

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: April 2, 2025

Second Reading Date: April 16, 2025

Presenter's Name and Title: Katrina Davenport, Director of Social Services

Prepared By: Katrina Davenport, Director of Social Services

Temp. Ord. Number: TO1842

Item Description: **FIRST READING** of Temp. Ord. #O1842 – Amending Ordinance language relating to the Provision of Fire Protection Services and Assessment of Fire Protection Fees.

Consent ☐ Resolution ☐ Ordinance ☒ Quasi-Judicial ☐ Public Hearing ☐

Instructions for the Office of the City Clerk: [Click or tap here to enter text.](#)

Public Notice – As required by the Sec. _____ of the City Code and/or Sec. _____, Florida Statutes, public notice for this item was provided as follows: on _____ in a _____ ad in the _____; by the posting the property on _____ and/or by sending mailed notice to property owners within _____ feet of the property on _____ (fill in all that apply)

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes ☐ No ☒

Exempt from Business Impact Estimate: Yes ☒ No ☐

REMARKS: This amendment corrects language; however, does not alter or materially change the administration of the ordinance or its fiscal impact.

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO1842**

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Miramar's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Amending Ordinance language relating to the Provision of Fire Protection Services and Assessment of Fire Protection Fees

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Miramar is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Miramar is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Miramar hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This instrument amends Ordinance 04-17 relating to the Provision of Fire Protection Services and Assessment of Fire Protection Fees. This amendment corrects language; however, does not alter or materially change the administration of the ordinance or its fiscal impact.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Miramar, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Miramar's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

N/A

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

N/A

4. Additional information the governing body deems useful (if any):

[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City of Miramar staff solicited comments from businesses in the City of Miramar as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City of Miramar's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].

N/A



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor & City Commissioners

FROM: Dr. Roy L. Virgin, City Manager 

BY: Katrina Davenport, Director of Social Services

DATE: March 27, 2025

RE: FIRST READING of Temp. Ord. No. O1842 – Amending Ordinance relating to the Provision of Fire Protection Services and Assessment of Fire Protection Fees

RECOMMENDATION: It is recommended that the City Commission approve Temporary Ordinance No. 1842 amending language in Ordinance 04-17, Provision of Fire Protection Services and Assessment of Fire Protection Fees.

ISSUE: City Commission approval is required to amend City Ordinance No. 04-17.

BACKGROUND: On April 2, 2024, Resolution 24-88 was adopted by the City Commission amending procedures to administer the hardship assistance provision of the Fire Protection Assessment Ordinance 04-17. Section 2.14 of the Ordinance adopting the Fire Fee, Entitled, “Hardship Assistance” states that “An Owner of Assessed Property who meets poverty level income and asset guidelines established by the City may be eligible to receive payment of a Fire Protection Assessment imposed by the City.” This language is erroneous; therefore, Ordinance 04-17 must be amended.

DISCUSSION: Section 2.14 of the Ordinance adopting the Fire Fee, Entitled, “Hardship Assistance” states that “An Owner of Assessed Property who meets poverty level income and asset guidelines established by the City may be eligible to receive payment of a Fire Protection Assessment imposed by the City.” The current ordinance (No. 04-17) will be updated and presented to the City Commission for the first reading on April 2, 2025, to correct the ordinance language.

ANALYSIS: Resolution 24-88 was passed at the April 2, 2024, Commission meeting amending procedures to administer the “Hardship Assistance” provision of the Fire

Protection Assessment Ordinance No. 04-17. Review of Ordinance No. 04-17 revealed erroneous language requiring amendment of the ordinance.

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**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, AMENDING AND CORRECTING SCRIVENER'S ERRORS IN SECTIONS 1.01 AND 2.14, ORDINANCE NO. 04-17 OF THE CITY OF MIRAMAR CODE OF ORDINANCES ENTITLED PROVISION OF FIRE PROTECTION SERVICES AND ASSESSMENT OF FIRE PROTECTION FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 5, 2004, the Miramar City Commission adopted Ordinance 04-17 for the Provision of Fire Protection Services and Assessment of Fire Protection Fees ("Adopted Ordinance"); and

WHEREAS, a review of the Adopted Ordinance identified a scrivener's error in Section 1.01 relating to the definition of "Tax Collector," and a required amendment of Section 2.14 relating to Hardship Assistance; and

WHEREAS, this Ordinance will amend the Adopted Ordinance to correct the scrivener's error in Section 1.01 and amend Section 2.14; and

WHEREAS, words with single underline shall constitute additions to the original text and ~~strike-through~~ text shall constitute deletions to the original test. Asterisks indicated omitted and unchanged material.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Ord. No. _____

SECTION 1. RECITALS. That the aforesaid recitals are ratified and confirmed as being true and correct and are incorporated in this Ordinance as findings and intent of the City Commission.

SECTION 2. AMENDING ORDINANCE 04-17, SECTION 1.01.

That Ordinance 04-17, Section 1.01, Definitions, is hereby amended as follows:

"**Tax Collector**" means the Department of Finance and Administrative Services as described in Article ~~IV~~ III of the Broward County Charter.

SECTION 3. AMENDING ORDINANCE 04-17, SECTION 2.14.

That Ordinance 04-17, Section 1.01, Definitions, is hereby amended as follows:

SECTION 2.14. HARDSHIP ASSISTANCE. An Owner of Assessed Property who meets poverty level income and asset guidelines established by the City may be eligible to receive ~~payment~~ exemption of a Fire Protection Assessment imposed by the City. The City Commission may adopt by separate resolution, guidelines and directives to the City Manager, or other designated City employee, for implementation and administration of the hardship assistance authorized by this Section. Applicants for this hardship assistance shall provide written documentation satisfactory to the City in order to qualify for such assistance. Any amounts provided for hardship assistance shall be paid by the City from funds other than those generated by Fire Protection Assessments.

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SECTION 4. SEVERABILITY. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and adoption on the second and final reading.

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PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

Requested by Administration

Commissioner Maxwell B. Chambers

Commissioner Avril Cherasard

Commissioner Yvette Colbourne

Commissioner Carson Edwards

Mayor Wayne M. Messam

Voted
