

MEMORANDUM

LUDC
Agenda Item No. 2(A)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 12, 2014

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

SUBJECT: Resolution directing the County Mayor to implement a policy for sending a letter to the owner of real property when a complaint is received of a County Code violation but an inspection fails to reveal the violation

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 3, 2014

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

SUBJECT: Agenda Item No.

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.
6-3-14

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IMPLEMENT A POLICY FOR SENDING A LETTER TO THE OWNER OF REAL PROPERTY WHEN A COMPLAINT IS RECEIVED OF A COUNTY CODE VIOLATION BUT AN INSPECTION FAILS TO REVEAL THE VIOLATION

WHEREAS, a large number of the code enforcement inspections conducted in Miami-Dade County are the result of a complaint by a citizen; and

WHEREAS, on occasion the inspection resulting from the complaint does not reveal the violation either due to inability to access the portion of the property where the violation might exist or due to the violation being transitory in nature; and

WHEREAS, the County currently does not provide to the owner of the property any notification that an inspection has been conducted based on a complaint for that violation; and

WHEREAS, notification to the owner under circumstances like this might result in the correction of the violation without further effort from the County; and

WHEREAS, sending a letter to the owner of the property to notify them of the violation may result in the correction of some of these violations,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or County Mayor's designee shall implement a policy that requires a letter to be sent to the registered owner of property notifying that owner of the nature of a complaint received by the County in those instances where a complaint from a citizen results in an inspection of a property but that inspection does not reveal the complained of violation of the County Code or any other violation of the County Code.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2014. 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