Return recorded document to:

Hipolito Cruz, Jr., Director

Building Code Services Division

2307 West Broward Boulevard, Suite 300

Fort Lauderdale, Florida 33312

Document prepared by:

Alexis Marrero Koratich, Assistant County Attorney

Broward County Attorney's Office

Governmental Center, Suite 423

115 South Andrews Avenue

Fort Lauderdale, Florida 33301

First Amendment To

INTERLOCAL AGREEMENT FOR

Plan review and permit inspection services relating to

zoning approval and code enforcement to be performed

By the BROWARD COUNTY BUILDING CODE SERVICES DIVISION (f/k/a permitting, licensing and consumer protection DIVISION), OF THE ENVIRONMENTAL PROTECTION

AND GROWTH MANAGEMENT DEPARTMENT

This First Amendment to Interlocal Agreement is made and entered into between: Broward County, a political subdivision of the state of Florida, hereinafter referred to as "County,"

and

Village of Lazy Lake, a municipal corporation existing under the laws of the state of Florida, hereinafter referred to as "Village" (collectively referred to as the "Parties").

A. Village and County entered into that certain Interlocal Agreement dated February 27, 2018 ("Agreement"), pursuant to Section 163.01, Florida Statutes, also known as the "Florida Intergovernmental Cooperation Act of 1969", whereby Village procured the services of County for the performance of plan review and permit inspection services relating to zoning approval and code enforcement of Village's Zoning Code within the municipal boundaries of Village.

B. The Agreement provides for the services to be performed by County through the Building Code Services Division ("BCSD") of the Environmental Protection and Growth Management Department.

C. The Agreement provides that code enforcement citations and hearings be brought before Village's Hearing Officer/Special Master.

D. Village desires that code enforcement citations and hearings be brought before County’s Hearing Officer/Special Master.

E. County, through BCSD, is willing to bring Village's code enforcement citations before County's Hearing Officer/Special Master pursuant to the terms and conditions hereafter set forth.

Now, therefore, in consideration of the mutual covenants, promises, and representations herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The Recitals contained above are true and correct, form a material part of this First Amendment upon which the Parties have relied, and are incorporated by reference.
2. Paragraph 1.2 of the Agreement is hereby amended to read as follows:

1.2. Village agrees to transfer to County the authority to perform code enforcement functions including inspections and administrative support for preparation of case files for presentation to ~~Village Code Enforcement Board or~~ County's Hearing Officer/Special Master for enforcement cases ("Services"). Code enforcement functions, however, shall be performed by County solely on a referral basis from Village. County shall not be responsible for patrolling Village or initiating code enforcement violations.

1. Paragraph 1.5 of the Agreement is hereby amended to read as follows:

1.5 Village and County agree that "code enforcement" as defined herein, includes inspections, plan review and permits relating to inspections for zoning approval, issuance of citations, notices of violations, ~~and~~ notices of hearings, and performance of required corrective action upon failure of the violator to do so. Citations and hearings shall be brought before ~~Village's~~ County's Hearing Officer/Special Master.

1. The Agreement is hereby amended to include Paragraph 1.6 in Article 1:

1.6 Village and County agree that a lien arising from a fine imposed or corrective action performed as a result of an order of the County Hearing Officer/Special Master for enforcement cases shall run in favor of County, and that County may execute a satisfaction or release of the lien entered. Moreover, Village and County agree that County shall be entitled to collect all costs incurred in recording and satisfying a valid lien.

1. Except as amended herein, all of the terms, conditions, and provisions of the Agreement shall remain in full force and effect.
2. In the event of any conflict of ambiguity by and between the terms and provisions of this First Amendment and the Agreement, the terms and provisions of this First Amendment shall control to the extent of any such conflict.
3. This First Amendment shall be recorded in the public records of Broward County at Village's expense.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to Interlocal Agreement on the respective dates under each signature: Broward County, through its Board of County Commissioners, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2021; the Village of Lazy Lake, signing by and through its \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, duly authorized to execute same.

County

ATTEST: Broward County, through its

Board of County Commissioners

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Administrator and ex By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

officio Clerk of the Mayor

Board of County Commissioners

of Broward County, Florida \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2021

Approved as to form by

Andrew J. Meyers, Broward County Attorney

Governmental Center, Suite 423

115 South Andrews Avenue

Fort Lauderdale, Florida 33301

Telephone: (954) 357-7600

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Alexis Marrero Koratich

Assistant County Attorney

\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2021

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Maite Azcoitia

Deputy County Attorney

\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2021

AIK/gmb

BCSD ILA Lazy Lake First Amendment

04/29/21

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FIRST AMENDMENT TO INTERLOCAL AGREEMENT FOR PLAN REVIEW AND PERMIT INSPECTION SERVICES RELATING TO ZONING APPROVAL AND CODE ENFORCEMENT TO BE PERFORMED BY THE BROWARD COUNTY BUILDING CODE SERVICES DIVISION (f/k/a PERMITTING, LICENSING AND CONSUMER PROTECTION DIVISION), OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

Village

Village of Lazy Lake

Attest:

By

Mayor-Commissioner

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Village Clerk day of , 20 (date)

By

Village Manager

day of , 20 (date)

Approved as to form:

By

Village Attorney