

RESOLUTION NO. 20-06-51

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA CONSIDERING A REDUCTION OF
LIEN IN CODE COMPLIANCE CASE NO. CBDG20170000569;
AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL
NECESSARY AND EXPEDIENT ACTION; AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, Islamorada, Village of Islands (the "Village") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, in accordance with Chapter 162, Florida Statutes and the Village Code of Ordinances, the Village recorded a code compliance lien in Case No. CBDG20170000569 against property located within the Village at 113 Sunset Drive, Islamorada, Florida 33036 (the "Property"); and

WHEREAS, as of January 30, 2020, the lien totaled One Hundred One Thousand Five Hundred Dollars and 00/100 Dollars (\$101,500.00); and

WHEREAS, the Village's Code Compliance Department has determined that the property is in compliance, and an Affidavit of Compliance has been issued for the property; and

WHEREAS, on March 17, 2020, in accordance with Section 2-120 of the Village Code of Ordinances (the "Code"), the Village Code Compliance Hearing Officer, after hearing testimony, entered an "Order Reducing Fines" thereby reducing the lien total of One Hundred One Thousand Five Hundred and 00/100 Dollars (\$101,500.00) by seventy-five percent (75%) to Twenty-Five Thousand Five Hundred and 00/100 Dollars (\$25,500.00); and

WHEREAS, the property owner has requested a hearing for reconsideration before the Village Council seeking a further reduction of the lien amount; and

WHEREAS, Section 20-120(s) of the Code provides that the Village Council may, for good cause shown, reduce the fine below the fine reduction guidelines; and

WHEREAS, in determining good cause, the Village Council may consider the efforts of the owner to bring the property into compliance, the seriousness of the violation, prior violations, if any, the reduced lien amount approved by the Village Code Hearing Officer and any other relevant factors; and

WHEREAS, the Village Council finds that consideration of this Request for Reconsideration is appropriate in accordance with Chapter 162, Florida Statutes, and the Village Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Consideration of Reduction. The Village Council hereby determines that there is good cause to reduce the fine below the fine reduction guidelines. Based on the foregoing, the Village Council recommends that the fine and lien amount be further reduced down to Five Thousand Dollars (\$5,000.00) plus the administrative fee of One Hundred and Twenty-Five Dollars (\$125.00).

Section 3. Authorization of Village Officials. The Village Manager is hereby authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

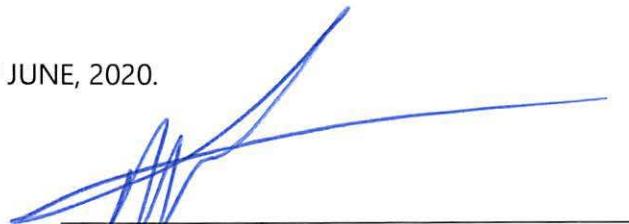
Motion to adopt by Mayor Mike Forster, second by Vice Mayor Ken Davis.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Mike Forster	YES
Vice Mayor Ken Davis	YES
Councilwoman Deb Gillis	YES
Councilman Jim Mooney	NO
Councilman Chris Sante	NO

PASSED AND ADOPTED ON THIS 18th DAY OF JUNE, 2020.



MIKE FORSTER, MAYOR

ATTEST:

Kelly S. Toth
KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY:



ROGET V. BRYAN, VILLAGE ATTORNEY