

RESOLUTION NO. 11- 2043

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER TO APPOINT CODE ENFORCEMENT OFFICERS FOR THE TOWN WHO MAY INCLUDE LAW ENFORCEMENT OFFICERS TO ADDRESS CODE VIOLATIONS FOR SECTION 90-79 "ABANDONED OR INOPERABLE VEHICLES"; SECTION 90-79 "RESTRICTED AND PROHIBITED PARKING"; SECTION 74-1 "COMMERCIAL VEHICLES IN THE RESIDENTIAL AREAS"; SECTION 54-63 "SIDEWALK OR STREET OBSTRUCTION"; CHAPTER 10 "ANIMALS" INCLUDING BUT NOT LIMITED TO LEASH LAW, FECAL DISPOSAL, DOGS ON THE BEACH, BARKING OR VICIOUS DOGS; SECTION 54-78 "PROHIBITED NOISES"; SECTIONS 34-78 THROUGH 34-80 "LITTER ORDINANCE"; SECTION 14-29 "WORK WITHOUT PERMIT"; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute Section 162.21 provides that law enforcement officers may be designated by the municipality as a "Code Enforcement Officer;" and

WHEREAS, Section 15-2 of the Code of the Town of Surfside authorizes the Town Manager to appoint Code Enforcement Officers for the Town who may include law enforcement officers; and

WHEREAS, code violations may occur during the evening hours or weekends and the Town Code Enforcement Officer works daily Monday through Friday; and

WHEREAS, code compliance authority for Police Officers will allow 24 hour, seven day a week coverage for the Town; and

WHEREAS, over the past few weeks, all Surfside Police Officers have been trained in code compliance enforcement by the Town Building Official on the following specific code violations which address quality of life issues:

Section 90-79 Restricted and Prohibited Parking;

Section 74-1 Commercial Vehicles in the Residential Area;

Section 54-63 Sidewalk or Street Obstruction;

Chapter 10 "Animals" including but not limited to Leash Laws, Fecal Disposal, Dogs on the Beach, Barking or Vicious Dogs;

Section 54-78 Prohibited Noises;

Section 34-28 Illegal Deposit of Debris;

Section 34-78 through 34-80 Litter Ordinance

Section 14-29 Work Without Permit.

WHEREAS, Town Staff recommends that the Town Commission approve a Resolution authorizing the Town Manager to appoint Surfside Police Officers with Town Code Enforcement authority for the above-stated specific code violations; and

WHEREAS, Code Compliance authority for Police Officers will allow the Town to promptly address quality of life complaints from its residents and provide a greater service level to the residents without any additional expense and alleviate concerns regarding enforcement of the above-stated code enforcement violations when the Code Enforcement Officer is not on duty; and

WHEREAS, this Resolution will sunset in February 2012 when a review will be presented to the Town Commission regarding continuation of the program.

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 authorizes the Town Manager to appoint all Surfside Police Officers trained in code enforcement as Code Enforcement Officers to address the above-stated code violations sections only.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

Motion by Commissioner Karickhoff Second by Commissioner Grainhart

PASSED AND ADOPTED this 13 day of September 2011

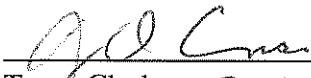
FINAL VOTE ON ADOPTION

Commissioner Michael Karukin
Commissioner Edward Kopelman
Commissioner Marta Olchyk
Vice Mayor Joseph Graubart
Mayor Daniel Dietch

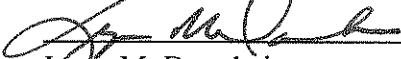
yes
yes
yes
yes
yes


Daniel Dietch, Mayor

ATTEST:


Town Clerk JOHN DI CENSO

APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:


Lynn M. Dannheisser
Town Attorney