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## Sec. 13-82. Citations—Options of persons cited.

- (a) If the citation is to be enforced in county court, after issuing a citation to an alleged violator, a Code Enforcement Officer shall deposit the original citation and one copy of the citation with the county court.
- (1) A person who has been served with a citation shall elect either to:
- Correct the violation and pay the civil penalty in the manner indicated on the notice; or
  - Request an administrative hearing in Broward County Court to appeal the decision of the code inspector to issue the citation.
- (2) Appeal by administrative hearing of the citation shall be accomplished by filing a request in writing to the address indicated on the notice no later than ten days after the service of the notice.
- (3) Failure of a violator to appeal the decision of the code inspector within this time period shall constitute a waiver of the violator's right to an administrative hearing. A waiver of the right to administrative hearing shall be deemed an admission of the violation, and penalties may be imposed accordingly.
- (b) If the citation issued is to be enforced through the City's special magistrate:
- (1) The person who has been served with a citation to appear before a special magistrate may either:
- Correct the violation, and pay the civil penalty in the manner indicated on the citation; or
  - Appeal the citation by requesting administrative hearing before a special magistrate to appeal the decision of the Code Enforcement Officer.
- (2) All appeals shall be accomplished by filing a request in writing to the address indicated on the citation no later than ten days after the service of the citation.
- (3) Failure of the violator to appeal the decision of the code enforcement or law enforcement officer within the ten calendar days shall constitute a waiver of the violator's right to an administrative hearing and shall be deemed an admission of the violation. A waiver of the right to an administrative hearing may result in the imposition of a fine which may result in a lien on the property where the violation occurred.
- (c) The following table sets forth the code violation for which civil penalties may be cited under this section. The descriptions of violations are provided for purposes of general identification only. Where specific code provisions apply, the same are indicated following the respective violation description. Amendments affecting the numbering of the referenced sections shall not affect the validity of the fines.

Violation	Code Section	Fine
Animal Nuisances	5-3	\$100.00
Animal Feeding	5-4	\$100.00
Tree Nuisances	18-10	\$100.00
Maintenance of Commercial Properties	6-32	\$250.00
Fire Code	7-2	\$250.00
Litter Violations	Chapter 8	\$250.00
Noise Violations	Chapter 10	\$100.00
Mandatory Recycling	14-3	\$25.00
Bulk Trash Violations	8-26	\$250.00
Overgrown Lots, Yards and Landscaping	8-38	\$100.00
Parking of commercial vehicles in residential district	25-10(a)	\$100.00

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Smoking in Parks	12-45	\$100.00
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For all other violations not specified in this chart the fine schedule for the first violation shall be \$250.00 for a first violation. The fines set forth in this section shall apply if there is a conflict with any other section of the code. If a repeat violation of any code occurs, the Code Enforcement Officer may assess a fine up to \$500.00, for the violation.

- (d) A party may seek a rehearing of the case by filing a written motion for rehearing within ten calendar days of rendition of the decision by the special magistrate. The motion for rehearing shall set forth issues which were overlooked or omitted at the hearing but shall not consist of re-argument of the case. The motion shall be filed with the Special Magistrate Clerk, for the City of Cooper City. The party filing the motion is responsible for forwarding a copy of the motion to the other party. The Special Magistrate Clerk shall immediately forward the motion for rehearing to the special magistrate and within ten days of receipt of the motion, the special magistrate may enter an order on the motion for rehearing or schedule a hearing on the motion. If the motion for rehearing is granted, the case shall be set for rehearing as soon as possible thereafter.
- (e) A party may appeal a decision of a special magistrate by certiorari to the Seventeenth Judicial Circuit within 30 days of the date of the rendition of the decision of the special magistrate as provided by the Florida Rules of Appellate Procedure.

(Ord. No. 21-9, § 2, 3-23-21; Ord. No. 23-2, § 3, 2-14-23; Ord. No. 23-23, § 3, 10-24-23)