

ORDINANCE NO. 16-06-1330

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 82, ENTITLED "BUILDING AND BUILDING REGULATIONS," ARTICLE I, ENTITLED "IN GENERAL," SECTION 82-9 THE TITLE OF WHICH IS TO BE AMENDED TO READ "INSPECTION AND LICENSING OF RESIDENTIAL RENTAL UNITS"; CHAPTER 86, ENTITLED "LOCAL BUSINESS TAX RECEIPT AND REGULATIONS," ARTICLE II, ENTITLED "LOCAL BUSINESS TAX RECEIPT (LOCAL BUSINESS TAX RECEIPT)," SECTION 86-27, ENTITLED "LOCAL BUSINESS TAX RECEIPT REQUIRED" AND APPENDIX F TO THE CITY'S CODE OF ORDINANCES, "FEE SCHEDULE" TO PROVIDE FOR A PROCESS FOR INSPECTION AND LICENSING OF SINGLE FAMILY RESIDENTIAL UNITS, AND FEES FOR THE BUSINESS TAX RECEIPT AND THE PROCESSING AND INSPECTION FEES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, according to the Broward County Property Appraiser's records there are a significant number of single family residential units owned by entities other than individuals and not receiving a homestead exemption; and

WHEREAS, this information may indicate a increase in the number of renter-occupied single family residential units within the City; and

WHEREAS, the City Commission is concerned about the health, safety and welfare of the occupants of all rental units; and

WHEREAS, under the direction of the City Commission the Administration expanded the inspection and licensing program to include single family homes; and

WHEREAS, the City Commission of the City of North Lauderdale (the "City") wishes to amend the appropriate sections of the Code of Ordinances to support the implementation of the program requiring a local business tax receipt for the rental of single family homes; and

WHEREAS, the City Commission of the City of North Lauderdale finds that such revision to pertinent sections of the City Code regulating the inspection and licensing of residential rental units to obtain a local business tax receipt are in the best interest of the health, safety, and welfare of the citizens and residents of the City of North Lauderdale.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The City Commission hereby expands the program for the inspection and licensing of residential units to include single family homes requiring a local business tax receipt.

Section 3. Chapter 82, entitled "Building And Building Regulations," Article I, entitled "In General", Section 82-9, the title of which is to be amended to read "Inspection And Licensing Of Residential Rental Units"; Chapter 86, entitled "Local Business Tax Receipt And Regulations," Article II, entitled "Local Business Tax Receipt (Local Business Tax Receipt)," Section 86-27, entitled "Local Business Tax Receipt Required" and Appendix F, "Fee Schedule," of the Code of Ordinances of the City of North Lauderdale, be and the same are hereby amended as provided in **Exhibit "A"** to this Ordinance, which is attached hereto and incorporated herein by reference.

Section 4. Codification. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida.

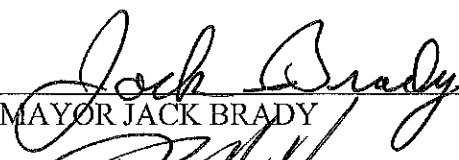

Section 5. Severability. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 6. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be, and the same are hereby repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THE 31ST DAY OF MAY, 2016.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS 14 DAY OF JUNE, 2016.


MAYOR JACK BRADY

VICE MAYOR DAVID G. HILTON

ATTEST:


PATRICIA VANCHERI, CITY CLERK



APPROVED AS TO FORM:

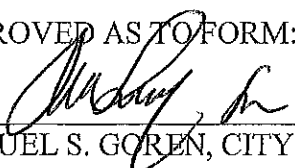

SAMUEL S. GOREN, CITY ATTORNEY

Exhibit A

Chapter 82, Building and Building Regulations

Article I, In General

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- **Sec. ~~82-9~~ - Inspection and licensing of buildings with two, three, or four residential rental units.**

(a)

When required.

(1)

No person shall offer for rent or lease any residential units ~~located in a building with two, three or four residential units~~ unless such building has been inspected by the community development department and a residential rental license (local business tax receipt) has been issued by the city to the owner of record of such building.

(2)

Any person who at the time of the adoption of this section rents or leases units in buildings with ~~containing two, three or four residential units~~ shall have 30 calendar days from the date of adoption by the governing body to file an application with the city for license issuance.

(3)

The date of license issuance by the city shall establish an annual anniversary date.

(b)

Procedures and standards for licensing issuance; inspection fee. The community development department shall be charged with the responsibility, subject to the approval of the city manager, of establishing administrative rules and regulations pertaining to the issuance of residential rental licenses. No such license shall be issued, however, unless:

(1)

Each applicant for license issuance has completed a form application made available by the community development department.

(2)

Each applicant has paid the fee established by the city administration, which fee shall be adjusted annually so as to reimburse the city for the reasonable cost of annual inspection.

On initial application the inspection fee shall be paid at the time the application is filed with the city. On renewal, the inspection fee shall be paid as a condition precedent to the issuance of the renewal license.

(f) _____

Annual Inspection. Owners of residential rental units will be required to certify on an annual basis that the units continue to meet all requirements of the Florida Building Code, Minimum Housing Code, zoning and land use regulations and other pertinent City, County, State and Federal regulations. In the event the property has been found in violation of any of these regulations over the course of the previous year, the property

owner must provide access to the inspectors to re-certify the property prior to the renewal of the local business tax receipt.

Chapter 86 Local Business Tax Receipt and Regulations

Article II Local Business Tax Receipt (Local Business Tax Receipt)

Sec. 86-27 Local business tax receipt required.

(3) Any person who offers for rent or lease a residential unit is required to obtain a local business tax receipt.

Article 1, Section 4, of Appendix F, entitled "LOCAL BUSINESS TAX", of the Code of Ordinances of the City of North Lauderdale, Florida, is hereby amended to read as follows:

Sec. 4. Local Business Tax

A) Fees for businesses, not enumerated. Every business, occupation, profession or exhibition, substantial, fixed or temporary engaged in by any person, whether in a building, tent or upon a street, vacant lot, or anywhere in the open air, within the city, and not specifically designated in this section, shall pay a business tax receipt fee of \$66.84

B) Fee schedule. The occupation fees which shall be paid by persons engaging in or managing businesses, professions or occupations are hereby fixed as follows:

LOCAL BUSINESS TAX CLASSIFICATION AND SCHEDULE

1217	Owner, residential rental property	9.73 <u>per unit</u>
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PROCESSING AND INSPECTION FEES

2013	Rental unit, <u>single-family</u> , duplex	32.00 <u>per unit</u>
2014	Rental unit, triplex	40.00 <u>per unit</u>
2015	Rental unit, quadplex	50.00 <u>per unit</u>