

**ORDINANCE NO. 15-09**

**AN ORDINANCE OF THE TOWN OF DUNDEE, FLORIDA;  
CREATING SECTION 14-27 OF THE CODE OF  
ORDINANCES OF THE TOWN OF DUNDEE, FLORIDA,  
REGARDING THE CREATION OF A FEE SCHEDULE  
FOR LIEN SEARCH AND LIEN REPORT SERVICES;  
PROVIDING FOR CODIFICATION AND CORRECTION  
OF SCRIVENER'S ERRORS, SEVERABILITY,  
CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town is vested with governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, including the general exercise of any power for municipal purposes; and

**WHEREAS**, a municipal lien search is a search that is conducted by the Town in order to determine whether there are any recorded or unrecorded special assessment liens or liens arising by virtue of ordinances, agreements as to impact and other developmental fees, unpaid utility fees or sanitation fees that are payable to the Town or unpaid service charges covered under Chapter 159 of the Florida Statutes or the Town of Dundee Code of Ordinances; and

**WHEREAS**, a municipal lien search will also disclose whether any Code Enforcement violations or Florida Building Code violations are pending, at the time the municipal lien search is performed, which may give rise to the recordation of a lien interest against the subject real property; and

**WHEREAS**, due the increased volume of requests for municipal lien searches and the costs and expenses associated with performing same, it is necessary for the Town to implement an administrative fee to cover said costs and expenses incurred so that the general public is remunerated.

**NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE TOWN OF DUNDEE, FLORIDA** that:

**Section 1.** Section 14-27 of the Code of Ordinances of the Town of Dundee, Florida, is created to read:

**Sec. 14-27. – Lien search and lien report fee.**

**(a) This section establishes a minimum fee of \$25.00 for a written request for a lien search and/or lien report that is received by the Town. The Town will not generate a lien search and/or lien report unless requested to do so in writing. For purposes of this Code, the schedule of fees for a lien search and/or lien report is as follows:**

<u>Same day of request</u>	<u>\$40.00</u>
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Within one (1) business day of request      \$30.00

Within three (3) business days of request      \$25.00

- (b) The provisions of this section shall allow for the established fees set forth in subsection (a) above to be applicable upon a written request for said lien search and/or lien report received by the Town of Dundee, Florida.
- (c) Following receipt of cleared funds, the Town shall perform the search which was requested in writing and issue a lien search certificate. For purposes of this section, a "lien search certificate" means a document issued by the Town of Dundee, Florida, which sets forth any and all liens held by the Town, as disclosed by a search of the Town lien docket and/or available Town records, against a particular parcel of real property and the amount(s) of said lien(s).
- (d) Any adjustments and/or changes to the fees set forth herein shall be as established by Resolution of the Town Commission.

**Section 2.** It is the intention of the Town Commission that the provisions of this Ordinance may become and be made a part of the Code of Ordinances of the Town; and that in that event sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

**Section 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Dundee, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, and all remaining sections, subsections, sentences, clauses and phrases of this Ordinance shall remain in full force and effect.

**Section 4.** All Ordinances and Resolutions in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.


**Section 5.** This Ordinance shall take effect immediately upon passage on second reading.

**INTRODUCED AND PASSED** on First Reading this 14<sup>th</sup> day of April, 2015.

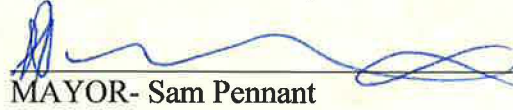
**PASSED AND DULY ADOPTED**, on Second Reading with a quorum present and voting, by the Town Commission, this the 28<sup>th</sup> day of April, 2015.

**TOWN OF DUNDEE, FLORIDA**

ATTEST:

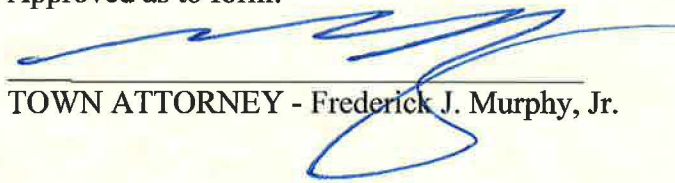


TOWN CLERK – Deena Ware



MAYOR- Sam Pennant

Approved as to form:



TOWN ATTORNEY - Frederick J. Murphy, Jr.