

RESOLUTION NO. 22-R16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ESTABLISHING AN INFILL LIEN REDUCTION PROGRAM**; APPROVING THE POLICIES AND PROCEDURES FOR SAID PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to address the economic burden placed on vacant properties within the City of Fort Pierce by liens which are not the result of current owners or potential purchasers by providing an incentive for the development and redevelopment of the properties; and

WHEREAS, once the liens approach or exceed the value of a vacant property, there is no economic incentive to develop or redevelop the property and the blighting influence on the property continues; and

WHEREAS, the purpose of the process set forth herein is to encourage private investment and to improve blighted vacant properties within the City of Fort Pierce that have existing code enforcement or nuisance abatement liens; and

WHEREAS, the intended outcome of this process is to provide a means for satisfaction of existing code enforcement or nuisance abatement liens in a fair and equitable manner; and

WHEREAS, the attached Policies and Procedures establishing the Infill Lien Reduction Program have been developed to streamline the process for settlement of applicable liens to allow property owners to eliminate blight by constructing new residential development; and

WHEREAS, the City Commission has reviewed the proposed Policies and Procedures, attached hereto as Exhibit "A" and made a part hereof by reference, establishing an Infill Lien Reduction Program.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Fort Pierce, Florida, as follows:

1. The Infill Lien Reduction Program, as described in the foregoing recitals and in the Policies and Procedures in Exhibit "A," is hereby established.
2. The Policies and Procedures set forth in Exhibit "A" are hereby approved.
3. This Resolution shall be effective immediately upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 21st day of March 2022.

LINDA HUDSON, MAYOR

ATTEST:

LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

TANYA M. EARLEY, ESQ.
CITY ATTORNEY

EXHIBIT "A"

INFILL LIEN REDUCTION PROGRAM POLICIES AND PROCEDURES

POLICIES:

The intent of the Infill Lien Reduction Program is to promote reinvestment and revitalization of vacant infill properties within the City of Fort Pierce by providing a property owner reasonable relief from burdensome liens levied prior to their ownership, provided the property is currently being maintained in accordance with the City's Code of Ordinances (i.e. has no active code enforcement or nuisance abatement cases on the property).

PROCEDURES:

A. PROPERTY ELIGIBILITY REQUIREMENTS

1. The property must be an infill vacant lot within the City of Fort Pierce.
2. Only the current owner of the subject property may apply for the Infill Lien Reduction Program.
3. The applicant shall not have been an owner of the property, an agent or other representative of any owner of the property, related to any owner of the property, or an officer, director, employee, or agent of an entity that owned the property at the time the liens were originally recorded.
4. A property involved in a City-initiated foreclosure case is not eligible to participate in the Infill Lien Reduction Program.
5. The property must have no active code enforcement or nuisance abatement cases against it.
6. An application for the Infill Lien Reduction Program must be completed.

B. APPLICATION AND AGREEMENT PROCESS

1. All applications for the Infill Lien Reduction Program shall be made through a standardized form provided and processed by the City Manager's Office.
2. The applicant shall affirm in the application that at the time the original lien was recorded the applicant was not:
 - a. An owner of the property;
 - b. An agent or other representative of any owner of the property;
 - c. Related to any owner of the property; or
 - d. An officer, director, employee, or agent of an entity that owned the property.
3. The applicant shall provide all specified improvements for the property with the application.
4. The applicant shall provide a lien search for the property with the application.
5. Any additional liens, fines, or costs levied against the property under the ownership of the applicant must be paid in full prior to or contemporaneous with the submission of the application.

6. City staff shall review all completed applications. If, in City staff's discretion, a property is appropriate for participation in the Infill Lien Reduction Program, the City staff shall draft a Development Agreement. The Development Agreement shall be subject to final approval by the City Commission.
7. The Effective Date of the Development Agreement shall be the day the Development Agreement is fully executed by the City of Fort Pierce.
8. The applicant shall pay in full all applicable hard costs as defined and specified in the Development Agreement.
9. The applicant shall obtain the necessary building permit(s) within 365 days of the Effective Date of the Development Agreement.
10. The applicant shall provide proof of compliance with Paragraphs 8 and 9 above to the City Manager's Office. Upon such proof of compliance, and in accordance with the Development Agreement, the City shall waive, release, satisfy, or rescind all applicable liens.
11. A Certificate of Occupancy must be obtained for the property within 24 months of the Effective Date of the Development Agreement. No extension of this period shall be granted except as recommended by the City Manager and authorized by the City Commission upon a showing of good cause. It is the applicant's responsibility to notify the City Manager's Office of receipt of the Certificate of Occupancy.
12. Upon timely completion of its obligations pursuant to the Development Agreement between the applicant and the City, the applicant will receive a 50% refund of the hard costs paid, not to exceed \$10,000. If a Certificate of Occupancy is not obtained within 24 months of the Effective Date of the Development Agreement, or upon the expiration of any extension period authorized by the City Commission upon a showing of good cause, the agreement is defaulted, and all payments made by the applicant are surrendered to the City.