

RESOLUTION NO. 23-9

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, ESTABLISHING A PARTIAL RELEASE OF LIEN FEE IN THE AMOUNT OF \$495.50, IN ACCORDANCE WITH SECTION 13-75 OF THE CITY'S CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 23, 2021, the City Commission of the City of Cooper City adopted Ordinance 21-9, thereby creating Section 13-75 of the City's Code of Ordinances and establishing a process to provide for the partial release of liens; and

WHEREAS, Section 13-75 of the City Code provides that a partial release of lien may be offered when the City's lien was foreclosed, the City's lien attaches to other properties owned by the violator and is still secured by the original piece of property, or the City's lien is recorded against a condominium association or homeowner's association, and attaches to all properties owned within the association; and

WHEREAS, Section 13-75 of the City Code further provides that the fees for partial release of liens shall be set by the City Commission by resolution; and

WHEREAS, City staff has reviewed its administrative costs related to code enforcement proceedings and finds that the amount of \$495.50 is fair and reasonable fee for the recording of a partial release of lien in situations specified by the City Code; and

WHEREAS, this amount accounts for an administrative fee of \$150.00, City staff time in the amount of \$100.00, code compliance staff and legal cost at \$200.00, and \$45.50 for recording and releases fees; and

WHEREAS, the City Commission finds that providing for a partial release of lien fee in the amount of \$495.50 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: **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed. All exhibits attached hereto and incorporated herein and made a part hereof.

Section 2: In accordance with Section 13-75 of the City's Code of Ordinances, the City Commission of the City of Cooper City hereby approves and sets the City's partial release of lien fee in the amount of \$495.50.

Section 3. **Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 4. **Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 5. **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

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PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2023.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

ROLL CALL

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

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney