



City of Coral Gables
CITY COMMISSION MEETING
January 13, 2015

ITEM TITLE:

Ordinance on Second Reading. An Ordinance of the City Commission of Coral Gables amending the Code of the City of Coral Gables, Florida, by creating Sections 34-175 through 34-186 of the City Code, "Forfeiture of Abandoned Real Property" of Chapter 34 "Nuisances", to create a process by which the city can take and perfect right, title, and interest in and to such properties which are or remain in violation of the City Code or Zoning Code; Providing for Severability, Repealer, Codification, and an Effective Date.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

BRIEF HISTORY:

The purpose of this ordinance is to ensure that properties on the abandoned property registry are lawfully maintained pursuant to applicable law. A number of properties on the registry that are vacant (and where the property owner has effectively abandoned the property) have multiple violations of the City Code (including the minimum housing code), many of which can persist for months. The failure by banks (as mortgage holder or as the eventual owner) to maintain these properties is a cause for serious concern, creating hazardous and unsafe conditions, and constituting unlawful conduct, which makes the property subject to forfeiture.

This ordinance will be used to address extraordinary situations where the City has requested that a bank maintain the non-homestead, abandoned property in question and the bank has refused or failed to do so. The City Commission or City Manager, in consultation with the City Attorney, would have to make a finding that seizure or forfeiture of the property in question substantially promotes or protects the health, safety, and welfare of the community. Ultimately, this ordinance provides additional tools for the City to address situations where one of these properties is found to have multiple violations of the abandoned property maintenance requirements or the minimum housing code for an extended period of time, specifically exceeding 6 months.

APPROVED BY:

City Attorney/Department Director	City Manager

ATTACHMENT(S):

1. Draft Ordinance
2. Draft Ordinance [underlines and strikethroughs from First Reading version]