

Town Code  
Chapter 26, Article V, Sec. 26-251  
Registration of Abandoned Real Property

- (a) Any mortgagee who holds a mortgage on real property located within the town shall, upon default by the mortgagor and prior to the issuance of a notice of default, perform an inspection of the property that is the security for the mortgage. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned real property and the mortgagee shall, within ten days of the inspection, register the property with the town manager, or his designee, on forms provided by the town, which registration shall include an identification of the property as vacant (including showing evidence of vacancy). A registration is required for each vacant property.
- (b) If the property is occupied but the mortgage on the property remains in default, the property shall be inspected by the mortgagee or his designee monthly until the mortgagor or other party remedies the default, or it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned real property, and the mortgagee shall, within ten days of that inspection, register the property with the town manager, or his designee, on forms provided by the town, or if the property is already registered, update the status of the property to either remove it from the registry or identify the property as vacant (including showing evidence of vacancy). A separate registration is required for each property.
- (c) Regardless of whether the property is vacant or occupied, upon filing a notice of default, or an action to foreclose on a mortgage or similar instrument, the property shall be deemed an abandoned real property, and if not currently registered with the town under this section, the mortgagee shall, within ten days of that filing, register the property with the town manager, or his designee, on forms provided by the town. A separate registration is required for each property.
- (d) Registration pursuant to this section shall contain the name of the mortgagee and any agents of the mortgagee related to the property, the direct mailing address, contact name and his telephone number, and facsimile number, and e-mail address of the mortgagee and any agents, the folio number, the tax number, and the name and 24 hour contact phone number of the property management company responsible for the security and maintenance of the property.
- (e) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- (f) A registration fee in the amount of \$150.00, per property, shall accompany the registration form(s).
- (g) All properties, whether vacant or occupied, which are subject to this section shall remain under the registration requirement, inspection, security and maintenance standards of this division as long as they remain vacant or subject to a notice of default or foreclosure proceeding, or until the property has been sold to a new property owner and occupied under the new ownership.
- (h) Any person or corporation that has registered a property under this section must report any change of information contained in the registration in writing within ten days of the change to the town manager or his designee.

(Ord. No. 08-16, § 2(19-16.5), 9-17-2008; Ord. No. 10-14, § 2(19-16.5), 11-17-2010)

**ORDINANCE NO. 08-16**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL  
OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING  
CHAPTER 19 "RESPONSIBLE PROPERTY OWNER AND  
MERCHANT ACT" TO INCLUDE PROVISIONS  
RELATING TO THE REGISTRATION, MAINTENANCE  
AND SECURITY OF ABANDONED REAL PROPERTY;  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Cutler Bay (the "Town") recognizes an increase in the number of vacant and abandoned properties located throughout the Town; and

**WHEREAS**, the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances, and lead to general decrease in neighborhood and community aesthetic; and

**WHEREAS**, vacant and abandoned properties present a serious threat to the public health and safety of the community; and

**WHEREAS**, the presence of vacant and abandoned properties may discourage prospective buyers from purchasing real property within the Town; and

**WHEREAS**, many vacant and abandoned properties are the responsibility of lenders and trustees who fail to adequately secure and maintain such properties; and

**WHEREAS**, the Town has a vested interest in protecting the Town against the decay caused by vacant and abandoned properties and concludes that it is in the best interest of the citizens and residents to impose registration requirements on such properties located within the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY AS FOLLOWS:**

**Section 1. Findings.** The foregoing "Whereas" clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

**Section 2. Amendment to Chapter 19 of the Town Code.** The Town Council of the Town of Cutler Bay hereby amends Chapter 19 "Responsible Property Owner and Merchant Act" of the Town Code of Ordinances by adding a new section 19-16 as follows:

**Section 19-16. Abandoned Real Property; Purpose and Intent.**

It is the purpose and intent of the Town to establish a process to address the amount of abandoned real property located within the Town. It is the Town's further intent to specifically establish an abandoned residential property program as a mechanism to

protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of abandoned properties.

**Section 19-16.1. Definitions.**

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned real property* means any property that is vacant and is subject to a mortgage under a current Notice of Default and/or Notice of Mortgagee's Sale, pending Tax Assessors Lien Sale and/or vacant properties that have been the subject of a foreclosure sale where the title was retained by the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

*Evidence of vacancy* means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, overgrown and/or dead vegetation, accumulation of abandoned real property, as defined herein, statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

*Foreclosure* means the process by which a property, placed as security for a real estate loan, is sold at public sale to satisfy the debt if the borrower defaults.

*Enforcement officer* means any building official, zoning inspector, code enforcement officer, fire inspector or building inspector employed within the Town.

*Property management company* means a property manager, property maintenance company or similar entity or individual responsible for the maintenance of abandoned real property.

*Vacant* means any building/structure that is not legally occupied.

**Section 19-16.2. Applicability.**

This section shall be considered cumulative and not superseding or subject to any other law or provision for same, but shall rather be an additional remedy available to the Town above and beyond any other state, county and/or local provisions for same.

**Section 19-16.3. Penalties; schedule of civil penalties**

Any person who shall violate the provisions of this section 19-16 shall, upon conviction, be punished as provided in this section.

The following table shows the sections of this section 19-16, as they may be amended from time to time, which may be enforced pursuant to the provisions of this regulation;

and the dollar amount of civil penalty for the violation of these sections as they may be amended. The "descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the listed Code sections, except to the extent that different types of violations of the same Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of that section may be enforced by the mechanism provided in this section 19-16, regardless of whether all activities proscribed or required within that particular section are described in the "Description of Violation" column. To determine whether a particular activity is proscribed or required by this Code, the relevant Code section shall be examined.

**TABLE INSET:**

<u>Code Section</u>	<u>Description of Violation</u>	<u>Civil Penalty</u>
19-16.5	Failure to register abandoned real property	\$500.00
19-16.6	Failure to properly maintain abandoned real property	\$500.00
19-16.7	Failure to properly secure abandoned real property	\$500.00
19-16.8	Interference with Code Enforcement Officer	\$500.00
	All sections of this section 19-16 not specifically listed in this schedule	\$500.00

**Section 19-16.4. Public Nuisance.**

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Town.

**Section 19-16.5. Registration of Abandoned Real Property.**

(a) Any mortgagee who holds a mortgage on real property located within the Town shall, upon default by the mortgagor and prior to the issuance of a notice of default, perform an inspection of the property that is the security for the mortgage. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned real property and the mortgagee shall, within ten (10) days of the inspection, register the property with the town manager, or his or her designee, on forms provided by the Town. A registration is required for each vacant property.

(b) If the property is occupied but the mortgage on the property remains in default, the property shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall,

within ten (10) days of that inspection, register the property with the town manager, or his or her designee, on forms provided by the Town.

(c) Registration pursuant to this section shall contain the name of the mortgagee, the direct mailing address of the mortgagee, a direct contact name and telephone number of mortgagee, a facsimile number and e-mail address for mortgagee, and the name and twenty-four (24) hour contact phone number of the Property management company responsible for the security and maintenance of the property.

(d) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

(e) A registration fee in the amount of \$150.00, per property, shall accompany the registration form(s).

(f) Properties subject to this section shall remain under the registration requirement, security and maintenance standards of this section as long as they remain vacant.

(g) Any person or corporation that has registered a property under this section must report any change of information contained in the registration in writing within ten (10) days of the change to the town manager or his or her designee.

#### **Section 19-16.6. Maintenance Requirements.**

(a) Properties subject to this section shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), abandoned vehicles, portable storage devices, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

(b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

(c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the Town's Code of Ordinances.

(d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscaping shall not include weeds, gravel, broken concrete, asphalt or similar material.

(e) Maintenance shall include, but not be limited to, watering, irrigation, cutting, and mowing of required ground cover and/or landscape and removal of all trimmings.

(f) Pools and spas shall be maintained so that the water remains free and clear of pollutants and debris. Pools and spas shall comply with all requirements of the Town Code of Ordinances and Florida Building Code, as amended from time to time.

(g) Failure of the mortgagee and/or property owner of record to properly maintain the property may result in a violation of the Town Code and issuance of a citation or Notice of Violation/Notice of Hearing by a Town Code Enforcement Officer. Pursuant to a finding and determination by the Town's Special Magistrate, the Town may take the necessary action to ensure compliance with this section.

**Section 19-16.7. Security Requirements.**

(a) Properties subject to this section 19-16 shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property and/or structure. Broken windows shall be secured by reglazing of the window.

(c) If the property is owned by a corporation and/or mortgagee that is unable or unwilling to perform maintenance and inspections itself, a Property management company shall be contracted to perform bi-weekly inspections to verify compliance with the requirements of this section, and any other applicable laws.

(d) The mortgagee shall inspect or have inspected the property on a bi-weekly basis to ensure that the property is in compliance with this section. Upon the request of Town, the mortgagee shall provide a copy of the inspection reports to the code enforcement division.

(e) Failure of the mortgagee and/or property owner of record to properly maintain the property may result in a violation of the Town Code and issuance of a citation or Notice of Violation/Notice of Hearing by a Town Code Enforcement Officer. Pursuant to a finding and determination by the Town's Special Magistrate, the Town may take the necessary action to ensure compliance with this section.

**Section 19-16.8. Opposing, obstructing enforcement officer; penalty.**

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this section, upon conviction shall be punished by the imposition of a civil penalty in the amount of \$500.00.

**Section 19-16.9. Immunity of enforcement officer.**

Any enforcement officer or any person authorized by the enforcement officer shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon real property while in the discharge of duties imposed by this section.

**Section 19-16.10. Additional Authority.**

The town manager, or his or her designee, shall have authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all door, window or other openings, employment of an on-site security guard, or other measures as may be reasonably required to prevent a decline of the property.

**Section 19-16.11. Adoption of rules; expenditure of funds; declaration of Town purpose.**

The town manager is authorized and empowered to adopt rules and regulations and expend Town funds as may be reasonably necessary and available to carry out the terms of this section, the expenditure of such funds being declared a proper Town purpose.

**Section 3. Severability.** If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 4. Conflict.** All sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

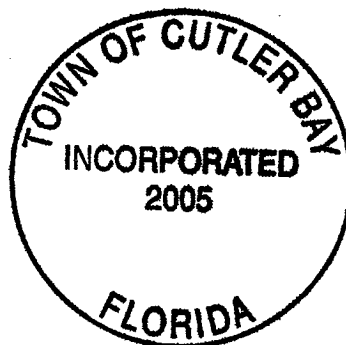
PASSED on first reading this 20<sup>th</sup> day of August, 2008.

PASSED and ADOPTED on second reading this 17<sup>th</sup> day of September, 2008.

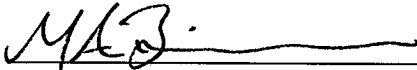
  
PAUL S. VROOMAN, Mayor

Attest:

  
ERIKA GONZALEZ-SANTAMARIA, CMC  
Town Clerk



APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF THE  
TOWN OF CUTLER BAY ONLY:



WEISS, SEROTA, HELFMAN, PASTORIZA,  
COLE & BONISKE, P.L.  
Town Attorney

Moved By: Councilmember Sochin  
Seconded By: Councilmember Bell

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman	<u>YES</u>
Vice Mayor Edward P. MacDougall	<u>YES</u>
Councilmember Peggy R. Bell	<u>YES</u>
Councilmember Timothy J. Meerbott	<u>YES</u>
Councilmember Ernest N. Sochin	<u>YES</u>



**ORDINANCE NO. 10-14**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 19 "RESPONSIBLE PROPERTY OWNER AND MERCHANT ACT" TO INCLUDE PROVISIONS RELATING TO THE REGISTRATION, MAINTENANCE AND SECURITY OF VACANT AND OCCUPIED REAL PROPERTY IN FORECLOSURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Cutler Bay (the "Town") recognizes an increase in the number of residential and non-residential vacant and abandoned properties located throughout the town; and

**WHEREAS**, the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances, and lead to general decrease in neighborhood and community aesthetic, and

**WHEREAS**, vacant and abandoned properties present a serious threat to the public health and safety of the community, and

**WHEREAS**, the presence of vacant and abandoned properties may discourage prospective buyers from purchasing real property within the town, and

**WHEREAS**, many vacant and abandoned properties are the responsibility of lenders and trustees who fail to adequately secure and maintain such properties, and

**WHEREAS**, the identification of properties at the earliest stages of distress upon notice of mortgage default provides the opportunity to protect properties and neighborhoods by addressing registration, maintenance and security issues prior to deterioration of property conditions and/or vacancy, and

**WHEREAS**, the town has a vested interest in protecting the town against the decay caused by vacant, abandoned and foreclosed or defaulted properties and concludes that it is in the best interest of the citizens and residents to impose registration requirements on such properties located within the town.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY AS FOLLOWS:**

**Section 1. Findings.** The foregoing "Whereas" clauses are hereby ratified and incorporated as the legislative intent of this ordinance.

**Section 2. Amendment to Chapter 19 of the Town Code.** The Town Council of the Town of Cutler Bay hereby amends Chapter 19 "Responsible Property Owner and Merchant Act" of the Town Code of Ordinances by amending Section 19-16 as follows:

**Section 19-16. Abandoned and Foreclosed Real Property; Purpose and Intent.**

It is the purpose and intent of the town to establish a process to address the amount of abandoned, foreclosed or distressed real property located within the town, which includes residential and non-residential property, whether vacant or occupied, about which a public notice of default, or an action to foreclose on a mortgage or similar instrument has been filed, is in any stage of foreclosure, or where ownership has been transferred to lender or mortgagee by any legal method. It is the town's further intent to specifically establish an abandoned property program as a mechanism to protect residential neighborhoods as well as commercial, industrial and other non-residential areas, from becoming blighted through the lack of adequate maintenance and security of abandoned and foreclosed properties.

**Section 19-16.1. Definitions.**

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned real property* means any property, whether residential, non-residential, vacant or occupied, that is subject to a mortgage under a current Notice of Default and/or Notice of Mortgagee's Sale, pending Tax Assessors Lien Sale and/or vacant or occupied properties that have been the subject of a foreclosure sale where the title was retained by the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

*Evidence of vacancy* means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, overgrown and/or dead vegetation, accumulation of abandoned real property, as defined herein, statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

*Foreclosure* means the process by which a property, placed as security for a loan, is sold at public sale to satisfy the debt if the borrower defaults.

*Enforcement officer* means any building official, zoning inspector, code enforcement officer, fire inspector or building inspector employed within the Town.

*Property management company* means a property manager, property maintenance company or similar entity or individual responsible for the maintenance of abandoned real property.

*Vacant* means any building/structure that is not legally occupied.

**Section 19-16.5. Registration of Abandoned Real Property.**

(a) Any mortgagee who holds a mortgage on real property located within the town shall, upon default by the mortgagor and prior to the issuance of a notice of default, perform an inspection of the property that is the security for the mortgage. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned real property and the mortgagee shall, within ten (10) days of the inspection, register the property with the town manager, or his or her designee, on forms provided by the town, which registration shall include an identification of the property as vacant (including showing evidence of vacancy). A registration is required for each vacant property.

(b) If the property is occupied but the mortgage on the property remains in default, the property shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed Abandoned Real Property, and the mortgagee shall, within ten (10) days of that inspection, register the property with the town manager, or his or her designee, on forms provided by the town, or if the property is already registered, update the status of the property to either remove it from the registry or identify the property as vacant (including showing evidence of vacancy). A separate registration is required for each property.

(c) Regardless of whether the property is vacant or occupied, upon filing a notice of default, or an action to foreclose on a mortgage or similar instrument, the property shall be deemed an Abandoned Real Property, and if not currently registered with the town under this section, the mortgagee shall, within ten (10) days of that filing, register the property with the town manager, or his or her designee, on forms provided by the town. A separate registration is required for each property.

(d) Registration pursuant to this section shall contain the name of the mortgagee and any agents of the mortgagee related to the property, the direct mailing address, contact name and his/her telephone number, and facsimile number, and e-mail address of mortgagee and any agents, the folio number, the tax number, and the name and twenty-four (24) hour contact phone number of the property management company responsible for the security and maintenance of the property.

(e) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

(f) A registration fee in the amount of \$150.00, per property, shall accompany the registration form(s).

(g) All properties, whether vacant or occupied, which are subject to this section shall remain under the registration requirement, inspection, security and maintenance standards

of this Section 19-16 as long as they remain vacant or subject to a notice of default or foreclosure proceeding, or until the property has been sold to a new property owner and occupied under the new ownership.

(h) Any person or corporation that has registered a property under this section must report any change of information contained in the registration in writing within ten (10) days of the change to the town manager or his or her designee.

#### **Section 19-16.6. Maintenance Requirements.**

(a) Properties subject to this section shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), abandoned vehicles, portable storage devices, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

(b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

(c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the Town's Code of Ordinances.

(d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscaping shall not include weeds, gravel, broken concrete, asphalt or similar material.

(e) Maintenance shall include, but not be limited to, watering, irrigation, cutting, and mowing of required ground cover and/or landscape and removal of all trimmings.

(f) Pools and spas shall be maintained so that the water remains free and clear of pollutants and debris. Pools and spas shall comply with all requirements of the Town Code of Ordinances and Florida Building Code, as amended from time to time.

(g) Failure to properly maintain the property may result in a violation of the Town Code and issuance of a citation or Notice of Violation/Notice of Hearing by a Town Code Enforcement Officer to the mortgagee and/or property owner of record. Pursuant to a finding and determination by the Town's Special Magistrate, the town may take the necessary action to ensure compliance with this section.

#### **Section 19-16.7. Security Requirements.**

(a) Properties subject to this section 19-16 shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property and/or structure. Broken windows shall be secured by reglazing of the window.

(c) If the property is owned by a corporation and/or mortgagee that is unable or unwilling to perform maintenance and inspections itself, a property management company shall be contracted to perform bi-weekly inspections to verify compliance with the requirements of this section, and any other applicable laws.

(d) The mortgagee shall inspect or have inspected the property on a bi-weekly basis to ensure that the property is in compliance with this section. Upon the request of town, the mortgagee shall provide a copy of the inspection reports to the code enforcement division.

(e) Failure to properly maintain the property may result in a violation of the Town Code and issuance of a citation or Notice of Violation/Notice of Hearing by a Town Code Enforcement Officer to the mortgagee and/or property owner of record. Pursuant to a finding and determination by the Town's Special Magistrate, the Town may take the necessary action to ensure compliance with this section.

**Section 3.**     **Severability.** If any section, clause, sentence, or phrase of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this ordinance.

**Section 4.**     **Conflict.** All sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions, or parts of resolutions, in conflict with this ordinance are repealed to the extent of such conflict.

**Section 5.**     **Effective Date.** This ordinance shall be effective immediately upon adoption on second reading.

PASSED on first reading this 15<sup>th</sup> day of September, 2010.

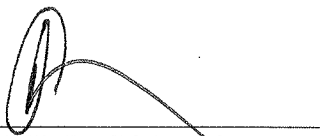
PASSED AND ADOPTED on second reading this 17<sup>th</sup> day of November, 2010.



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EDWARD P. MACDOUGALL, Mayor

Attest:

  
ESTHER B. COULSON  
Town Clerk



APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

  
WEISS SEROTA HELFMAN PASTORIZA COLE & BONISKE, P.L.  
Town Attorney

Moved By: Councilmember Sochin  
Seconded By: Councilmember Bell

FINAL VOTE AT ADOPTION:

Mayor Edward MacDougall	<u>Yes</u> _____
Council Member Mary Ann L. Mixon	<u>Yes</u> _____
Council Member Ernest Sochin	<u>Yes</u> _____
Council Member Peggy Bell	<u>Yes</u> _____