

ORDINANCE NO. 279

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA, IMPOSING LIENS ON REAL ESTATE FOR NON-PAYMENT OF SERVICE CHARGES OR FEES FOR WATER SERVICE, SEWER SERVICE, ELECTRIC SERVICE, TRASH COLLECTION, GARBAGE COLLECTION, OR OTHER SIMILAR SERVICE FURNISHED OWNERS OR OCCUPANTS OF SUCH REAL ESTATE BY THE CITY, ESTABLISHING PRIORITY OF SUCH LIENS, ESTABLISHING METHOD OF ENFORCEMENT, PROVIDING PENALTY FOR VIOLATION THEREOF, AND AUTHORIZING INCLUSION IN CITY CODE.

BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST MIAMI, FLORIDA:

Section 1. Whenever the City of West Miami shall furnish water service, electric service, sewer service, trash collection, garbage collection, or other similar service to the owner or occupant of any real estate within the City for a service charge or fee, and the service charges or fees for such services shall not be paid within three (3) calendar months from the date of the mailing such bill or statement of service charges or fees to the owner or occupant of the real estate receiving the benefits of such services, such delinquent service charges or fees and any penalty charges imposed thereon for non-payment shall be and thereupon become a special assessment lien upon the real estate to which such services were delivered or where such services were performed. Such liens shall become effective three (3) calendar months after mailing of bill or statement therefor to the property owner or occupant at the address of said property without the necessity of the filing of any further statement or claim of lien or the performance of any further act by the City.

Section 2. The liens provided for in Section 1 shall be equal in rank and dignity with the liens of the City for ad valorem taxes on real property; and such liens shall be superior in rank and dignity to all other liens, encumbrances, titles and claims in, to, or against the real property involved. Such liens shall be collected in the same manner as delinquent ad valorem taxes of the City on real estate as provided in the City Charter and the

Florida Statutes; and all provisions thereof for the advertising of sales, issuance of certificates and deeds and all procedures provided thereby are incorporated herein by reference and made applicable to the liens provided for herein. It shall be the duty of the Mayor to collect such liens as herein provided and to conduct sales of such delinquent service charges and fees at the time provided in the Florida Statutes for the sale of delinquent ad valorem taxes and to perform all of the acts and duties imposed upon the Mayor by the aforementioned provisions of the City Charter and the Florida Statutes.

Section 3. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding Five Hundred Dollars, or be imprisoned in the City Jail not exceeding sixty days, or by both such fine and imprisonment.

Section 4. If any provision or portion of this Ordinance shall be declared to be invalid the remaining portion shall not be affected, but shall remain in full force and effect.

Section 5. This Ordinance shall become effective January 1, 1967.

Section 6. This Ordinance is enacted pursuant to Article I Section 27 of the City Charter, and shall be incorporated into the City Code and for such purpose may be renumbered or relettered.

PASSED and ADOPTED this 21st day of December, 1966.

Harvey H. Stahl
President, City Council

Attest:

Bessie Blum
City Clerk

APPROVED:

Edmund Raper
Mayor