



## Legislation Details (With Text)

**File #:** 21-4624 **Name:** RESOLUTION NO. R2021-50 (LIEN REDUCTION POLICY)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A LIEN REDUCTION POLICY TO DELEGATE CERTAIN APPROVAL LEVELS TO STAFF; AND PROVIDING AN EFFECTIVE DATE.

**Type:** Policy

**In control:** Village Council

**On agenda:** 9/13/2021

**Final action:**

**Title:** RESOLUTION NO. R2021-50 (LIEN REDUCTION POLICY)

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### Code sections:

**Attachments:** 1. 1. R2021-50LienReductionPolicy, 2. 2. LienReductionPolicyFINAL, 3. 3. Code Compliance Liens, 4. 4. Liens excess of \$100K (002), 5. 5. Settlements 2019-2021

Date	Ver.	Action By	Action	Result
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### ITEM: RESOLUTION NO. R2021-50 (LIEN REDUCTION POLICY)

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A LIEN REDUCTION POLICY TO DELEGATE CERTAIN APPROVAL LEVELS TO STAFF; AND PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Approval of Resolution No. R2021-51 approving a lien reduction policy to delegate certain approval levels to staff.

**EXPLANATION:** Chapter 162 of the Florida Statutes sets forth the administrative procedures for enforcing municipal codes, and section 162.09(3) provides that a lien arising from such proceedings runs in favor of the Wellington Council. Section 2-199(b) of Wellington's Code of Ordinances similarly provides that liens arising from code enforcement proceedings run in favor of the Village Council. The Village Council has determined that its staff has the appropriate knowledge, training, and ability to compromise certain liens and should be delegated authority to do so once a violation has been corrected. The delegation of such authority as outlined will reduce the burden on the Village Council by reducing the number of cases that require Council consideration and will further benefit those seeking lien reductions by streamlining the process and preventing public discussion of sensitive and personal information.

The Village Council discussed the proposed policy at a workshop on August 23, 2021. The proposed policy reflects the Council's direction. One change to the policy was made to reference residences with homestead exemptions versus single-family homesteaded property, as there are duplexes, townhouses, etc. that possess homestead exemptions.

**BUDGET AMENDMENT REQUIRED:** NO

**PUBLIC HEARING:** NO

**QUASI-JUDICIAL:**

**FIRST READING:**

**SECOND READING:**

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** NO

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Approval of Resolution No. R2021-50 approving a lien reduction policy to delegate certain approval levels to staff.