

MEMORANDUM

Agenda Item No. 11(A)(11)

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

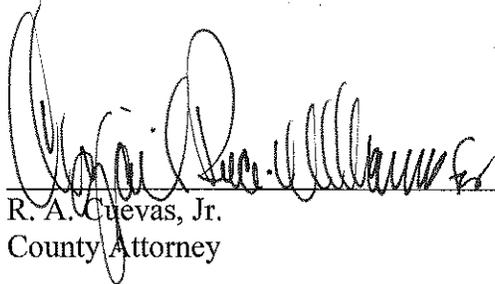
DATE: July 1, 2014

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
Resolution No. R-633-14

This item was amended at the 6-12-14 Land Use and Development Committee. The amendment limits the scope of the letter program to RU and EU zoning districts and makes it applicable only to the Neighborhood Compliance Division.

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/cp



MEMORANDUM
(Revised)

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

DATE: July 1, 2014

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

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

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

Agenda Item No. 11(A)(11)

Veto _____

7-1-14

Override _____

RESOLUTION NO. R-633-14

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 >>for the Neighborhood Enforcement Division, which generally enforces Chapter 19 and Chapter 33 of the Code of Miami-Dade County, in the RU and EU zoning districts,<<¹ that requires a letter to be sent to the registered

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

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 **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Chairwoman	aye
	Lynda Bell, Vice Chair	aye
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr. absent
Jose "Pepe" Diaz	aye	Audrey M. Edmonson absent
Sally A. Heyman	aye	Barbara J. Jordan aye
Jean Monestime	aye	Dennis C. Moss aye
Sen. Javier D. Souto	aye	Xavier L. Suarez aye
Juan C. Zapata	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 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: **Christopher Agrippa**
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

Thomas H. Robertson