deemed in material breach of this Agreement and subject to immediate termination of the Agreement and expulsion from the property.

### **Health Permit Requirements**

All vendors are required to obtain a permit from Broward County Health Department and submit a copy to the City. Inspections may take place prior to booth opening for business.

### **Intellectual Property**

Vendor will assume all costs, expenses and damages arising from the use of patented, trademarked, franchised or copyrighted music, materials, devices, processes or dramatic rights used at or incorporated in the Fair and Rodeo. Vendor agrees to indemnify, defend and hold the City harmless from any claims or costs, including legal fees, which might arise from use of any such material.

### **Limitation of Liabilities**



Notwithstanding anything herein to the contrary, the City will not be liable for any indirect, incidental, special, consequential damages, or damages resulting from the use of the City facilities, however arising, including failure of voice or data lines, even if the City has been advised of the possibility of such damages. The City liability will in no event exceed the amount received under this agreement for damages arising out of, relating to, or in any way connected with this use agreement. Users of the City facilities are advised to procure event cancellation insurance. The City will not assume liability for cancellation due to emergencies or unforeseen circumstances. Recovery under such circumstances shall be limited to the amount of rental fees paid under this Agreement.

#### **Lost or Stolen Articles**

The City shall not be responsible, under any circumstances, for property of the vendor while on the City's property. The City is not responsible for any loss of articles or equipment left unattended in any facility. Greater Caribbean American Cultural Coalition assumes all responsibility for any goods or material, which may be placed before, during, or after the Event.

#### **Merchandise — Restricted**

Vendors may NOT sell tobacco, marijuana, firearms, ammunition, fireworks or other potentially dangerous or offensive merchandise. This includes "cap snappers".

#### **Photos**

The City may take photos of the Event and participants. These photos shall be the property of the City and may be used by the City for educational or promotional materials. Any public display of photos or video of any City event, concert or rodeo for public dissemination without express written consent from the City is strictly prohibited.

#### **Sales Tax Collection**

Vendors are responsible for payment of all sales, use, assessments and/or fees in compliance with the City, the County, and the State of Florida. It is the vendors, responsibility to collect sales tax. ALL vendors selling retail at the event are required to have a Florida State Sales Tax License or a Special Events Sales Tax number as assigned by the Florida Department of Revenue. The amount of tax to be collected by retail booths is 6%. You can and may be contacted by local sales tax representatives during the event. Contact the nearest Florida Department of Revenue office for further information.

#### **Vendors**

The City reserves the right to reject the services of any vendor.

#### **Bad Check Policy**

Any checks returned by the bank for any reason will be assessed the actual return fees charged to the City. Vendor will then be required to make payment with certified funds.

#### **Section 58-31**

Section 58-31 of the Code of ordinances is included by reference, as if set forth verbatim herein, and shall be adhered to. In addition, no firearms, knives with a blade length of two (2") inches or more, pics, swords, fighting equipment or other weapons, other than carried by police, fire or other authorized personnel, shall be brought into Vincent Torres Memorial Park.

#### **No Partnership**

Nothing herein contained shall be deemed to or shall create a partnership between the City and Greater Caribbean American Cultural Coalition. Greater Caribbean American Cultural Coalition acknowledges that he is acting as an independent contractor, and he shall not hold himself out as the partner of or agent of the City and, if inquiry is made, he shall specifically disclaim any such relationship.

**Attorney's Fees; Prevailing Party**

Should any dispute arise hereunder, the prevailing party shall be entitled to recover against the non-prevailing party, all costs, expenses and attorney's fees incurred by the prevailing party in such dispute, whether or not suit be brought, and such right shall include all of such costs, expenses and attorney's fees through all appeals or other actions.

**Construction**

This Agreement and the terms hereof shall be construed in accordance with the laws of the State of Florida, and venue for all actions in a court of competent jurisdiction shall lie in Broward County, Florida.

**Severability**

Should any word, phrase or provision hereof be declared illegal or invalid by a court of competent jurisdiction, such declaration of illegality and/or invalidity shall not affect the remainder hereof.

**Entire Agreement; Modification**

No statements, representations, warranties, either written or oral, from whatever source arising, except as expressly stated in this Agreement, shall have any legal validity between the parties or be binding upon any of them. The parties acknowledge that this Agreement contains the entire understanding and agreement of the parties. No modifications hereof shall be effective unless made in writing and executed by the parties hereto with the same formalities as this Agreement is executed.

**Captions and Paragraph Headings**

Captions and paragraph headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope and intent of this Agreement, nor the intent of any provisions hereof.

**Joint Preparation**

The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other. It is the parties' further intention that this Agreement be construed liberally to achieve its intent.

**Counterparts**

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same agreement.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and seals the day and year set forth below.

**CITY OF LAUDERDALE LAKES**

By: \_\_\_\_\_

**Director of Parks and Human Service Department**

**Printed Name: Treasa Brown-Stubbs**

**Date: March \_\_, 2017.**

**GREATER CARIBBEAN AMERICAN CULTURAL COALITION**

**Signature:\_\_\_\_\_**

**Date: March \_\_, 2017.**

## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
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DISCUSSION REGARDING THE UPCOMING FY 2017 ANNUAL MID-YEAR BUDGET REPORT
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Summary
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This is a discussion regarding the FY 2017 Mid-Year Budget Report. The Financial Services Department will prepare the FY 2017 Mid-Year Budget Report in the upcoming months through March 2017. The mid-year report provides a summary of the financial condition of the City.

Staff Recommendation
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**Background:**

City Staff requests additional guidance and/or framework for the requested report.

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Susan Gooding-Liburd, MBA, CPA, CGFO, Director of Financial Services

**Meeting Date:** 2/13/2017

## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
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UPDATE REGARDING THE STORMWATER PROJECT
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Summary
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City staff will provide an update and presentation on the Stormwater project.
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Staff Recommendation
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**Background:**

Not applicable

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Susan Gooding-Liburd, MBA, CPA, CGFO, Director of Financial Services

**Meeting Date:** 2/13/2017

## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
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DISCUSSION REGARDING THE INSTALLATION OF A FOUR-WAY STOP SIGN AT THE INTERSECTION OF NW 34TH STREET AND NW 35TH AVENUE
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Summary
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This is a discussion regarding the proposed installation of a 4-way stop sign at the intersection of NW 34th Street and NW 35th Avenue.
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Staff Recommendation
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**Background:**

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Ronald Desbrunes, P.E., Director of Public Works

**Meeting Date:** 2/13/2017

## CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
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DISCUSSION REGARDING THE INSTALLATION OF SPEED TABLES THROUGHOUT THE CITY OF LAUDERDALE LAKES

Summary
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This is a discussion regarding speed tables throughout the City.

Staff Recommendation
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**Background:**

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Mayor Hazelle Rogers, Office of the Mayor and Commission

**Meeting Date:** 2/13/2017

## CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

### DISCUSSION REGARDING THE GUIDELINES FOR AWARDS AND/OR PRESENTATIONS

Summary

This is a discussion regarding the guidelines for giving Proclamations, Commendations, Certificates of Appreciation and other awards as determined according to Resolution 2006-66.

Staff Recommendation

**Background:****Funding Source:**

Not applicable

**Sponsor Name/Department:** Mayor Hazelle Rogers, Office of the Mayor and Commission

**Meeting Date:** 2/13/2017

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Resolution 06-66 - Adopted Resolution Establishing Guidelines For Awards And/Or Presentations	Resolution
<input type="checkbox"/> Sample of Various Awards	Backup Material

RESOLUTION No. 06-66

A RESOLUTION ESTABLISHING GUIDELINES FOR AWARDS AND/OR PRESENTATIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the demand for various awards and/or presentations are constantly being made to the Mayor's office, and

WHEREAS, due to staff time and costs associates with such requests, the City Commission would like to establish guidelines for presentations and/or awards, and

WHEREAS, the City Commission would also like to establish guidelines for the types of presentations and/or awards to be issued,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AWARDS AND PRESENTATIONS: As determined by the Mayor, as the ceremonial head of the City, awards and presentations by the City shall be issued as follows:

A. PLAQUES: Plaques may be given to individuals or organizations for extraordinary achievements.

B. PROCLAMATIONS: Proclamations may be given to individuals or



organizations to commemorate a special event having a positive impact on the City.

C. CERTIFICATES OF APPRECIATION: Certificates of Appreciation may be issued to individuals or organizations that perform outstanding deeds through volunteer services to the City.

D. COMMENDATIONS: Commendations may be issued to individuals or organizations to honor heroic acts.

E. KEYS: Keys to the City may be issued to dignitaries, public officials, and others of notoriety with whom an association with the City will engender good will.

SECTION 3. ESTABLISHMENT OF GUIDELINES: Requests for presentations and/or awards shall be made to the Mayor by the City Commission members and the City Manager. The Mayor shall submit the approved requests to the City Clerk within ten (10) days of the presentation and/or award.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

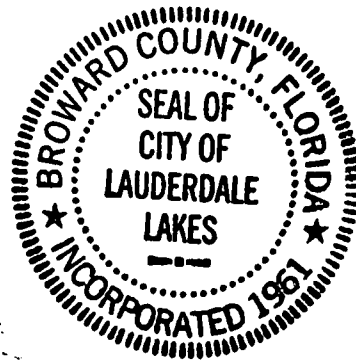
Resolution No. 06-66

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE  
LAKES AT ITS REGULAR MEETING HELD APRIL 25, 2006.

  
SAMUEL S. BROWN, MAYOR

ATTEST:

  
HAZELINE F. CARSON, CITY CLERK



*Office of the Mayor  
City of Lauderdale Lakes*

# *Proclamation*

**WHEREAS**, turning 100 is a great accomplishment in life that many are not able to experience;

**WHEREAS**, turning 100 allows one to share their wisdom, secrets to longevity, strength and love with family and friends;

**WHEREAS**, there is beauty in elders that very few people experience;

**WHEREAS**, as one grows older, they get a better understanding of the journey of life: how it is lived and how one should live it;

**WHEREAS**, Ivan Royal was born on January 22, 1917 in St. Elizabeth, Jamaica and migrated to the United States in 1978;

**WHEREAS**, Ivan Royal moved to Lauderdale Lakes in 1989 from Long Island, New York;

**WHEREAS**, Ivan Royal is the patriarch of a family filled with children, grandchildren, great-grandchildren, nieces, nephews, and a host of other family members and friends;

**WHEREAS**, Ivan Royal celebrated his 100<sup>th</sup> Birthday on Sunday January 22, 2017.

NOW, THEREFORE, I, HAZELLE ROGERS, BY VIRTUE OF THE AUTHORITY VESTED IN ME AS MAYOR OF THE CITY OF LAUDERDALE LAKES, DO HEREBY PROCLAIM JANUARY 24, 2017 AS

**IVAN ROYAL DAY  
IN THE CITY OF LAUDERDALE LAKES**

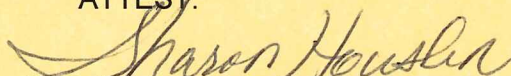
and urge all residents to join me, together with Vice Mayor Veronica Edwards Phillips, and Commissioners Gloria Lewis, Beverly Williams and Sandra Davey in recognizing and congratulating Ivan Royal on reaching the landmark of a centenarian.

IN WITNESS THEREFORE, I have hereunto set my hand and caused the official seal of the City of Lauderdale Lakes to be affixed this 24th day of January 2017.



  
HAZELLE ROGERS, MAYOR

ATTEST:

  
SHARON HOUSLIN CITY CLERK



## RECOGNITION

**WHEREAS**, Inka Fletcher was born in Jamaica, West Indies in the Clarendon district of Tollage; she is the eldest of three children born to Mr. and Mrs. P. Richards; and

**WHEREAS**, Inka Fletcher is a graduate of Tollgate Secondary School, Jamaica, West Indies; and

**WHEREAS**, Inka Fletcher is married to Hugh Fletcher, and this union produced two children; and

**WHEREAS**, Inka Fletcher became a Christian at an early age; she was an active member of the choir at Road to Life Deliverance Church in Brooklyn, New York; and

**WHEREAS**, Inka Fletcher moved to Florida where she worked briefly at Broward General Hospital; she completed her nursing training and worked for over thirty years at the Broward County Health Department where she retired as a Senior Nursing Supervisor in December, 2015; and

**WHEREAS**, Inka Fletcher has provided dedicated and unselfish services to public health; Inka is recognized by many as public health's best; for that, she must be commended and much gratitude is extended to her.

NOW, THEREFORE, I BARRINGTON A. RUSSELL,  
SR., BY VIRTUE OF THE AUTHORITY VESTED IN  
ME AS MAYOR OF THE CITY OF LAUDERDALE  
LAKES, DO HEREBY RECOGNIZE:

### INKA FLETCHER

for her many years of service, support, and outstanding contribution to public health and the persons who were entrusted to her care.

IN WITNESS THEREFORE, I have hereunto set my  
hand and caused the official seal of the City of  
Lauderdale Lakes to be affixed this 26<sup>th</sup> day of  
March, 2016.

---

BARRINGTON A. RUSSELL, SR., MAYOR



# City of Lauderdale Lakes Mayor Barrington Russell, Sr.

## Recognizes Ceciline Rosetta Stewart

In appreciation of your dedication, commitment to Family  
and extraordinary impartation of Life's Lessons.  
Congratulations in celebration of your 85<sup>th</sup> Birthday!

*Presented this 23<sup>rd</sup> day of October, 2016*

---

Barrington Russell, Sr., Mayor



Lauderdale Lakes  
LIFE IN FULL COLOR

City of Lauderdale Lakes, Florida

**BROWARD SHERIFF'S OFFICE**

In Recognition of  
National Law Enforcement Appreciation Day  
January 9, 2015



A handwritten signature in black ink, likely belonging to Barrington Russell, Sr., the Mayor of Lauderdale Lakes. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

---

Barrington Russell, Sr., Mayor  
Beverly Williams, Vice Mayor  
Edwina Coleman, Commissioner  
Gloria Lewis, Commissioner  
Eileen Rathery, Commissioner  
Patricia Williams, Commissioner

## CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
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DISCUSSION REGARDING TRANSITION PERIOD FOR NEWLY ELECTED OFFICIALS
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Summary
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This is a discussion related to the guidelines for newly elected officials transitioning to office.

Staff Recommendation
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**Background:**

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Mayor Hazelle Rogers, Office of the Mayor and Commission

**Meeting Date:** 2/13/2017

## CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
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DISCUSSION REGARDING THE "MY BROTHER'S KEEPER" INITIATIVE
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Summary
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This is a discussion regarding the "My Brother's" Keeper Initiative.

Staff Recommendation
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**Background:**

The My Brother's Keeper Initiative is a public-private partnership of the United States Federal Government to promote intervention by civic leaders in the lives of young men of color to address their unique challenges and to promote racial justice. The program was initiated in 2014 with sponsorship of the White House, the United States Department of Education, and the National Convening Council. The initiative is intended to be a call to action for mayors, Native American tribal leaders, county executives, and other municipal leaders to address persistent opportunity gaps for young men of color and help them reach their potential.

**Funding Source:**

Not applicable

**Sponsor Name/Department:** Mayor Hazelle Rogers, Office of the Mayor and Commission

**Meeting Date:** 2/13/2017



## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact: Yes

Contract Requirement:

#### Title

#### REPORT ON THE COMMUNITY DEVELOPMENT BLOCK GRANT

#### Summary

This is a report on the 40th Year Community Development Block Grant (CDBG). The 40th year CDBG Minor Home Repair program was not completed in the time frame required, therefore projects completed outside the program will not be funded.

#### Staff Recommendation

#### Background:

The City of Lauderdale Lakes did submit an extension letter to Broward County for the 40th Year CDBG Minor Home Repair Program within a timely manner. Bram from Broward County called Development Services and advise that the extension letter was denied. A formal denial letter was requested and received and is attached. The funding for the 40th Year was **\$239,869.00** and expenditures to date was **\$165,785.55**, the remaining balance that was not expended is **\$70,983.45**.

Due to the denial of the extension the following expenditures the City will have to absorb the cost for the following projects:

- Simone Rankin | 3714 NW 37TH STREET \$22,880.00, City has paid out on this project, Broward County denied the extension letter and cannot reimbursed for this project. This invoice was paid on 8/30/2016.
- James and Sylvia Williams | 3184 NW 43RD Street – Project has been completed as of December 2016. Total amount of project is \$25,180.00. This project is pending payment.
- Audrey Panton | 3099 NW 48TH Avenue – Project has been completed as of December 2016. The total amount of project is \$20,160.00. This project is pending payment.

#### Funding Source:

The total amount of funds that the City will absorb is **\$68,220.00**, to be paid from the general fund. There is also a balance \$3,000.00 due to Community Redevelopment Associates for the remainder of their contract.

**Sponsor Name/Department:** Tanya Davis-Hernandez, AICP, Director of Development Services

**Meeting Date:** 2/13/2017

#### ATTACHMENTS:

Description	Type
❑ BROWARD COUNTY LETTER	Cover Memo
❑ CITY RESPONSE	Backup Material



Environmental Protection and Growth Management Department  
**HOUSING FINANCE AND COMMUNITY REDEVELOPMENT DIVISION**  
110 NE 3<sup>rd</sup> Street, 3<sup>rd</sup> Floor • Fort Lauderdale, Florida 33301 • 954-357-4900 • FAX 954-357-8221

January 17, 2017

Ms. Tanya Davis-Hernandez, Director  
Development Services Department  
City of Lauderdale Lakes  
4300 NW 36<sup>th</sup> Street  
Lauderdale Lakes, FL 33319

**RE: Community Development Block Grant (CDBG) Minor Home Repair (MHR) Projects  
40<sup>th</sup> Year and Beyond**

Dear Ms. Davis-Hernandez:

This is in response to your inquiry regarding the July 29, 2016 request your City made to request a third extension to the term of your CDBG 40<sup>th</sup> Year Minor Home Repair (MHR) project funding Agreement. My staff has informed me that the lateness of your request was problematic for two reasons. First, when there was no extension request received by the Division within the "90-days prior to expiration" time frame called for in the Agreement, staff consulted with your staff (June 28, 2016) about the possible need for another extension. This consultation resulted in City staff indicating that the project would be completed by the July 31, 2016 Agreement termination date and, thus, an extension would not be necessary. Second, unfortunately, the City's change of position on this matter came at a time that was too late to process an extension prior to the expiration of the Agreement.

However, there is a bigger issue facing the CDBG funded Minor Home Repair program in Lauderdale Lakes at the present time. The sizeable MHR funding amounts for the City's 40<sup>th</sup> Year, 41<sup>st</sup> Year, and 42<sup>nd</sup> Year CDBG projects (\$236,769, \$180,893, and \$184,236 respectively), and the fact that neither the 40<sup>th</sup> and 41<sup>st</sup> Year projects have showed the progress that was anticipated when they were approved and extended, causes concern. (Note: To date, no expenditures have been presented for reimbursement under the 41st Year Agreement.) While we understand that issues developed relative to procuring a consultant firm to help implement the MHR program, the County is held accountable for the performance and expenditures of our subrecipients.

There are several performance issues to be addressed at this point in time. Your recent hiring of a new consultant firm to handle implementation activities should improve the situation, and in view of this, the Division will implement the following actions:

1. In order to avoid an expenditure issue with the U.S. Department of Housing and Urban Development (HUD), the 40<sup>th</sup> Year Agreement fund balance of \$70,938 will be reprogrammed to the County's overall CDBG funding pool for use on other projects; however,
2. If the Division receives an appropriate reimbursement request for expenditures associated with 40<sup>th</sup> Year MHR activities that were incurred before the funding Agreement expired, we will determine whether any of these expenditures can be assigned to the 41<sup>st</sup> Year MHR project, and reimbursed accordingly; and
3. Now that the City is working with a new consultant firm, the City is requested to demonstrate satisfactory performance on its 41<sup>st</sup> Year MHR activities, in accordance with the Agreement's extension to September 30, 2017. Similarly, work on the City's 42<sup>nd</sup> Year MHR activities must also proceed in a timely fashion after execution of that funding Agreement. The successful result of work done under these two Agreements will enable the City to move forward and be considered for a funding award under the 43<sup>rd</sup> Year funding cycle.

Should you have any questions about this letter, please contact me at (954) 357-5320 or [rstone@broward.org](mailto:rstone@broward.org). You may also contact Bram Persaud at (954) 357-4937 or [kpersaud@broward.org](mailto:kpersaud@broward.org). I appreciate your assistance and cooperation, and look forward to hearing from you soon. Our mutual goal is the successful completion of your CDBG projects.

Sincerely,



Ralph Stone, Director  
Housing Finance and Community Redevelopment Division

RS/RCF

cc: Phil Alleyne, City Manager, City of Lauderdale Lakes  
Bram Persaud, Housing/Community Development Specialist, Housing Finance & Community Redevelopment Division  
Yvette Lopez, Housing Finance and Community Redevelopment Division  
Angela Bauldree, Housing Finance and Community Redevelopment Division





# City of Lauderdale Lakes

## Development Services Department

4300 NW 36th Street • Lauderdale Lakes, Florida 33319-5599

(954) 535-2482 • Fax (954) 731-5309

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January 23, 2017

Mr. Ralph Stone  
Director, Housing Finance and Community Development Division  
Broward County  
110 Northeast 3<sup>rd</sup> Street, 3<sup>rd</sup> Floor  
Fort Lauderdale, Florida 33301

Dear Mr. Stone

**SUBJECT: Community Development Block Grant (CDBG) Minor Home Repair Projects**

Thank you for providing the written documentation explaining the denial of the requested extension on the 40<sup>th</sup> Year Minor Home Repair Program. The City of Lauderdale Lakes deeply regret and apologize for the events that transpired that resulted in the delay of the program.

It is the intent of the City to ensure that we are on track and timely with the administration of the program going forward for the 41<sup>st</sup> and 42<sup>nd</sup> year. We understand the importance of meeting the time lines of the program, as a delay and or poor performance on our path reflects negatively on County.

I thank you again for continuing to work with the City of Lauderdale Lakes and should you have further questions regarding the above, please feel free to contact me at 954-535-2482.

Respectfully yours,

Tanya Davis-Hernandez, AICP  
Development Services Director

cc: Phil Alleyne, City Manager  
Glenda Brockington, Administrative Coordinator  
Khamedat Persaud, Housing Finance and Community Development Project Mgr.  
Yvette Lopez, Housing Finance and Community Redevelopment Division  
Angela Bauldree, Housing Finance and Community Redevelopment Division

## CITY OF LAUDERDALE LAKES

### Agenda Cover Page

Fiscal Impact: No

Contract Requirement:

Title
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REPORT ON THE SHOPPES AT ORIOLE
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Summary
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This is a report related to the research on "The Shoppes at Oriole" vacant out parcel and how it integrates with the overall development of the site.

Staff Recommendation
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**Background:**

At the City Commission workshop on January 24, 2017, staff was directed to research the parking access and fencing of the vacant land owned by ARJ Properties, Inc. as part of the overall development of the plaza. Staff has done its research and our findings are attached.

**Funding Source:**

Not Applicable

**Sponsor Name/Department:** Tanya Davis-Hernandez, AICP, Director of Development Services

**Meeting Date:** 2/13/2017

**ATTACHMENTS:**

Description	Type
 THE SHOPPES AT ORIOLE	Backup Material

### **Vacant Out Parcel at Shoppes at Oriole**

Five parcels make up the plaza development between NW 44<sup>th</sup> St and NW 41 St on the West side of State Road 7 known as “The Shoppes at Oriole.” These parcels include the McDonalds, the vacant lot and main development that is comprised of three parcels owned and operated by Kineret LLC.

At the City Commission workshop on January 24, 2017, staff was directed to research the parking access and fencing of the vacant land yet to be developed owned by ARJ PROPERTIES INC. Staff has done its research and our findings are below:

- In November of 1996 a **Cross Easement and Maintenance Agreement was recorded** at the start of development. This agreement outlines clearly the legal description of all the parcels involved in regards to developed and undeveloped parcels and according to the agreement the parties established “easements for ingress and egress and parking over and upon the other parcel as well as the right to install and maintain utility lines servicing their parcel but located on the other parcel.”
- In regards to fencing per the **City Code Section 1107.6.4. Walls and fences on non-residential parcels.** Walls shall be permitted within a required buffer yard at the perimeter of non-residential parcels, **they shall not be permitted within a required front yard. Therefore it closing of access ways in the development would not be permitted.**



