



## Legislation Details (With Text)

**File #:** 17-893      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Agenda Ready  
**File created:** 11/2/2017      **In control:** City Commission  
**On agenda:** 11/20/2017      **Final action:**  
**Title:** ORDINANCE NO. 42-17 AMENDING CHAPTER 37, "DELRAY BEACH CODE ENFORCEMENT GENERAL PROVISIONS", BY REPEALING SECTIONS 37.01 THROUGH 37.46 AND READOPTING SAME, AS REVISED IN ORDER TO AMEND AND REVISE THE CITY'S CODE ENFORCEMENT PROCEDURES IN ACCORDANCE WITH CHAPTER 162, FLORIDA STATUTES. (SECOND READING)  
**Sponsors:** City Attorney Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Ord 42-17 Revising Chapter 37 Code Enforcement, 2. Ord. 42-17 Exhibit A

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** R. Max Lohman, City Attorney  
**THROUGH:** Mark R. Lauzier, City Manager  
**DATE:** November 20, 2017

ORDINANCE NO. 42-17 AMENDING CHAPTER 37, "DELRAY BEACH CODE ENFORCEMENT GENERAL PROVISIONS", BY REPEALING SECTIONS 37.01 THROUGH 37.46 AND READOPTING SAME, AS REVISED IN ORDER TO AMEND AND REVISE THE CITY'S CODE ENFORCEMENT PROCEDURES IN ACCORDANCE WITH CHAPTER 162, FLORIDA STATUTES. (SECOND READING)

### **Recommended Action:**

Motion to approve Ordinance No. 42-17.

### **Background:**

This proposed ordinance seeks to amend the current Chapter 37 as it relates to the Code Enforcement Board. This Ordinance seeks to employ the use of a special magistrate instead of a Code Board. Throughout the State of Florida, most municipalities utilize a special magistrate to preside over code enforcement hearings. By doing so, the results are more consistent and equitable, thus affording respondents with fundamental due process.

### **City Attorney Review:**

Approved as to form and legal sufficiency.