Memorandum

MIAMI-DADE COUNTY

Date: May 12, 2009

GO
Agenda Item No. 4(H)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Amendment of Implementing Order 4-101: Office of Neighborhood Compliance Fees

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Recommendation

It is recommended that the Board of County Commissioners adopt the attached resolution amending Implementing Order 4-101, Office of Neighborhood Compliance Fees, to reflect changes in Chapter 17A of the Miami-Dade County Code. The changes include establishment of a Foreclosure Registry Fee, authorized by Ordinance 08-134, and elimination of fees connected with the Minimum Housing Appeals Board that was abolished and substituted with a Hearing Officer Appeal process, in accordance with Ordinance 07-148.

Scope

This amendment shall apply to all single family residential dwelling units, including condominium, duplex, and town home units, subject to a Foreclosure Registry Fee in unincorporated Miami-Dade County. Approval of this Implementing Order will enable the Office of Neighborhood Compliance (ONC) to start collection of the Foreclosure Registry Fee. A companion Implementing Order setting forth the procedures to monitor and track these properties to prevent blight or unsightly conditions is being presented for the Board's approval.

Fiscal Impact/Funding Source

The revenues generated by the fees included in the proposed Implementing Order will support any additional operating costs, such as property records research, data entry and additional property inspections resulting from the companion Implementing Order.

Track Record/Monitor

The ONC shall collect the registry fee and maintain a list of registered properties and the fees collected. The registry fee shall be renewable every 12 months from the month in which the property was registered.

Background

On December 2, 2008, the Board of County Commissioners, through Ordinance 08-134, approved changes to Chapter 17A of the Code of Miami-Dade County to create a registry to track single family dwellings that are subject to foreclosure actions. The intent is to monitor and track these residences to prevent blight or unsightly conditions. The changes to this Implementing Order include establishment of a Foreclosure Registry Fee and removal of fees associated with the Minimum Housing Appeals Board that was abolished and substituted with a Hearing Officer Appeal process.

To inform the public regarding the Foreclosure Registry requirements, ONC will be participating in two upcoming Planning and Zoning workshops and will conduct its own workshop once this Implementing order is approved. In addition, online information will be available on the ONC webpage, printed

information and forms will be available at the Clerk of the Courts Foreclosure Unit, and the local Florida Bar Association website will contain a link to the ONC webpage. Furthermore, Foreclosure Registry information will be sent via email to over 2,000 contacts including attorneys, real estate agents, banks homeowners, title companies and the media.

Alex Muñoz
Assistant County Manager

cmo08809

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: June 2, 2009

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

SUBJECT: Agenda Item No.

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 Mayor'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.
6-2-09

RESOLUTION NO. _____

RESOLUTION AMENDING IMPLEMENTING ORDER 4-101 RELATING TO OFFICE OF NEIGHBORHOOD COMPLIANCE FEES TO ESTABLISH A FORECLOSURE REGISTRY FEE AND REMOVE FEES RELATING TO THE ABOLISHED MINIMUM HOUSING APPEALS BOARD

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves amendments to Implementing Order 4-101 relating to Office of Neighborhood Compliance Fees to establish a foreclosure registry fee and remove fees relating to the abolished Minimum Housing Appeals Board, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or Mayor's designee to exercise any and all rights conferred therein.

The foregoing resolution 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 2009. 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

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas H. Robertson

I.O. No.: 4-101
Ordered:
Effective:

MIAMI-DADE COUNTY
IMPLEMENTING ORDER

OFFICE OF NEIGHBORHOOD COMPLIANCE FEES

AUTHORITY:
Section 1.01 of the Miami-Dade County Home Rule Amendment and Charter and Article LXXI of Chapter 2 of the Code of Miami-Dade County; and Chapters 8, 17, 17A, 17B, 19, 21, 30 and 33 of the Code of Miami-Dade County.

SUPERSEDES:
This Implementing Order supersedes Administrative Order 4-101, ordered September 18, 2008 and effective October 1, 2008.

POLICY:
This Implementing Order establishes the fee schedule pertaining to code enforcement activities and special projects. The code enforcement fees are for activities necessary beyond the issuance of civil citations under Chapter 8CC to compel compliance with the Code.

FEE SCHEDULE AND PROCEDURE:
Fees shall be assessed and collected by the Office of Neighborhood Compliance in accordance with the schedule of fees listed below. Fees shall be charged for each enforcement lien collection action initiated by the department subsequent to the issuance of civil citations. Fees will also apply to lien collection actions performed on behalf of the Building Department and Building Code Compliance Office; or any other department authorized by the County Manager. Each violation shall be considered a separate enforcement case for the purposes of this schedule. Fees for direct services shall be charged for each direct service sale executed by the department in accordance with this schedule.

The responsibility for this Implementing Order is assigned to the Director, Miami-Dade County Office of Neighborhood Compliance, who shall be responsible for required collection of fees and the delivery of required service pursuant to Article LXXI of Chapter 2 of the Code of Miami-Dade County.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

County Manager

Approved by County Attorney as
to form and legal sufficiency. _____

SCHEDULE OF FEES FOR OFFICE OF NEIGHBORHOOD COMPLIANCE

SERVICE	FEE
1. Criminal Case Processing Recovery Fees	
Case Processing Fee	$ 500.00
Inspection (each) when in excess of four	100.00
2. Civil Court Case Processing Recovery Fees	
Case Processing Fee	$ 500.00
Inspection (each) when in excess of two	100.00
Photographs	1.50
Surveys and Other Exhibits	Actual Cost
County Attorney's fees	Actual Cost
Court Filing Fees (each document)	Actual Cost
3. Code of Miami-Dade County-Chapters 17, 17A, and 17B (Minimum Housing)	
Case Processing Fee (each)	$ 360.00
Photographs	1.50
Inspection (each)	75.00
Posting of Notices (each)	75.00
Title Search	Actual Cost
Final order	100.00
Court Reporting Transcription (Plus Transcript/Actual Cost)	50.00
Legal Advertisement	Actual Cost
Bid Processing Fee	100.00
Demolition/Secure Services	Actual Cost
Asbestos Sampling and Abatement	Actual Cost
Corporate Information	75.00

Lien Settlement Agreement	75.00

4. Lien Settlement/Collection Processing Fees

Lien Processing Fee	$ 500.00
Lien Recording Fee	50.00
Lien Cancellation Fee	50.00
Continuing Penalties	Actual Cost
Research Fee	125.00
Posting of Notices	75.00

5. Surveys by County Department — Actual Cost

6. Returned check charges per check
   $20.00 or 5% amount (F.S. 832.07) plus $1.50 bank charge or other rate as amended from time to time.

7. Interest
   Interest charges at the rate of 12% per year, or other rate as amended by the Board of County Commissioners from time to time, may be assessed in addition to any other penalties

8. Special Projects
   A fee equal to actual staff time and related costs shall be assessed for special developers, homeowner groups, attorneys, realtors, etc., to determine if any existing violations are on the property through a review of departmental records. Such special

9. Chapter 17A-19 Annual Foreclosure Registry Fee — $125.00