WHEREAS, Islamorada, Village of Islands (the “Village”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, in accordance with Chapter 162, Florida Statutes, and the Village Code of Ordinances, the Village recorded a Code Enforcement Lien in Case No. 11-211-GM against property located within the Village at 211 Johnny Road, Tavernier, Florida 33070; and

WHEREAS, as of December 15, 2015, the lien totaled One Hundred Fifteen Thousand Six Hundred Twenty-Five Dollars ($115,625.00); and

WHEREAS, the Village’s Code Compliance Department has determined that the property is in compliance and an Affidavit of Compliance has been issued for the property; and

WHEREAS, on December 15, 2015, the Village Code Compliance Hearing Officer, after hearing testimony, entered an “Order Reducing Fines” thereby reducing the lien total of One Hundred Fifteen Thousand Seven Hundred Fifty Dollars ($115,750.00) to Eighty-Seven Thousand Dollars ($87,000.00) in accordance with Section 2-120 of the Village Code of Ordinances (the “Code”); and

WHEREAS, the former property owner has requested a hearing for reconsideration before the Village Council seeking a further reduction of the lien amount; and
WHEREAS, Section 2-120(s) of the Village Code provides that the Village Council may, for good cause shown, reduce the fine below the fine reduction guidelines; and

WHEREAS, in determining good cause, the Village Council may consider the efforts of the owner to bring the property into compliance, the seriousness of the violation, prior violations, if any, the reduced lien amount approved by the Village Code Compliance Officer and any other relevant factors; and

WHEREAS, the Village Council finds that consideration of this Request for Reconsideration is in accordance with Chapter 162, Florida Statutes, and the Village Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Consideration of Reduction. The Village Council hereby determines that there is good cause to reduce the fine below the fine reduction guidelines. Based on the foregoing, the Village Council recommends that the fine and lien amount be reduced by fifty (50%) percent to Fifty Seven Thousand Eight Hundred Twelve Dollars ($57,812.00).

Section 3. Authorization of Village Officials. The Village Manager is hereby authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.
PASSED AND ADOPTED ON THIS 14TH DAY OF JANUARY, 2016.

Motion to adopt by Councilman Chris Sante, second by Councilman Mike Forster.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Deb Gillis .................. YES
Vice Mayor Jim Mooney .......... NO
Councilman Mike Forster .......... YES
Councilman Chris Sante .......... YES
Councilman Dennis Ward .......... YES

DEB GILLIS, MAYOR

ATTEST:

KELLY TOOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF ISLAMORADA, VILLAGE OF ISLANDS ONLY

ROGET V. BRYAN, VILLAGE ATTORNEY