

RESOLUTION NO. 23-04

A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, APPOINTING _____ TO SERVE AS THE CITY’S CODE ENFORCEMENT SPECIAL MAGISTRATE(S) PURSUANT TO SECTION 13-65 OF THE CITY’S CODE OF ORDINANCES; APPROVING THE TEMPLATE SPECIAL MAGISTRATE AGREEMENT ATTACHED HERETO AS EXHIBIT “A” AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE SAID AGREEMENT WITH THE INDIVIDUALS APPOINTED TO SERVE AS SPECIAL MAGISTRATE PURSUANT TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR VALIDITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 162.03(2), Florida Statutes, provides that municipalities may contract with special magistrates as an alternative method of hearing code enforcement cases; and

WHEREAS, the Special Magistrate is an independent contractor serving at the pleasure and at the will of the City Commission of the City; and

WHEREAS, the City Commission desires to enter into a Special Magistrate Services Agreement with _____, providing for Code Enforcement Special Magistrate Services in the form attached hereto as Exhibit "A"; and

WHEREAS, the City Commission finds it to be in the best interests of the citizens and residents of the City to appoint _____ to serve as the City’s code enforcement special magistrates pursuant to the terms and conditions set forth in the agreement attached hereto as Exhibit “A.”

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

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein and made a specific part of this Resolution.

SECTION 2. The City Commission does hereby appoint _____ to serve as the City's code enforcement special magistrates pursuant to Sec. 13-65 of the City's Code of Ordinances for the adjudication of code enforcement cases, and providing that special magistrates serve at the pleasure and will of the City Commission.

SECTION 3. The City Commission hereby further approves the template agreement attached hereto as Exhibit "A" and authorizes the appropriate City officials to execute said agreement with the individual(s) appointed to serve as special magistrate pursuant to this resolution.

SECTION 4. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

SECTION 5. 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 6. This Resolution shall become effective upon its passage and adoption by the City Commission.

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PASSED AND ADOPTED this _____ day of _____, 2024.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, MMC
City Clerk

ROLL CALL

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

APPROVED AS TO LEGAL FORM:

Jacob G. Horowitz
City Attorney