

**ORDINANCE NO. 2013-84**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF ORDINANCES, ARTICLE V. ENTITLED "FINANCE", DIVISION 2. ENTITLED "FEES AND CHARGES", AND IN PARTICULAR AMENDING SECTION 2-871 "DUPLICATION AND CERTIFICATION OF PUBLIC DOCUMENTS" INCREASING THE NOTARY PUBLIC FEE FROM ONE DOLLAR TO TWO DOLLARS AND INCREASING THE PROPERTY LIEN SEARCH SERVICE FROM TWENTY-FIVE DOLLARS TO THIRTY DOLLARS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the purpose and intent of this ordinance is to increase the fees for notary and lien search services available to the public to more accurately reflect the actual costs incurred by the city in providing those services; and

**WHEREAS**, this amendment advances the City's interest in promoting the community's welfare by balancing the need to account for the expenditure of public funds and meeting the community's need for these services at a reasonable cost.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** Chapter 2 entitled "Administration", of the Code of Ordinances of the City of Hialeah, Florida, is hereby amended to read as follows:

Chapter 2

**ADMINISTRATION**

\* \* \*

**ARTICLE V. FINANCE**

\* \* \*

**DIVISION 2. FEES AND CHARGES**

**Sec. 2-871. Duplication and certification of public documents.**

\* \* \*

(c) *Notary public fee.* Except for certification of public records, ~~The city shall charge \$1.00~~ \$2.00 as a fee for each notarial act of a notary public whose commission is paid by the city. This service is available to any person or entity who requires a notarial act as part of any transaction involving city services or necessary for the proper administration of city business.

(d) *Property lien services.* The city, through its code compliance division, water and sewers division and departments of the city clerk and grants and human services each, shall charge ~~\$25.00~~ \$30.00 as a fee for property lien searches, for each property address.

\* \* \*

**Section 2: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3: Penalties.**

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

**Section 4: Inclusion in Code.**

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Hialeah, as an addition or amendment thereto, and the sections of this ordinance shall be renumbered to conform to the uniform numbering system of the Code.

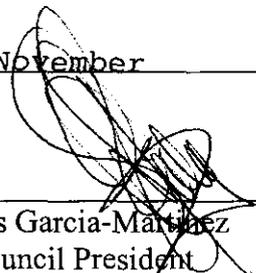
**Section 5: Severability Clause.**

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

**Section 6: Effective Date.**

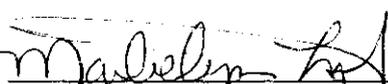
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 26 day of November, 2013.

  
\_\_\_\_\_  
Isis Garcia-Martinez  
Council President

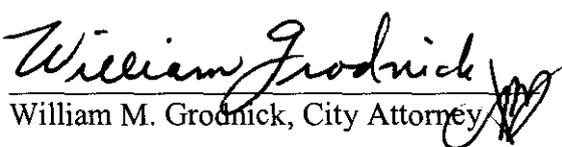
Attest:

Approved on this 2 day of DEC, 2013.

  
\_\_\_\_\_  
Marbelys Fatjo, Acting City Clerk

  
\_\_\_\_\_  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

~~Strikethrough~~ indicates deletion. Underline indicates addition.

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Ordinance was adopted by a 6-0-1 vote with Council Members, Garcia-Martinez, Casals-Munoz, CaragoI, Gonzalez, Hernandez and Lozano voting "Yes", Council Member Cue-Fuente was absent.