

ORDINANCE NO. 23-4

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 2 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "ADMINISTRATION;" BY AMENDING ARTICLE I, ENTITLED "IN GENERAL;" SPECIFICALLY AMENDING SECTION 2-3, ENTITLED "REQUEST FOR INFORMATION CONCERNING CITY LIENS;" DELEGATING THE AUTHORITY TO THE CITY MANAGER TO ESTABLISH A REASONABLE ADMINISTRATIVE FEE FOR LIEN SEARCHES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cooper City ("City") has a \$50.00 established service charge for conducting lien searches, as set forth in Section 2-3 of the City's Code of Ordinances; and

WHEREAS, the City's \$50.00 lien search fee has not been increased since 2000; and

WHEREAS, the City's internal auditor has recommended increasing the City's lien search fee to \$150.00; and

WHEREAS, the City Commission has held a public hearing to consider the input of the general public; and

WHEREAS, the City Commission finds that amending the City Code to increase the lien search fee to \$150.00 is in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amended. That Article I, entitled “In General,” of Chapter 2, entitled “Administration,” of the City of Cooper City Code of Ordinances is hereby amended by amending Section 2-3, entitled “Request for information concerning city liens,” as follows:

Sec. 2-3. - Request for information concerning City liens.

Whenever the City receives a request for an accounting of the amounts of any outstanding City liens, a fee shall be charged for providing the information in response to each request. The City Manager shall establish a reasonable administrative fee for ~~The service charge for~~ the processing of requests for lien information ~~shall be \$50.00 per request~~. Information provided in response to such requests shall include unpaid utility charges, formal and informal municipal liens, special assessments, if applicable, a listing of City Code violations which have occurred on the property within the 12 months immediately preceding the request and a listing of any open building permits issued after May, 1993.

SECTION 3. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

SECTION 5. Codification. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

SECTION 6. Effective Date. This Ordinance shall become effective upon passage and adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2023.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2023.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, CMC

Approved As To Legal Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Shrouder _____
Commissioner Katzman _____
Commissioner Mallozzi _____