

ORDINANCE NO. C-10-03

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 25-61, WORK DONE BY CITY; COSTS, TO PROVIDE FOR AN INSTALLMENT PAYMENT PROGRAM FOR PROPERTY OWNERS FOR SIDEWALK REPAIRS.

WHEREAS, the City Commission considered its policy relating to sidewalks at the City Commission Conference Meeting on December 1, 2009; and

WHEREAS, the City Commission came to a consensus and directed staff to revise Chapter 25, Streets and Sidewalks, of the Code of Ordinances to provide for an installment payment program for sidewalk repairs over a period of up to ten (10) years;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 25-61, Work Done by City; Costs, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended and renumbered accordingly to read as follows:

Section 25-61. Work done by city; costs.

(a) In the event the abutting property owner shall fail or refuse to do and perform the construction, reconstruction or repair work on any sidewalk or proposed sidewalk within the time prescribed in the notice, under the provisions of section 25-59 hereof, then and in that event, the city commission shall make or cause such work to be done and make the cost thereof a charge and lien against such property of the same extent and character as the lien now granted or which may hereafter be granted to the city by law for special assessments for the cost of local improvements.

(b) A property owner of a residential single family, duplex, triplex or other residential property, as defined by Chapter 47 of the Unified Land Development Regulations, would have the option to pay the sidewalk repair costs over a period of up to ten (10) years at an annual interest rate of six (6) percent compounded monthly. A property owner electing to finance the sidewalk repairs or portion thereof will repay the fee as part of the regular utility bill and will be subject to collection actions authorized by Code or Florida Statute. Those property owners' homes will be subject to a "voluntary lien," which must be paid in full prior to transfer or sale of property to another owner. An owner who elects to finance the sidewalk repair pursuant to this section shall be required to

execute a promissory note secured by a lien on the property prior to the sidewalk repairs being made.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this the 6th day of January, 2010.

PASSED SECOND READING this the 20th day of January, 2010.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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