

MEMORANDUM

TO:	Honorable Chairman Anthony Rodriguez and Members, Board of County Commissioners	DATE:	Agenda Item No. 7(B) (Second Reading: 3-4-25) January 22, 2025
FROM:	Geri Bonzon-Keenan County Attorney	SUBJECT:	Ordinance related to unauthorized use of addresses of County-owned property in filings with the Florida Department of State Division of Corporations; creating section 21-29.4 of the Code; amending section 8CC-10 of the Code to provide for penalties

Ordinance No. 25-21

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Micky Steinberg and Co-Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh

Memorandum



Date: March 4, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Fiscal Impact Statement for Ordinance Related to Unauthorized Use of Addresses
of County-Owned Properties in Filings with the Florida Department of State,
Division of Corporations

The implementation of this ordinance may provide a positive fiscal impact to the County through the issuance of civil fines of \$500.00 for each violation in accordance with Chapter 8CC and to the penalties and remedies provided in Section 1-5 of the County Code; however, persons, firms, corporations or other legal entities have an opportunity to correct the violation first without a fine.

Corporations are required to file documents such as articles of incorporation, annual reports, and statements of change with the Florida Department of State, Division of Corporations (Division). These filings list various addresses associated with the corporation, including the corporation's principal office, registered office, mailing address, registered agent address, and addresses of the corporation's directors and officers. The Division does not verify the veracity or propriety of the self-reported address information contained within the articles of incorporation, annual reports, and statements of change filed with the Division. With the large number of corporations in Miami-Dade County that have filed with the State, assigning County staff to verify and monitor this activity may have a fiscal impact to the County, the full impact of which cannot be determined at this time.

A handwritten signature in black ink, reading "Roy Coley".

Roy Coley
Chief Utilities and Regulatory Services Officer

Memorandum



Date: March 4, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

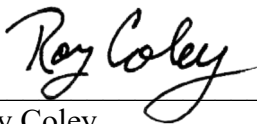
Subject: Social Equity Statement for Ordinance Related to Unauthorized Use of Addresses
of County-Owned Properties in Filings with the Florida Department of State,
Division of Corporations - Supplement to File No. 242226

The proposed ordinance related to unauthorized use of addresses of County-owned properties in filings with the Florida Department of State, Division of Corporations will assist the County in providing a deterrent to this activity. The unauthorized use of a County-owned property address may hinder the County and other aggrieved persons from serving process on such corporations if necessary, and these listings of County-owned property addresses by corporations may confuse or mislead the public by inaccurately indicating that such corporations are affiliated with the County.

Any person, firm, corporation or other legal entity that violates this section shall be subject to fines in accordance with chapter 8CC and to the penalties and remedies provided in section 1-5 of the County Code. A violation of this section may be corrected by filing with the Division a statement of change or annual report that does not use any address of County-owned property without County authorization or a lease agreement. Should any person, firm, corporation or other legal entity that violates this section and does not correct the filing, a civil penalty of \$500.00 is authorized under this ordinance. Each day that a violation remains uncorrected shall constitute a separate offense.

The social benefit to the residents of Miami-Dade County is to enhance public awareness that the County is providing an enforcement mechanism for businesses that are using an unauthorized County address, which may provide additional confidence and protection for the County brand, while also preventing the fraudulent use of public facilities.

This Ordinance also provides a mechanism for persons, firms, corporations or other legal entities to correct a violation at no cost, while providing a civil violation fine for those that do not comply with the ordinance.



Roy Coley
Chief Utilities and Regulatory Services Officer



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: March 4, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 7(B)

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**
- _____ **Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____)** 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. 7(B)
3-4-25

ORDINANCE NO. 25-21

ORDINANCE RELATED TO UNAUTHORIZED USE OF ADDRESSES OF COUNTY-OWNED PROPERTY IN FILINGS WITH THE FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS; CREATING SECTION 21-29.4 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTION 8CC-10 OF THE CODE TO PROVIDE FOR PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to chapters 607 and 621 of the Florida Statutes, corporations are required to file documents such as articles of incorporation, annual reports, and statements of change with the Florida Department of State Division of Corporations (the “Division”); and

WHEREAS, these filings list various addresses associated with the corporation, including the corporation’s principal office, registered office, mailing address, registered agent address, and addresses of the corporation’s directors and officers; and

WHEREAS, the Division does not verify the veracity or propriety of the self-reported address information contained within the articles of incorporation, annual reports, and statements of change filed with the Division; and

WHEREAS, some corporations have filed documents with the Division listing the addresses of properties owned by Miami-Dade County (the “County”), even though there is no business relationship between these corporations and the listed County-owned properties, and the County did not consent to the listing and use of these addresses; and

WHEREAS, this unauthorized listing and use of County-owned property addresses by corporations in their filings may hinder the County and other aggrieved persons from serving process on such corporations if necessary; and

WHEREAS, furthermore, these listings of County-owned property addresses by corporations may confuse or mislead the public by inaccurately indicating that such corporations are affiliated with the County; and

WHEREAS, accordingly, this Board wishes to prohibit corporations from listing County-owned addresses in filings with the Division without the County's express written permission,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 21-29.4 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:¹

>>Sec. 21-29.4. - Unauthorized use of addresses of County-owned property in filings with the Florida Department of State Division of Corporations.

(a) Prohibition. It shall be unlawful for any person, firm, corporation, or other legal entity to file a document with the Florida Department of State Division of Corporations using any address of County-owned property as a principal address, mailing address, registered agent's address, or authorized persons' address, unless such filing is accompanied by the express written authorization of the County Mayor or County Mayor's designee. A person, firm, corporation, or other legal entity that is the lessee of a County-owned property shall not be required to submit such express written authorization, provided that the lessee submits to the Division a current, valid lease agreement in conjunction with any filing using the address of the County-owned property that is the subject of the lease.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

(b) *Enforcement.* It shall be the duty of all County officers to enforce the provisions of this section. Any person, firm, corporation or other legal entity that violates this section shall be subject to fines in accordance with chapter 8CC and to the penalties and remedies provided in section 1-5 of the Code. A violation of this section may be corrected by filing with the Division a statement of change or annual report that does not use any address of County-owned property without County authorization or a lease agreement. Each day that a violation remains uncorrected shall constitute a separate offense.<<

Section 2. Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 8CC-10. - Schedule of Civil Penalties.

The following table shows the sections of this Code, as they may be amended from time to time, which may be enforced pursuant to the provisions of this chapter; and the dollar amount of civil penalty for the violation of these sections as they may be amended.

* * *		
Code Section	Description of Violation	Civil Penalty
* * *		
>>21-29.4	<u>Unauthorized use of County-owned address</u>	<u>\$500.00</u> <<
* * *		

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

March 4, 2025

Approved by County Attorney as
to form and legal sufficiency:

GBK
CMB

Prepared by:

Cristina M. Rabionet

Prime Sponsor:

Commissioner Micky Steinberg

Co-Sponsor:

Commissioner Raquel A. Regalado