

**RESOLUTION NO. 09-06-43**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING RESOLUTION 04-10-58 REGARDING THE SCHEDULE OF VIOLATIONS AND FINES BY ADDING FINES SPECIFICALLY FOR VIOLATIONS RELATED TO VACATION RENTALS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Section 2-149 of the Village Code provides for the adoption of a Schedule of Violations and Fines (the "Schedule") by resolution of the Village Council; and

**WHEREAS**, the Village Council adopted the Schedule on May 10, 2001 by Resolution No. 01-05-28 and amended the Schedule on October 28, 2004 by Resolution No. 04-10-58; and

**WHEREAS**, the Village Council desires to amend Resolution No. 04-10-58 to provide for fines specifically related to vacation rentals.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

**Section 1.**    **Recitals.**    The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2.**    **Amendment to Resolution.** Resolution No. 04-10-58 is hereby amended to read as follows<sup>1</sup>:

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<sup>1</sup> Proposed additions to the existing text of the Village Code are indicated by underline; proposed deletions from the existing text of City Code are indicated by ~~strikethrough~~.

Schedule of Violations and Fines

<u>Violation</u>	<u>Reduced Fine</u>	<u>Maximum Fine</u>	<u>Mandatory Fine for Second Offense</u>	<u>Mandatory Fine for Third or Subsequent Offense</u>
Abandoned Vehicles	\$200.00	\$250.00	\$300.00	\$500.00
Abandoned Watercraft	\$200.00	\$250.00	\$300.00	\$500.00
Prohibited Signs	\$200.00	\$250.00	\$300.00	\$500.00
Unlawful Disposal of Solid Waste	\$200.00	\$250.00	\$300.00	\$500.00
Non-Permitted Public Assembly	\$200.00	\$250.00	\$300.00	\$500.00
Sale of Merchandise or Vehicles in Right-of-Way	\$200.00	\$250.00	\$300.00	\$500.00
Illegal Dumping	\$200.00	\$250.00	\$300.00	\$500.00
Failure to Maintain or Mow Private Property	\$200.00	\$250.00	\$300.00	\$500.00
Violation of Litter Ordinance	\$400.00	\$500.00	\$500.00	\$500.00
Standing Water That Constitutes a Nuisance	\$200.00	\$250.00	\$300.00	\$500.00
Violation within a Mobile Home Park, Including Tie-downs	\$200.00	\$250.00	\$300.00	\$500.00
Vacant and Unsecured Buildings/Property	\$200.00	\$250.00	\$300.00	\$500.00
Violation of Conditions of Resolution of Waiver of Resolution Imposing Moratorium	\$200.00	\$250.00	\$300.00	\$500.00
Unlicensed Contractor - (No Certificate of Competency) for Contractor who entered into contract with Owner	\$200.00	\$250.00	\$300.00	\$500.00

Unlicensed Contractor - (No Certificate of Competency) for Owner who entered into contract with Contractor	\$200.00	\$250.00	\$500.00	\$500.00
Unlicensed Contractor - (No Certificate of Competency) for worker hired by Contractor who entered into contract with Owner	\$75.00	\$100.00	\$200.00	\$500.00
Owner Working Without a Valid Building Permit	\$200.00	\$250.00	\$500.00	\$500.00
Contractor Working Without a Valid Building Permit	\$200.00	\$250.00	\$500.00 and loss of permit pulling privileges for sixty days.	\$500.00 and loss of permit pulling privileges for sixty days. (For third offense within a twelve month period, \$500 and loss of permit pulling privileges until until a hearing is held before held before the Contractor Examining Board and the Contractor complies with the Order of the Board.)
Contractor Not Registered with the Village	\$200.00	\$250.00	\$300.00	\$500.00
Working Through a Stop Work Order	\$200.00	\$250.00	\$300.00	\$500.00

Violation of Vacation \$400.00 \$500.00 \$500.00 \$500.00  
Rental Ordinance

Violation of Provision of \$75.00 \$100.00 \$200.00 \$500.00  
the Village Code Not  
Specifically Listed Above

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

Motion to adopt by Vice Mayor Reckwerdt, second by Councilwoman Hill.

FINAL VOTE AT ADOPTION

Mayor Don Achenberg YES  
Vice Mayor Michael Reckwerdt YES  
Councilman Dave Boerner YES  
Councilwoman Jill Zima Borski YES  
Councilwoman Cathi Hill YES


**PASSED AND ADOPTED THIS 11<sup>th</sup> DAY OF JUNE, 2009.**

ATTEST:

  
DON ACHENBERG, MAYOR

  
VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY FOR THE  
USE AND BENEFIT OF ISLAMORADA, VILLAGE OF ISLANDS:

  
VILLAGE ATTORNEY  
Weiss, Serota, Helfman, Pastoriza,  
Cole & Boniske, P.L.