

RESOLUTION NO. 2010-1962

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, CREATING AN AD HOC COMMITTEE TO STUDY THE CURRENT CODE ENFORCEMENT PROGRAM AND TO IDENTIFY OPPORTUNITIES AND MAKE RECOMMENDATIONS FOR THE FUTURE AND TO REPORT BACK TO THE TOWN COMMISSION.

WHEREAS, the Town of Surfside Town Commission is interested in reviewing the current Code Enforcement program and wish to identify opportunities for potential improvement; and

WHEREAS, the Town of Surfside Town Commission recognizes an opportunity to review Code Enforcement to maintain reasonable aesthetic and quality of life standards for a safe community; and

WHEREAS, the Town of Surfside Town Commission has determined to review enforcement standards and procedures, short term rentals, and other policies; and

WHEREAS, Members of the Town Commission have provided the names of residents who volunteered to be a part of the Committee; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA,

Section 1. Recitals. That the above and foregoing recitals are true and correct and are incorporated herein.

Section 2. Authorization. The Town Commission hereby appoints an ad hoc Code Enforcement Committee. The members of the committee are listed in Exhibit "A" attached and may be changed from time to time by vote of the Commission.

Section 3. Implementation. The Code Enforcement Committee is charged with reporting progress to the Town Commission at their regular meeting on December 14, 2010 and providing the final report and recommendations at the March, 2011 Town Commission meeting.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12th day of October, 2010.



Daniel Dietch, Mayor

Attest:



Debra E. Eastman, MMC

Town Clerk

**Approved as to form and legality for the use
and benefit of the Town of Surfside only:**



Lynn M. Dannheisser

Town Attorney

move: Comm. Kopelman
Second: Vice Mayor Graubart

Comm. Kopelman yes
Comm. Karukin yes
Comm. Olczyk yes
Vice Mayor Graubart yes
Mayor Dietch yes

EXHIBIT "A"

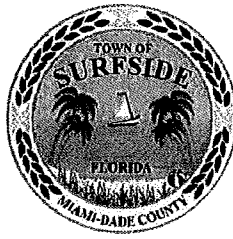
CODE ENFORCEMENT AD HOC COMMITTEE

Randall Rubins

Anthony Blate

Barbara McLaughlin

Mitchell Kinzer



Town of Surfside

To: Code Enforcement Committee Members: Randall Rubins, Anthony Blate, Barbara McLaughlin, Mitchell Kinzer

From: Roger M. Carlton, Interim Town Manager

Date: October 12, 2010

Subject: Code Enforcement Ad Hoc Committee

Objective: To charter and support the Code Enforcement Ad Hoc Committee to perform a review of Surfside's current code enforcement program and identify opportunities and make recommendations to the Town Commission to improve the program, including, but not limited to the structure, provisions and enforcement that result in the improvements to the program.

Background: At its regular meeting in June, 2010, the Surfside Town Commission provided policy direction to the Town Manager to create a Code Enforcement AD Hoc Committee to study and report back to the Town Commission on potential improvements to the Town's code enforcement program.

The Town Commission is charging the Code Enforcement Ad Hoc Committee with reviewing the Town's codes for enforcement for reasonable enforcement, guidelines on enforcement, procedures and standards, short-term rental policy, code enforcement policy (strictness/consistency), public information campaign and an assessment of code enforcement manpower needs for Surfside. The Committee will work with Town Staff including the Town Manager, Building Official, Code Enforcement Officer, Tourist Director, Finance Director, Chief of Police and Planning and Zoning Board to formulate recommendations to the Town Commission for policy direction.

Consideration: Effective code enforcement is fundamental to maintaining minimum aesthetic and "quality of life" standards and a safe community. However, uniform code enforcement has been adversely impacted by inconsistent policy over the past few years. The Town Commission recently enacted legislation that provides a 120 day "amnesty" period to allow code violations to be rectified without the imposition of penalties. The exception to this "amnesty" period relates to life-safety violations.

While Town resources are limited, an effective code enforcement program is possible, but it requires clear Commission policy. With the "amnesty" period, this Commission has created a breathing period to review the current code for applicability and clarity and to be prepared to implement a code enforcement program that reflect reasonableness, is easily understandable, and has an enforcement component that relates to the seriousness of the infraction. As an underlying philosophy, code enforcement should educate our residents and business people to obtain voluntary compliance.

Building Official, Paul Gioia and Code Enforcement Officer, Michael Garcia will provide staff support to the Committee. An interim report is expected to the Town Manager and Town Commission for the December 14, 2010 Town Commission meeting. A final report and recommendations are to be made to the Town Commission at their March, 2011 meeting.

Cc: Planning and Zoning Board
Paul Gioia, Building Official
Michael Garcia, Code Enforcement Officer
David Allen, Police Chief
Duncan Tavares, Tourist Bureau Director
Martin Sherwood, Finance Director