

**RESOLUTION NO. 2007 – 094**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENACTING A COST RECOVERY RESOLUTION IN FURTHERANCE OF ORDINANCE NO. 2007-09 FOR CODE ENFORCEMENT PROCEEDINGS; ESTABLISHING THE COSTS OF PROCESSING A CODE ENFORCEMENT MATTER TO GUIDE THE SPECIAL MAGISTRATE IN ASSESSING COSTS IN INSTANCES WHERE A MATTER IS CONTESTED AND A VIOLATION IS FOUND; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on June 14, 2007, pursuant to Ordinance No. 2007-009, the Town enacted a revised Code Enforcement System, which provides for reasonable costs to be assessed if a matter is contested and a violation is found; and

**WHEREAS**, cost recovery shall only be sought if a Respondent, after being given the opportunity to cure, contests the violation and a violation is found; and

**WHEREAS**, this Resolution seeks to establish the costs associated with this cost recovery; and

**WHEREAS**, this Resolution seeks to satisfy the requirements of Ordinance No. 2007-09 by enacting a Cost Recovery Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Southwest Ranches, Florida:

**Section 1.** The above referenced recitals are true and correct and are incorporated herein by reference.

**Section 2.** In furtherance of Ordinance No. 2007-009, the Town Council hereby enacts a Code Enforcement Cost Recovery Resolution, which provides for reasonable costs to be assessed if a matter is contested and a violation is found.

**Section 3.** The Town Council hereby establishes the following costs to be assessed if a matter is contested and a violation is found:

Senior Code Enforcement Officer	\$60 per hour
Code Enforcement Officer	\$40 per hour
Administrative Expenses (certified & regular mail, photocopies, photographs, travel expenses, etc.)	\$15 per case
Special Magistrate Expense	\$125 per hour

Town Attorney Expense

\$175 per hour

The average cost recovery totaling approximately \$150 per matter

**Section 4.** That this Resolution shall become effective immediately upon its adoption.


**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 20<sup>th</sup> day of September 2007, on a motion by Council Member Aster Knight and seconded by Council Member Steve Breitkreuz.

Fink	<u>Y</u>
Maines	<u>Y</u>
Breitkreuz	<u>Y</u>
Knight	<u>Y</u>
Nelson	<u>Y</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>

  
Mecca Fink, Mayor

ATTEST:

  
Susan A. Owens, Town Clerk

Approved as to Form and Correctness:

  
Gary A. Poliakoff, J.D., Town Attorney

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