

RESOLUTION NO. 233

A RESOLUTION RELATING TO THE CODE ENFORCEMENT HEARING SYSTEM; PROVIDING FOR AN AGREEMENT BETWEEN THE CITY OF PARKER AND THE BAY COUNTY CLERK OF COURT; RELATING TO THE BAY COUNTY CLERK OF COURTS PROVIDING ADMINISTRATIVE AND CLERICAL SERVICES FOR THE FEES SPECIFIED; AND PROVIDING FOR AN EFFECTIVE DATE UPON PASSAGE

BE IT RESOLVED BY THE CITY OF PARKER:

1. The appropriate officers of the City of Parker are authorized to execute and cause to have delivered on behalf of the City on agreement between the City and the Bay County Clerk of Court relating to the City's code enforcement hearing system administrative and clerical services for the fees specified in the agreement, in substantially the form presented to the City Council today, the 6<sup>th</sup> day of may, 2003 with such changes, insertions, and omissions as may be acceptable to the Mayor and City Attorney, and the execution of such agreement shall be conclusive evidence of such approval.

2. This resolution shall be effective upon passage.

PASSED, APPROVED, AND ADOPTED THIS 6<sup>th</sup> DAY OF may, 2003.

CITY OF PARKER

By: Brenda G. Hendricks  
BRENDA G. HENDRICKS, MAYOR

ATTEST:

Lois La Seur  
LOIS LA SEUR, CITY CLERK

## AGREEMENT

THIS "AGREEMENT" is made and entered into this 6<sup>th</sup> day of May, 2003, between the CITY OF PARKER (the CITY), whose address is 1001 West Park Street, Parker, FL, and the BAY COUNTY CLERK OF COURT (the CLERK), whose address is 300 East 4<sup>th</sup> Street, Panama City, FL, witnesseth:

WHEREAS, the CITY has adopted a Code Enforcement Hearing Officer system, and

WHEREAS, the CLERK is authorized to provide administrative and clerical services for the proper performance of the CITY'S Code Enforcement Hearing Officer system, and

WHEREAS, Chapter 28, Florida Statutes requires the CLERK to enter into a written agreement for services rendered by the CLERK to the CITY for the administration of any CITY program.

NOW THEREFORE, the parties agree:

1. The CLERK will provide clerical and administrative personnel, services, forms, and facilities as may be required for the proper performance of the CITY's Code Enforcement Hearing Officer system.
2. The CLERK shall collect monthly, and pay over to the CITY all civil penalties, costs, and other sums due and payable, retaining such portion as follows:
  - A. In cases where the violation is corrected after CLERK's issuance of a First Notice to Violator, the CLERK shall retain five percent (5%) of the civil penalty accrued by the violator.
  - B. For each notice the CLERK is required to issue following the First Notice, the CLERK shall retain an additional five dollars and no/cents (\$5.00) from the total civil penalty assessed to a violator, as illustrated below:

<u>CLERK ISSUES</u>	<u>CLERK RETAINS</u>
TRACK ONE - NO HEARING	
First Notice	5%
First Notice, Second Notice	5% + \$ 5.00
First Notice, Second Notice, Lien	5% + \$10.00
First Notice, Second Notice, Notice of Lien, Satisfaction	5% + \$15.00

AGREEMENT

City of Parker and Bay County Clerk of Courts

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<u>CLERK ISSUES</u>	<u>CLERK RETAINS</u>
TRACK TWO – HEARING	
First Notice, Notice of Hearing	5% + \$ 5.00
First Notice, Notice of Hearing, First Notice following Hearing and Order	5% + \$10.00
First Notice, Notice of Hearing, First Notice following Hearing and Order, Second Notice following Hearing	5% + \$15.00
First Notice, Notice of Hearing, First Notice following Hearing and Order, Second Notice following Hearing, Notice of Lien	5% + \$20.00
First Notice, Notice of Hearing, First Notice following Hearing and Order, Second Notice following Hearing, Notice of Lien, Satisfaction	5% + \$25.00

C. In cases where a violator is determined not to be responsible for payment of the civil penalty after the CLERK'S issuance of all necessary notices, the CLERK will retain twenty-five dollars and no/cents (\$25.00) for services and costs rendered.

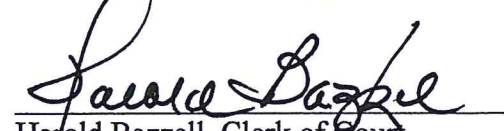
3. THIS "AGREEMENT" shall be in effect from the date of its execution until the end of fiscal year 2004 (30 September) the "Initial Term". Upon the expiration of the Initial Term, this Agreement shall automatically renew for successive terms of one (1) fiscal year (each fiscal year being a "Renewed Term"), unless either party elects to terminate this Agreement by written notice to the other party not less than six (6) months prior to the expiration of the Initial Term or Renewal Term as appropriate.

IN WITNESS WHEREOF the parties have set their hands and seals this 6<sup>th</sup> day of May, 2003.


Attest:

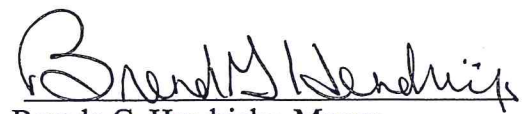
  
Deputy Clerk of Court

BAY COUNTY CLERK OF COURT

  
Harold Bazzell, Clerk of Court  
CITY OF PARKER

Attest:

  
Lois LaSeur, City Clerk

  
Brenda G. Hendricks, Mayor