

Memorandum



Date: August 21, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Illegal Signs in the Public Right-of-Way

The proliferation of illegal signs in the public right-of-way and the negative impact it has on the aesthetics of Unincorporated Miami-Dade County (UMSA) is an ongoing concern for the Board and County administration in general. Though more than 40 Neighborhood Enforcement Officers patrol UMSA every day and remove illegal signs that they encounter, many of these signs are replaced soon thereafter -sometimes overnight. Many of these signs contain untraceable phone numbers; identifying the violator to whom to issue a ticket (which may be as low as \$50.00) requires investment of staff time and cost to the County that is not commensurate to the penalty. Further, tickets issued are in most cases uncollectable.

In an effort to remedy this situation, the Department of Regulatory and Economic Resources (RER) introduced the use of robocalls on September 22, 2011. Neighborhood Officers, upon removal of the signs, identify repeat violators and place their phone numbers in the automatic calling system. In order to be removed from the calling system, violators are required to meet with enforcement staff and identify themselves as owners of the signs, at which time Civil Violation Notices (CVNs) are issued. Upon signature of an agreement (attached) acknowledging the illegality of placing such signs in the right-of-way (and pledging to remove any additional signs and refrain from posting future signs) pending fines may be negotiated.

RER has placed a total of 434 phone numbers in the robocall system since the inception of the program, of which 199 are currently active. In addition to the calls, four major sign sweeps have been conducted along with two successful separate sting operations (with the assistance of the Miami Dade Police Department). In the first sting, which concentrated on "junk cars," four different individuals were identified and issued 154 CVNs. In the second sting concentrating on "computer repairs," one individual was identified with multiple phone numbers. This operation yielded 67 CVNs.

Since the inception of the robocall program, 9,491 signs have been removed. RER has identified 55 actual violators associated with some of those signs, to whom 1,074 citations have been issued. However, our records reflect that only 219 fines have been paid so far. Furthermore, 5 of the violators who were issued 161 citations have filed an appeal with the Clerk of Courts. RER has filed 81 judgments and 27 liens have been recorded against violators who have not paid the citations. As payment periods expire, our officers are preparing additional judgments and citations to be sent to the Department's Lien Unit for collection. Please see the table for statistics as mentioned above.

Total Signs Removed	9,491
Citations Issued	1,074
Violators Cited	55
Citations Paid	219
Citations Appealed	161
Violators Pending ID	58

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Through the County Attorney's Office (CAO), RER was able to file lawsuits on four different violators identified in the sting operations mentioned above and is in the process of filing on another four violators within the next few weeks.

While there has been some success using robocalls, it is important to note that some violators have learned to overcome the system by changing their phone numbers routinely. Sign sweeps and sting operations will continue when feasible, as these operations are labor intensive and cannot be fully supported on a routine basis by revenue generated from tickets and liens imposed. RER staff will continue to search for alternative and innovative mechanisms to control the proliferation of illegal signs in this community.

Please do not hesitate to contact me or Charles Danger, Building Official, RER, at 786-315-2332 should you have any further questions.

Attachment

c: Jack Osterholt, Deputy Mayor/Director, RER
Charles Danger, P.E., Building Official, RER
Juliana Salas, P.E., RER
Ricardo Roig, Building Code Support Division Director, RER



Department of Regulatory & Economic Resources
 11805 SW 26th Street – Suite 230
 Miami, FL 33175-2464

AGREEMENT AFFIDAVIT

**Placement of Signs in the
 Miami-Dade County Right-of-Way**

I, _____, understand that the placement of signs in the Miami-Dade County Right-of-Way is a violation of Section 2-103.15 of the Miami-Dade Code of Ordinances. I hereby agree to remove any remaining signs that have been place in the right-of-way and cease placing signs in the future.

ACKNOWLEDGMENT

Signed, witnessed, executed and acknowledged on this _____ day of _____, 20____.

 Signature

 Print Name

 Address

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by _____,
 Who is personally known to me or has produced _____, as identification.

Witness my signature and official seal this _____ day of _____, 20____,
 in the County and State aforesaid.

 Notary Public State of Florida

 Print Name

My Commission