

# MEMORANDUM

Agenda Item No. 11(A)(1)

---

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** December 16, 2008

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution directing the Mayor  
to create a program whereby  
senior citizens facing code  
enforcement costs and penalties  
can receive a discount and/or  
waive settlement of those  
costs

---

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dorrin D. Rolle and Co-Sponsors Commissioner Jose "Pepe" Diaz, Vice-Chairwoman Barbara J. Jordan, Commissioner Dennis C. Moss, Commissioner Rebeca Sosa and Senator Javier D. Souto.



---

R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** December 16, 2008

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(1)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(1)  
12-16-08

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MAYOR TO CREATE AND IMPLEMENT A PROGRAM WHEREBY SENIOR CITIZENS FACING CODE ENFORCEMENT COSTS AND PENALTIES CAN RECEIVE A SUBSTANTIALLY DISCOUNTED AND/OR WAIVED SETTLEMENT OF THOSE COSTS AND PENALTIES WHERE COMPLIANCE HAS OCCURRED

**WHEREAS**, senior citizens often face the prospect of code enforcement violations on their primary residences; and

**WHEREAS**, senior citizens are much less likely to be able to correct those code enforcement violations in a timely manner; and

**WHEREAS**, the County Code provides for significant costs and penalties in the event of citations for code violations; and

**WHEREAS**, senior citizens are often forced to exist on fixed incomes or reduced incomes due to retirement; and

**WHEREAS**, it is in the County's best interest that these code violations be corrected effectively and efficiently regardless of any collection of the total costs and/or penalties which may be assessed,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the Mayor is hereby directed to create and implement a program whereby senior citizens who have code violations on

their primary residence and have been cited for those code violations and are thereby facing code enforcement costs and penalties, shall be able to enter into settlements of the costs and penalties that are significantly lower than the total amount. The program shall be available to any person 65 years of age or older facing code enforcement costs and penalties due to code violations on their primary, homestead residence and who have corrected the code violations or are in the process of correcting the code violations such that the settlement described herein includes complete correction of the code violation. The program shall give special consideration to senior citizens who are in default of their mortgage such that they are in foreclosure or foreclosure is threatened. The Mayor shall report back to this Board of County Commissioners on the creation and implementation of this program within ninety (90) days of the approval of this Resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Dorrin D. Rolle, and the Co-Sponsors are Commissioner Jose "Pepe" Diaz, Vice-Chairwoman Barbara J. Jordan, Commissioner Dennis C. Moss, Commissioner Rebeca Sosa and Senator Javier D. Souto. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman
	Barbara J. Jordan, Vice-Chairwoman
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 16<sup>th</sup> day of December, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency.



Thomas H. Robertson

By: \_\_\_\_\_  
Deputy Clerk