

ORDINANCE 2014-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 99 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES BY CREATING SECTION 99.140, PROVIDING FOR MUNICIPAL LIEN SEARCH FEES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park (the "City") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City frequently receives requests for lien searches from title companies, banks, financial institutions, attorneys, and another entities and individuals; and

WHEREAS, when a lien search request is received by the City, it requires staff time to respond to such requests; and

WHEREAS, in light of the processing time and cost to the City, the City desires to impose a charge for such lien searches; and

WHEREAS, the City of Fruitland Park City Commission desires to impose a \$30.00 charge for a regular lien search for any parcel of real property located in the city, defined as a search request that may not be completed by the city within three (3) to five (5) business days of receipt (excluding city-recognized holidays), and which may take up to five (5) business days to complete; and

WHEREAS, the City of Fruitland Park City Commission desires to impose a \$50.00 charge for a rush lien search for any parcel of real property located in the city, defined as a search request which shall be completed by the city within one (1) to two (2) business days of receipt (excluding city-recognized holidays), if such request is made Monday through Friday; and

WHEREAS, search requests made on Friday will be processed within the same one (1) to two (2) business days beginning no earlier than Monday (excluding city-recognized holidays); and

WHEREAS, all applicable fees must be paid at the time of the request prior to the request being processed; and

WHEREAS, the City of Fruitland Park City Commission desires to authorize the City Manager to adjust the charges for lien search requests as needed, from time to time, in the exercise of the City Manager's sole and reasonable discretion.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA AS FOLLOWS:

**Section 1.** The recitals above are hereby incorporated herein by reference.

**Section 2.** Chapter 99 of the City of Fruitland Park Code of Ordinances is hereby amended to create section 99.140, as follows:

**Section 99.140. Municipal Lien Search Fees.**

- A. The charge for a regular lien search for any parcel of real property located in the City, defined as a search request that may not be completed by the City within three to five business days of receipt of

the request, and which may take up to five (5) business days to complete, is hereby established at \$30.00.

- B. The charge for a rush lien search for any parcel of real property located in the City, defined as a search request which shall be completed by the City within one to two business days of receipt of the request, if such request is made Monday through Thursday, is hereby established at \$50.00.


**Section 3.** The City Manager is hereby authorized to adjust the charges for lien search requests as needed, from time to time, in the exercise of the City Manager’s sole and reasonable discretion.

**Section 4.** All portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 5.** The provisions of this Ordinance are intended to be incorporated into the Code of Ordinances of the City of Fruitland Park, Florida and the sections of this Ordinance may be renumbered, relettered, and the word “ordinance” may be changed to “section”, “article”, or such other word or phrase in order to accomplish such intention.

**Section 6.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

**PASSED AND ORDAINED** this 10<sup>th</sup> day of April, 2014, by the City Commission of the City of Fruitland Park, Florida.

  
CHRISTOPHER J. BELL, MAYOR

Attest:



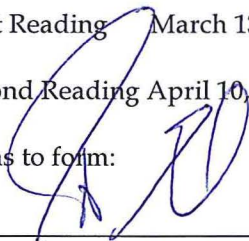
Esther Coulson, CMC, City Clerk

Vice Mayor Goldberg	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Cheshire	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Gunther	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Kelly	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Mayor Bell	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)

Passed First Reading March 13, 2014

Passed Second Reading April 10, 2014

Approved as to form:



Scott A. Gerken, City Attorney