



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION WORKSHOP**

**Jarvis Hall
4505 N. Ocean Drive
Wednesday, June 3, 2026
5:30 PM**

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 5:53 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli (by phone until 6:20 p.m.), Commissioner John A. Graziano, Commissioner Theo Pouloupoulos, Town Manager Ken Rubach, Town Attorney Susan L. Trevarthen, Attorney Alan Gabriel, Public Works Director Chris Lips, Development Services Director Jhanelle Campbell, Assistant Director of Code Compliance Terry-Ann Boyd, Assistant Development Services Director David Lee, Code Officer Donovan Williams, Assistant to the Town Manager Courtney Easley, and Town Clerk Melissa Vasami.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PUBLIC COMMENTS

At this time, Mayor Malkoon opened public comment, which he closed upon receiving no input.

4. DISCUSSION ITEM

a. Code Workshop Presentation

Development Services Director Jhanelle Campbell explained that tonight's workshop will discuss the roles and responsibilities of Code Compliance. This will include establishing Town Commission priorities and reviewing existing documents and policies.

The intent of Code Compliance is to reach voluntary compliance, which is achieved through patrolling of the Town, beach, and parks several times daily, with some coverage on Saturdays, alternating weekends, and nights as needed. Changes are made during sea turtle nesting season to ensure compliance with lighting Ordinances. Code Compliance also coordinates with other entities, including the Broward Sheriff's

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Office (BSO), which helps address after-hours issues in particular. The Code Compliance Department includes a Director, Assistant Director, and two Code Compliance Officers.

Assistant Director of Code Compliance Terry-Ann Boyd reviewed the Code Compliance Department's workflow and enforcement processes. Code Compliance typically mobilizes either reactively when a complaint is received or proactively during patrols of the Town. When a complaint is received, the Department seeks to make contact with the responsible individual, visiting the subject property and performing an inspection to verify the complaint. It is the Department's goal to establish relationships with Town residents and businesses.

If compliance is not achieved based on the initial interaction, Code Compliance submits a courtesy notice to the property owner. This document serves as outreach to the individual responsible to establish communication and bring items to their attention. Should the courtesy notice fail to result in a change, the next step is to submit a notice of violation to the individual, indicating that a Special Magistrate hearing has been scheduled and fines may be incurred if the violation is not corrected.

From the initial complaint through the notice of violation, the property owner has the opportunity to respond and achieve compliance. The notice of violation typically allows 30 days in which the owner may correct the violation. If this is not done, the violation goes before the Special Magistrate. If the Special Magistrate determines that the violation occurred, the next step will be a final order, which indicates that the owner has 30 days to bring the violation into compliance.

If compliance is not achieved, fines will be assessed. Fines begin at \$50/day for some violations; for others, fines may be assessed incrementally, with one amount for a first violation and a higher amount if the same violation is observed a second time or more. For repeat violations, fees may be as high as \$500/day per violation. The Town may also levy a stricter one-time fine if the violation is deemed irreparable or irreversible.

Code Compliance Officers may be called out to perform re-inspections if the property owner has already taken the required action. This would ensure the violation has been cured and the case can be closed.

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Citations are another aspect of addressing violations. This is typically done in the case of transient violations or issues on which immediate action is required. Citations may also go before the Special Magistrate if they are not paid; once the item has been heard by the Special Magistrate, the Town may place a lien on the subject property as a final step. Assistant Director of Code Compliance Boyd asserted that Staff hopes to avoid this action whenever possible.

Inter-Departmental coordination is a key part of the Code Compliance process. Code Compliance may work with the Building Department to address violations such as expired permits and unlicensed work. They also work with the Planning and Zoning Department on violations related to landscaping, tree removal, and similar activities. Code Compliance works with the Public Works Department to address right-of-way and soil issues and provides support to law enforcement both during and after Code Compliance business hours. The Town Attorney's Office provides responses to legal questions.

Assistant Director of Code Compliance Boyd strongly emphasized that Code Compliance's first priority is to gain voluntary compliance. Their focus is on consistency and fairness. Health and safety concerns, as well as quality-of-life impacts, are prioritized.

Enforcement tools include site visits and inspections, which may include door hangers and courtesy notices, as well as notices of violation, citations, final orders, Special Magistrate hearings, administrative fines, abatement actions, and irreparable harm fines when appropriate.

The Town uses a civil citation process to supplement the existing Special Magistrate and enforcement processes. A uniform Broward County citation form which follows Florida Statutes, is used for this purpose. This provides Code Compliance Officers with an additional enforcement tool for transient or recurring violations, such as bulk trash violations, commercial/recreational vehicle storage violations, and certain animal-related violations. Most citations are issued based on personal investigation and must include violation details, applicable Code Sections, penalties and fines, hearing rights, and payment instructions.

Each day in which a violation continues constitutes a separate civil infraction. Civil penalties may include fines of up to \$250/day for first violations, up to \$500/day for repeat violations, and up to \$5,000/day for irreparable or irreversible violations.

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Respondents must either pay these citations or request a hearing before the Special Magistrate within 10 calendar days. Failure to respond or appeal constitutes an admission of the violation and waiver of hearing rights, which means civil penalties are due immediately and payable within 20 days unless appealed. If the citation is upheld, respondents may also be responsible for hearing costs.

Code Compliance undertakes proactive enforcement initiatives through neighborhood sweeps. Officers patrol for general review of neighborhoods and commercial areas of the beach. Dedicated sweeps are also carried out for specific purposes, such as sign pollution. Code Compliance patrols the commercial corridor, conducts inspections, and provides weekend and after-hours enforcement as needed.

Code Compliance is charged with protecting the community's character, safety, resilience, and property values. Proactive enforcement is balanced with customer service, economic vitality, neighborhood preservation, public safety initiatives, and relationships between Code Compliance and other Town Departments, such as Building, Planning and Zoning, and Public Works. Guiding principles include voluntary compliance and education, particularly during sea turtle nesting season, and are carried out with transparency, accountability, and due process.

The legal framework and authority for Code Compliance lies within Chapter 6.5 of the Town Code as well as Florida Statutes Chapter 162, Resolution 2014-22, and legislative updates. Assistant Director of Code Compliance Boyd noted Senate Bill (SB) 60, which clarifies that individuals registering complaints with Code Compliance may not remain anonymous. This legislation took effect in June 2021 and has affected the level of complaints received by Code Compliance. There are exceptions in which complainants may remain anonymous in cases related to health and safety.

Development Services Director Campbell addressed Resolution 2014-22, which establishes the Code relief policy associated with mitigation of liens. It provides for limited settlement authority to be delegated to the Town Manager, establishes formal application procedures for lien and fine relief, and requires documentation as well as a non-refundable application fee of \$750. Administrative costs may not be mitigated.

The Code relief policy generally requires a property to be in compliance before relief is granted and provides for consideration of limited relief for properties that are for sale. Resolution 2014-22 addresses the responsible party for relief approval. Once recorded, liens are required to go before the Town Commission; however, other municipalities

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allow lesser liens to be mitigated through Staff, and it is possible to increase the Town Manager's authority over liens. At present, the Town Manager may only address requests in which the relief amount is less than 50% of the total lien. The Commission may consider tying this authority to a dollar amount rather than a percentage.

Additional considerations regarding Resolution 2014-22 include the possible implementation of a cap on the number of extensions of relief requests for properties. At present, as long as a lien is not recorded, an applicant may ask the Special Magistrate to reduce the fine amount. There is no application or fee associated with this process. The Commission may also establish this type of fee.

Development Services Director Campbell first addressed extensions, requesting Commission input on how these would be allowed and under what circumstances. She explained that when a mitigation order is issued with a 30- or 60-day deadline, an individual may need more time to pay, or there may be other conditions of mitigation that need more time to be met.

Mayor Malkoon commented that he would be willing to accept Staff's recommendations on best practices for mitigation timelines. Development Services Director Campbell explained that other municipalities allow extensions, noting that there are often more layers to the mitigation process in larger cities. There is room to expand the Town's leniency with regard to extensions if that is amenable to the Commission.

Assistant Director of Code Compliance Boyd further clarified that once a decision has been made regarding lien reduction, the respondent is given 30, 60, or 90 days to make payment. Should complications arise, the respondent may reach out to Code Compliance to request more time. This may be addressed by the Development Services Director or may be discussed with other authorities, such as the Town Manager, to determine whether or not an extension would be appropriate.

Mayor Malkoon asked if extensions currently pose a problem. Development Services Director Campbell explained that while there is no serious issue, the policy has not been reviewed since 2014, and she wished to ensure that it aligns with the Commission's wishes.

Vice Mayor Strauss advised that he was not in favor of placing a cap on extensions as long as a case maintains forward progress. He recommended that public safety issues

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be given higher priority when extensions are considered, citing the example of sight line or sight triangle issues, which may be costly and time-consuming to address.

Vice Mayor Strauss continued that the Town Manager and his Staff should be able to address extensions, with more complicated issues to be brought before the Commission. Town Manager Rubach emphasized that while he would not arbitrarily approve an extension, he was comfortable having the flexibility of approval.

Vice Mayor Strauss noted that an individual may face difficulty paying costs if they are extravagant or if the individual lives on a fixed income. He reiterated that the Town Manager should have flexibility in these circumstances and the Commission should not seek to micromanage the issue. He also noted that some cases are more egregious and may be given higher priority by Staff.

Development Services Director Campbell continued that the current policy states the Town Manager cannot address requests in which an applicant asks for more than a 50% reduction. She requested Commission clarification on this issue, proposing that a threshold be established: for example, if a lien is more than \$25,000, the request would need to come to the Commission. This would be consistent with the limit of the Town Manager's purchasing authority. Vice Mayor Strauss recommended that this level be raised to \$100,000 or over, pointing out that even a larger lien could be reduced to an amount that is consistent with the Town Manager's approved purchasing authority.

Mayor Malkoon requested Staff's recommendation on this issue. Development Services Director Campbell advised that this would depend upon the violation, but suggested that liens of less than \$100,000 could be addressed by the Town Manager. Assistant Director of Code Compliance Boyd agreed with this threshold.

Commissioner Pouloupoulos agreed with the \$100,000 threshold as well and suggested that the Commission may wish to consider scheduling a quarterly meeting in which mitigation requests are heard. Development Services Director Campbell noted that she provides a quarterly report to the Commission, and could include information on liens of less than \$100,000 in that report.

Vice Mayor Strauss added that if the Commissioners are concerned with any specific items in that report, they could request those items be placed on the Commission Agenda. He cautioned that when mitigation requests are heard during regular Commission meetings, they may lengthen those meetings considerably.

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Development Services Director Campbell confirmed the following Commission direction:

- Allow for extensions to be granted by the Town Manager, with information on extensions to be included in the Town Manager Report or another Agenda Item if Commission input is necessary

Commissioner DeNapoli noted that current policy allows mitigation at the Town Manager's discretion as long as lien reduction does not exceed 50% of the total lien. Town Manager Rubach further clarified that most applicants request 90% to 100% mitigation, which would bring those requests before the Commission. He suggested that the Commission discuss and determine a specific dollar amount further when a Resolution to revise the policy is brought before them for approval.

Commissioner DeNapoli requested additional information on mitigation by the Special Magistrate. Development Services Director Campbell explained that these mitigations occur when an individual has accrued fines on a property that has since been brought into compliance, but the fines have not been recorded as a lien. The individual establishes their case before the Special Magistrate and requests a reduction. Staff reviews these files to determine the Staff costs required to bring the case into compliance, such as the number of meetings and/or inspections, abatement on the property, and level of involvement by Staff and the Special Magistrate. The Special Magistrate typically asks if Staff agrees with the respondent's request. There are no limits on this policy until the lien has been recorded, which means the issue is entirely at the Special Magistrate's discretion.

Commissioner DeNapoli also asked why a lien might not have been recorded. Development Services Director Campbell explained that this depends upon when the property came into compliance. Cases that are closed no longer accrue daily fines; if a case is open, fines continue to accrue.

Commissioner Graziano stated that he was in favor of establishing a higher threshold than \$100,000 and was not opposed to allowing extensions. He suggested that any threshold be accompanied by a time frame as well and that the Commission should be made aware if a case has continued for more than a certain length of time. He pointed out that there are some cases dating back to the 2010s.

Development Services Director Campbell clarified that if the Town Manager's authority is set at \$100,000, he would have the ability to bring specific cases within that threshold

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before the Commission. Town Manager Rubach advised that the proposed Resolution could also include a specific time frame.

Development Services Director Campbell next asked if Staff, specifically the Development Services Director and/or Assistant Director of Code Compliance, should have authority to administratively approve smaller reductions. She suggested that this limit could be \$25,000 or less. This proposed authority would not have to include input from the Town Manager.

Mayor Malkoon indicated that he would not be supportive of this authority at the proposed threshold. Town Manager Rubach suggested that Staff be given mitigation authority for cases with recorded liens of \$1,000 or less. Vice Mayor Strauss was also in favor of Town Manager review of cases over \$1,000.

Commissioner DeNapoli requested additional clarification of the timeline associated with the recording of liens. Assistant Director of Code Compliance Boyd explained that liens may be recorded as soon as they are imposed by the Special Magistrate; however, Staff typically does not record liens before 30 days, as the applicant may be in the process of achieving compliance. There are also instances in which properties may change hands, and Staff waits to determine the outcome of this change. She noted that once a lien has been in effect for 90 days or more, the Town has the ability to foreclose upon the property.

Development Services Director Campbell asked if there should be a cap on the number of extensions granted. She added that requests for extensions are not guaranteed; Staff can also establish criteria for extensions. She offered the example of a mitigation order that requests payment as well as a building permit, which may require an extension until both conditions are met. The permit could be going through the review process, or a storm may delay supplies or create other issues.

Mayor Malkoon suggested that extensions could be granted in the case of circumstances outside the applicant's control. Development Services Director Campbell added that there could also be monetary considerations if large amounts are involved. Current policy states that if the payment time frame is exceeded, the lien reverts to the original amount.

Assistant Director of Code Compliance Boyd added that there may also be instances in which a respondent is awaiting completion of another transaction before making the

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payment. Mayor Malkoon stated that extensions should be left to the discretion of Staff on a case-by-case basis.

Development Services Director Campbell asked if Resolution 2014-22 should be amended to include an application and fee for Special Magistrate mitigation requests. At present, there is a recorded application fee of \$750, as well as the caveat that administrative costs may not be mitigated. While there is no fee associated with the Special Magistrate process, a great deal of Staff time goes into preparing and reviewing those cases. This proposal would apply only to fines that have not been recorded and cases in which the applicant requests a reduction from the Special Magistrate.

Mayor Malkoon requested information on other municipalities' policies of this nature. Assistant Director of Code Compliance Boyd replied that the average cost of Special Magistrate reductions in other cities ranges from \$150 to \$350.

Vice Mayor Strauss observed that there may be cases with a very low pending lien to which an additional \$750 could seem excessive. It was clarified that the proposed fine would only apply if the lien is recorded. Vice Mayor Strauss recommended that any fees not exceed the fees charged by other municipalities and suggested that a sliding scale could be applied depending upon the amount of the lien or the severity of the violation.

Attorney Alan Gabriel, associate of Town Attorney Susan Trevarthen, advised that sliding scales are not permitted, as they could be perceived as lacking a basis in actual costs. He added that if an individual is working to bring a property into compliance, the lien remains recorded on the property until full payment has been made.

Vice Mayor Strauss noted that the Town is not always in the right for all Code cases and asked if an applicant would be able to recover their application cost if this occurs. Development Services Director Campbell confirmed that this has been done in the past.

It was noted that the proposed \$250 application fee for violations against which liens have not yet been recorded would remain as a placeholder for purposes of further discussion throughout tonight's workshop.

Commissioner Graziano asked why some of the cases involving very costly liens have not been brought before the Commission. Development Services Director Campbell replied that this may be because the case remains open and is still accruing fines, or

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the party responsible has brought the property into compliance but has not yet submitted a mitigation application.

Assistant Director of Code Compliance Boyd addressed Town data and trends, stating that the Town often sees repeat violations for work without permits, vacation rentals not adhering to the required seven-day rental period, and rollout of bulk waste or trash carts before the specified time period.

Mayor Malkoon requested additional information on recent state legislation related to permitting. Town Attorney Susan Trevarthen advised that a new bill is scheduled to take effect in July 2026, which will exempt work on single-family residential duplexes valued at less than \$7,500 from the permitting process. This legislation also prohibits the artificial division of a job into different jobs of \$7,500 or less.

Assistant Director of Code Compliance Boyd referred the Commissioners to a document listing properties in the Town with liens totaling more than \$100,000. Development Services Director Campbell noted that another handout shows top violation categories for illustrative purposes. She added that Staff uses software to actively search websites in order to identify violations associated with vacation rental properties. While the software identifies violations such as duration of rentals, it has not identified a large number of new unlicensed vacation rentals.

Attorney Gabriel addressed foreclosures, as well as what can be done if a property fails to come into compliance and violations continue, or if a property comes into compliance but no payment is made. He advised that this information is based on Florida Statutes Chapter 162. The process begins with the finding of a violation and an order issued by the Special Magistrate; once this has happened, if the violation continues, the Town will bring it back before the Special Magistrate for certification of lien order. This certification is documented in public records.

Once a lien is recorded, the Town may take any action it deems appropriate in terms of enforcement, although some protections apply if the subject property is homesteaded. The process for foreclosure or civil judgment may begin three months after a lien has been recorded. The Town would first take the case before the Special Magistrate so that the individual can determine that the Town has acted properly according to the Town Code and Florida Statutes. The Town would then file whatever action is necessary to seek foreclosure on a non-homesteaded real property.

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If the property is homesteaded, the Town may not proceed with foreclosure; however, it may seek a civil judgment against the property owner. The recorded lien remains valid by Statute for 20 years, which means action does not have to be taken immediately. Attorney Gabriel pointed out that many mitigation requests from property owners are driven by the fact that the owner is attempting to refinance or sell the property.

While the Commission may decide against filing a suit in the case of a relatively small lien, they are entitled to recoup any expenses associated with that lien if the Town is successful in acquiring a foreclosure judgment. Additional considerations include the fact that the Town may end up owning the property.

Town Attorney Trevarthen emphasized that there are several variables to these processes, including whether or not the Town has priority in foreclosure, as well as other complicating factors. While some monies may not be collected, she noted that the goal is to achieve compliance.

Development Services Director Campbell requested clarification of whether the Commission wished to explore a temporary lien amnesty program, which would establish appropriate eligibility standards, inclusions, and public outreach during a set time period in coordination with the Special Magistrate. If the Commission is supportive of the concept, Staff could bring back a proposed program. Applicants' properties must be in compliance, and a standard reduction amount would be paid to eliminate the lien within a time frame established by the program.

Commissioner DeNapoli expressed concern that many cases are currently resolved when there is a sale, death, or transfer of property, which means some properties' status does not change for many years. This can negatively affect neighbors and other residents. He recommended a program that allows the Town to proactively reach out to individual owners and inform them of their options when the problem is recognized.

Commissioner DeNapoli continued that one concern with the proposed program is the requirement for all properties owned by the same entity in Lauderdale-By-The-Sea to be free of any unresolved Code violations. He explained that this could defeat the purpose of an amnesty program, and resolving even a single property would show some progress.

Commissioner DeNapoli also noted that the proposed program could reinstate the original lien amount if the same violation occurs on the property within three years, and

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recommended against this suggestion, as it could lead to unnecessary severity. He was in favor of a program of limited duration, provided that prospective applicants are informed of the program right away. For open cases, he suggested offering a 90- to 180-day amnesty period if the property can demonstrate compliance.

Town Manager Rubach stated that Staff agrees it is preferable to be proactive rather than reactive and noted the longevity of some open cases. Commissioner DeNapoli suggested that for existing closed cases, the Town should make an offer of “typical mitigation” to be paid within the 90- to 180-day time frame.

Development Services Director Campbell suggested that the Town establish an education period of 90 to 180 days in which they would send information on the lien amnesty program to property owners, clarifying the date upon which the period would be active and providing one year in which an application must be filed. Commissioner DeNapoli recommended using the calendar year rather than the fiscal year for effective dates.

Commissioner DeNapoli also asked if the Town wished to consider offering a payment plan. Development Services Director Campbell confirmed that this has been done in the past, adding that the Commissioners may establish whatever parameters they would like for the program. Commissioner DeNapoli proposed a graduated scale, with a lesser amount to be paid by owners who enter the program promptly rather than later. This could serve as an incentive to resolve the problem. He noted that there should also be a distinction between legitimate hardship and refusal to comply.

Town Manager Rubach confirmed that Staff can look into these suggestions further and bring back recommended criteria for various amnesty program options. There was additional discussion of components such as discounts for earlier payments during the amnesty period, as well as a requirement for violators with open cases to make some effort to cure the violation.

Development Services Director Campbell recalled that when Assistant Director of Code Compliance Boyd joined Town Staff, she had sent letters to all properties with unrecorded fines of \$5,000 or less, some of which were successful in encouraging payment. She reviewed the discussion of the amnesty program with the following highlights:

- Explore creation of an amnesty program, including consideration of an education period and a time frame to begin at a later date

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- Incentives for owners to pay quickly, such as a higher mitigation amount allowed for more timely receipt of payment

There was Commission consensus to proceed with this proposal.

Development Services Director Campbell next addressed specific concerns, beginning with landscape permit requirements for sod replacement. She explained that the intent of this regulation is to protect the Town's drainage systems and prevent flooding of streets. She suggested developing a no-fee permit for sod replacement, which acknowledges that the property owner will not create a berm or take other action not permitted by Code. There was positive Commission consensus on this item.

Development Services Director Campbell moved on to sight triangle issues, which contribute to safety concerns for vehicles under various circumstances. Code establishes parameters for sight triangles. She requested Commission direction on whether or not to prioritize these issues, pointing out that some may require landscape mediation or other significant costs to homeowners.

Commissioner Graziano asserted that while this is an important issue, neighbors may not be willing to identify themselves as required by SB 60 when reporting sight triangles. Town Manager Rubach suggested that if the Commission wishes to improve enforcement, Code Compliance can review the Town's intersections and contact property owners who are in violation.

Vice Mayor Strauss emphasized the gravity of sight triangles as a safety issue and was in favor of greater outreach and enforcement. With respect to the requirements of SB 60, he observed that while the Town may not take action on reported violations if the reporting individual does not identify themselves for the public record, Code Compliance may be able to look into certain violations if they address public safety. He requested clarification of whether this is possible.

Attorney Gabriel explained that Florida Statutes clearly prohibit anonymous complaints; however, if a Code Compliance Officer or inspector witnesses a violation, they have a duty to identify and act upon that violation, irrespective of how it was identified. Florida Statutes allow for self-initiated complaints in the case of public health, safety, and welfare.

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Town Manager Rubach advised that Code Compliance has prepared a list of existing sight triangle problems in the Town. Enforcement can begin with courtesy notices or proceed directly to notices of violation. Assistant Director of Code Compliance Boyd confirmed that Code Compliance has documented these instances pending direction from the Commission; however, she noted that some residents have indicated unwillingness to comply.

Commissioner Graziano requested clarification of the enforcement process for this public safety issue. Assistant Director of Code Compliance Boyd replied that Staff would issue a citation to the owner and take the case before the Special Magistrate for a finding of fact. If the violation is recognized, fines would begin to accrue. The property owner would then be given a time frame in which to correct the violation.

Assistant Director of Code Compliance Boyd added that if a property owner does not comply regarding sight triangles, the Town would have the ability to remove the impediment if no action is taken. She emphasized that this would require additional Commission direction. The Commissioners discussed similar public safety issues that occurred in the past, which included a case requiring bee removal.

Attorney Gabriel stated that when the Town determines that a health and safety issue exists, the fines levied against that violation can be maximum fines. The Commission may also authorize abatement, in which the Town assumes the responsibility for fixing the violation and charges the cost of the activity back to the property owner. He strongly recommended caution in these instances, however, as they could result in unintended damage to property.

Development Services Director Campbell further clarified that should the Town assume responsibility for this type of work, they would use a contractor for abatement services. Depending upon the extent of the work, the cost may be above the Town Manager's purchasing authority, at which point it would require Commission approval. The amount of this cost would then be placed as a lien against the property. Town Attorney Trevarthen added that in cases in which the Town has already spent money to cure the violation, this type of lien has a higher priority for collection.

Mayor Malkoon asked what might happen in the case of a resident who could not afford the work. Commissioner DeNapoli noted that the Town would look into having the work performed, emphasizing the importance of communication between the Town and the property owner.

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Vice Mayor Strauss asked if the Town would have protection in the event a property owner felt they had harmed their property in the act of addressing a sight triangle violation. Town Manager Rubach replied that if the work is done by a contractor instead of by Town Staff, there is less chance of this; it would also be likely that there would be a Police presence at the time the work is done.

The Commissioners determined by consensus to proceed as discussed above on this issue.

Development Services Director Campbell next addressed dogs on the beach, noting that Code Compliance patrols the beach daily and tries to educate the public on this prohibition. She also recalled a discussion at a recent Commission meeting regarding unpermitted businesses on the beach.

Town Manager Rubach stated that due to the requirements of the Americans with Disabilities Act (ADA), the Town is very limited in what it may ask individuals who bring dogs onto the beach. If an individual indicates that the dog is a service animal that is trained to perform a service or services, no additional questions are permitted. Service animals are not required to be restrained by leashes and may be taken into most public spaces. The owner is not required to present any documentation that the animal performs a service.

Broward Sheriff's Office (BSO) Captain Christopher Sutter further clarified that a service animal must remain under the owner's control. He added that there are certain exceptions related to leashes, depending upon the service the animal is expected to perform. The dog must also be well-behaved. Should the dog behave in a non-controlled manner, and the owner cannot control it, they may be asked to leave. He also noted that emotional support animals perform a different type of service and are not permitted on the beach.

Development Services Director Campbell referred the Commissioners to a list of Code Compliance categories listed as high, medium, or low priority, which was last reviewed in 2011. She noted that Commission direction on the previous sight triangle issue indicated this category should remain a high priority.

Vice Mayor Strauss asked if an item referring to hotel/apartment/condominium conversions included unpermitted work done in any of these buildings without a permit. It was clarified that this would be included. Development Services Director Campbell

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explained that one example of this might be a hotel increasing its density by dividing a suite into multiple units, which may be an illegal site plan modification. Vice Mayor Strauss recommended moving this item to high priority.

Commissioner Pouloupoulos agreed with this change, noting that he was not certain how much influence the Town may have over condominium or homeowners' association requirements. Town Attorney Trevvarthen recommended that unpermitted construction be moved to high priority as well.

Mayor Malkoon addressed boats on trailers, recalling that this was an issue in a particular Town neighborhood. Development Services Director Campbell clarified that certain properties have documented permission to keep their boats in locations that may not be permitted for other properties in that neighborhood. These properties must comply with specific criteria regarding placement, condition, and more.

Town Manager Rubach asked if there were any additional Code issues of concern that were not discussed at tonight's meeting. Vice Mayor Strauss addressed cracked or damaged sidewalks, which may be the result of tree root systems on private property. Assistant Director of Code Compliance Boyd replied that if the sidewalk is within the Town's right-of-way, this would be deferred to the Public Works Department; otherwise, the Town could approach the property owner to discuss the matter. If the owner is resistant to the outreach, this would again be deferred to Public Works.

Mayor Malkoon thanked Staff for their presentation and the efforts of Code Compliance in maintaining the Town's character, appearance, and quality of life. He emphasized that all adopted Code provisions should continue to be enforced fairly and consistently throughout the Town. He felt goals should begin with compliance, followed by recovery of revenue for the Town, and noted that it is appropriate for the Commission to evaluate whether there may be more effective tools available to encourage earlier compliance. He recommended continued outreach of the approaches used by other municipalities and presentation of options to the Commission.

5. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:00 p.m.

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Mayor Edmund Malkoon

ATTEST:



Melissa Vasami, Town Clerk

7/30/2026 | 9:29 AM EDT

Date