

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF HOLLYWOOD, FLORIDA, AUTHORIZING THE CITY
ATTORNEY TO FILE CIVIL ACTIONS TO COLLECT
UNPAID AND DELINQUENT CIVIL BEACH CITATIONS.

WHEREAS, Chapter 99 of the Hollywood Municipal Code establishes certain activities allowed, and certain activities prohibited, on the Hollywood Beach; and

WHEREAS, Section 99.99 of the Hollywood Municipal Code states the following: “any person violating the provisions of Subsection 99.02, 99.03, 99.04 or 99.05 shall be deemed guilty of a civil infraction”; and

WHEREAS, Section 99.99 (D) of the Hollywood Municipal Code states the following: “any person who fails to pay the appropriate civil penalty within the time allowed or who fails to appear in court to contest the violation shall be deemed to have waived his/her right to contest the citation, and judgment may be entered against the person for an amount not to exceed \$500.00”; and

WHEREAS, Hollywood Police Officers, Park Rangers and other Hollywood Officials, whom are authorized to issue civil beach citations, routinely issue such citations at the Hollywood Beach; and

WHEREAS, all civil beach citations expressly indicate that payment is to be made within two (2) working days from the date of issuance of the citation or a request for court hearing must be made. Upon the failure of the recipient of the citation to make the requisite payment, or request a court hearing, a demand letter requesting payment is sent by the City Attorney’s Office approximately thirty (30) days after issuance of the citation; and

WHEREAS, the City currently has numerous unpaid civil beach citations in which no court hearing has been requested; and

WHEREAS, demand letters have been sent with respect to such unpaid civil beach citations; and

WHEREAS, in order to obtain a judgment to collect on the unpaid and delinquent beach citation the City Attorney’s Office is required to file civil lawsuits;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the City Attorney is hereby authorized to file civil actions in Broward County Court to collect on civil beach citations that remain unpaid after the express payment period and issuance of a demand letter.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2016.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:

JEFFREY P. SHEFFEL, CITY ATTORNEY