

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: May 16, 2013

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: James Raymer, 270 SW 9 Street, Case # 09-1367

Summary Explanation & Background:

This was originally cited on 7/22/09 for 5 violations, and was given 14 days to comply. This went to the Special Magistrate on 9/3/09 for 4 violations. The Special Magistrate issued an order giving the respondent until 9/23/09 to comply the violations or a fine of \$250.00 per day would be levied, and authorizing the City to abate the nuisances. At the 5/6/10 hearing, the Special Magistrate confirmed the fine as a lien. The case complied on 1/8/13. The fines ran from 9/23/09 through 1/8/13, 1,203 days @ \$250.00 per day = \$300,750.00, plus admin fees of \$258.00, for a total of \$301,008.00. This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$4,000.00 as settlement for the fines, and \$1,878.58 for nuisance abatement liens totaling \$5,878.58.

Exhibits (List):

- (1) Copy of the history report.
- (2) Copy of the lien sheet.

Purchasing Approval:

Source of Additional Information: *(Name & Phone)*

Recommended for Approval By:

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Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Activity Comments

INITIAL - INITIAL INSPECTION	07-15-2009
HISTORICAL - DMS Violation Letter	07-22-2009
REINSPECTION - REINSPECTION	08-05-2009
HISTORICAL - DMS Affidavit of Service	08-20-2009
POST HEARING - POST BOARD	09-23-2009
F-TITLE SEARCH - TITLE SEARCH	10-20-2009
HISTORICAL - DMS Affidavit of Service	04-22-2010
FORECLOSURE - FORECLOSURE REINSPECTION	09-05-2011
F-TITLE SEARCH - TITLE SEARCH	11-28-2011
F-FOLLOW UP - UPDATE	04-05-2012

Case Violations

1	CE013034001001 - DBCC 13-34(a) Nuisance Accumulation	DBCC 13-34(a) states it is unlawful for any owner or operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, trash, stagnant water, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises.	ACTIVE	07/22/2009
2	CE013034002001 - DBCC 13-34(b) Property & RAW Maintenance	DBCC 13-34(b) states each owner or operator of property within the city shall keep such property and the adjoining unpaved portions of the public rights of way, swales, and/or canal banks clean and free from any accumulation of garbage, trash, and litter.	ACTIVE	07/22/2009
3	CE013034003001 - DBCC 13-34(c) Untended Vegetation	DBCC 13-34(c) states the owners and operators of all improved property within the city shall not permit untended vegetation upon such property and the public rights of way, swales, and/or canal banks. Untended vegetation includes all grass, weeds, and underbrush in excess of eight (8) inches in height from the ground, and any overgrown vines and similar other vegetation.	ACTIVE	07/22/2009
4	CE014002001001 - DBCC 14-2(a) Junk/Abandoned Vehicles	DBCC 14-2(a) states it is unlawful to park, store, have, or permit parking or storage of any junked and abandoned vehicle of any kind or parts thereof upon any private property unless the vehicle is completely enclosed within a building or is in connection with an approved business and licensed as such.	ACTIVE	07/22/2009
5	CE015001000001 - DBCC 15-1 BTR/License Required	DBCC 15-1 states it is unlawful for any person to engage in, manage or allow anyone on the person's property to engage in or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city.	ACTIVE	07/22/2009

City of Dania Beach

100 W. Dania Beach Blvd.
 Dania Beach, FL 33004
 954-924-6800 Ext. 3662

OWNER: JAMES RAYMER
 FOLIO: 1203-41-0240
 LEGAL: DANIA HOMESITES 28-40 B LOT 15 BLK 2
 ADDRESS: 270 SW 9 STREET

CODE ENFORCEMENT ORDER LIEN

CEB 09-1367

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	RECORDED		RELEASED	
					BOOK	PAGE	BOOK	PAGE
9/23/2009	1/8/2013	\$250.00	1,203	\$300,750.00	47126	73-79	6/7/2010	
				Total	47949	1385-1392	6/2/2011	
				Record Fee				
				\$258.00				
				\$301,008.00				

CASE COMPLIED 1/8/13

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	34.00
3	PAGES	SUPPLEMENTAL ORDER	25.50
2	PAGES	RELEASE OF LIEN	18.50
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
			258.00

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NUISANCE ABATEMENT LIEN

Interest		Through Date	Lien Amount	# of Days	Interest Amount	Per Diem	Interest Amount	Record Fee	RECORDED			RELEASED		
Start	End								BOOK	PAGE	DATE	BOOK	PAGE	DATE
9/30/2009	4/10/2013		\$607.18	1,288	0.00032900	\$0.199762	\$257.29	\$90.00	46637	53	11/2/2009	49543	1076	2/26/2013
Total								\$954.47						

ESTIMATED COST OF RECORDING FEES

1	PAGE(S) CLAIM OF LIEN	10.00
	ADM. FEE RECORDING LIEN	40.00
1	PAGE(S) RELEASE OF LIEN	10.00
	ADM. FEE RECORDING RELEASE	30.00
		<u>90.00</u>