



City of Coral Gables
CITY COMMISSION MEETING
March 11, 2014

ITEM TITLE:

Ordinance on Second Reading. An ordinance of the City Commission amending the Code of the City of Coral Gables, Florida, by amending Article VI "Abandoned Real Property" of Chapter 34 "Nuisances," to charge an additional fee for vacant properties; to allow City police department to issue trespass warnings for vacant properties; to grant the City Attorney the authority, with the approval of the City Manager or designee, to initiate court action to abate the public nuisance; declaring unlawful the failure to register or maintain a vacant property by the mortgagee or property owner; and providing for severability, repealer, codification, and an effective date. (Passed 5-0 on first reading on February 25, 2014).

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

The City of Coral Gables has established a process to address the deterioration and blight of City neighborhoods caused by abandoned, foreclosed or distressed real property located within the City, and to identify, regulate, limit and reduce the number of abandoned properties located within the City. In order to further protect the City from the negative impact of these properties, and, specifically, vacant properties within the City, the City wishes to utilize more stringent measures to ensure compliance with the City's Codes.

These measures include requiring a higher registration fee for vacant properties, allowing the City police department to issue trespass warnings for vacant properties on the registry, authorizing the City Manager and City Attorney to take appropriate action, including court action, to enforce the ordinance, and making it expressly unlawful for a mortgagee to fail to maintain a vacant property on the registry.

The ordinance has been modified between first and second reading consistent with the request on first reading to consider removal of a provision restricting the entities that could pay the fee. The ordinance has also been revised to include a provision allowing the City to request court appointment of a receiver, to provide additional language emphasizing that the owner is also responsible for complying with the ordinance along with the mortgagee, and to emphasize that both the mortgagee and owner have an affirmative duty to abate a public nuisance.

APPROVED BY:

Department Director	City Attorney	City Manager

ATTACHMENT(S):

1. Ordinance to be approved.