



**City of Coral Gables
CITY COMMISSION MEETING
May 3, 2016**

ITEM TITLE:

Ordinance on First Reading. An Ordinance of the City Commission of Coral Gables, Florida, creating Article IV, "Cost Recovery for Failure of Responsible Party to Appear on Behalf of Business," of Chapter 26, "Emergency Services," of the City of Coral Gables Code; and providing for enforcement, repealer, severability, codification and an effective date.

BRIEF HISTORY:

It is widely acknowledged that the success of any prosecution is largely dependent on victim/witness participation. It has come to the attention of the City, that certain merchants in the City have internal no-prosecution policies for retail theft (through shoplifting or fraud). Significant City resources are expended during the response, investigation and ultimate arrest of individuals who commit retail theft, by the Coral Gables Police Department. These resources are largely wasted without the follow-through and cooperation of the merchant, as it is nearly impossible to obtain convictions without it.

This Ordinance imposes a service charge, in the full amount of the City's costs, upon a merchant, in the event that a criminal charge is abandoned, dismissed or fails as a direct result of the merchant's failure to appear at any law enforcement, prosecutorial or judicial proceedings relating to the alleged crime. The Ordinance allows for the imposition of a flat \$200 charge and includes a waiver provision.

REVIEWED BY:

City Attorney	City Manager

ATTACHMENT(S):

1. Draft Ordinance