

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Daniel J. Stallone, Code Compliance Official: 797-1121

SUBJECT: Resolution

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIENS IN CASE NO. 93-146 FROM \$7,000. IN AMOUNT TO \$1,733.38.; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The respondent was cited for tow truck parking in a residential district. The violations have been corrected at this time and mitigation is now acceptable.

PREVIOUS ACTIONS: Not applicable.

CONCURRENCES: The respondent agreed with the amount as per the mitigation guidelines.

FISCAL IMPACT: Not applicable.

RECOMMENDATION(S):

The Code Compliance Division's recommended mitigation amount, as per our approved guidelines, equals \$1,733.38 with 45 days to pay the mitigated amount.

Attachment(s): Resolution, Mitigation and Request.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF CODE COMPLIANCE LIENS IN CASE NO. 93-146 FROM \$7,000 IN AMOUNT TO \$1,733.38; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Bob’s Towing, Inc, requested a mitigation of a Code Compliance lien from \$7,000 to \$1,733.38; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violations of Code Section 12-33(f) were corrected; and

WHEREAS, the Town of Davie Code Compliance Division mitigation guidelines proscribed a mitigation amount equal to \$1,733.38; and

WHEREAS, Bob’s Towing, and the Town of Davie Code Compliance Division are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the certain Code Compliance liens arising out of Case 93-146 in the amount of \$7,000, against Bob’s Towing, are hereby mitigated in amount to \$1,733.38.

SECTION 2. That this mitigated amount of \$1,733.38 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$1,733.38 not be paid within the specified time the liens shall revert to the original amount of \$7,000.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2003

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2003

MITIGATION REQUEST SUMMARY

DATE: February 25, 2003
NAME: Bob's Towing
ADDRESS: 5750 S. State Road 7
CASE: 93-146

SUMMARY:

Date respondent cited:		June 30, 1993
Date of Final Order:		August 20, 1993
Non-Compliance Hearing(s):	March 3, 1998	June 16, 1998
Fine/Lien(s) Imposed:	\$4,000	\$3,000

The respondent was cited for the following violations of the Town of Davie Code:

Section 12-33(f): Tow truck parking in a residential district.

At this time, the violations have been fully corrected and mitigation is possible.

The Code Compliance Division's recommended mitigation amount, as per our approved guidelines, equals \$1,733.38 with 45 days to pay the mitigated amount.

DANIEL J. STALLONE
CODE COMPLIANCE OFFICIAL

**TOWN OF DAVIE CODE COMPLIANCE
MITIGATION WORKSHEET
CASE #93-146**

Respondent(s): Bob's Towing Inc.

Address: 5750 S. State Road 7

Fine/Lien Amount: \$3,000.00

Mitigation Recommendation:
(as per approved mitigation guidelines)

a) 2.5 % of \$3,000 = \$ 75.00

b) 2% of \$3,000
(12 days of non-compliance;
2% of lien/fine per each 60 day period) = \$ 60.00

c) Mitigation Base Fee = \$ 709.19
(Town costs incurred by
Code Compliance)

Total = \$ 844.19

**TOWN OF DAVIE CODE COMPLIANCE
MITIGATION WORKSHEET
CASE #93-146**

Respondent(s): Bob's Towing Inc.

Address: 5750 S. State Road 7

Fine/Lien Amount: \$4,000.00

Mitigation Recommendation:
(as per approved mitigation guidelines)

a) 2.5 % of \$4,000	=	\$ 100.00
b) 2% of \$4,000 (16 days of non-compliance; 2% of lien/fine per each 60 day period)	=	\$ 80.00
c) Mitigation Base Fee (Town costs incurred by Code Compliance)	=	\$ <u>709.19</u>
Total	=	\$ 889.19