

ORDINANCE NO. 2019-020

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING ORDINANCE NO. 2016-91 (ATTACHED AS EXHIBIT "1") TO SUBSTITUTE THE SITE PLAN AND PATTERN BOOK DATED 10-5-16 PREPARED BY PASCUAL PEREZ KILIDDJIAN & ASSOCIATES WITH THE SITE PLAN AND PATTERN BOOK PREPARED BY SAME DATED 1-29-19; AND THE LANDSCAPE PLAN DATED 10-5-16 PREPARED BY WITKIN HUTS DESIGN GROUP WITH THE LANDSCAPE PLAN DATED 1-28-19 SIGNED AND SEALED BY EDGARDO PEREZ, R.A; **PROPERTIES LOCATED ON THE SE CORNER OF NW 170 STREET AND NW 97 AVENUE, HIALEAH FLORIDA;** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of February 13, 2019 recommended approval of this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA THAT:

Section 1: Ordinance No. 2016-91 (attached as Exhibit "1") is hereby amended to substitute the site plan and pattern book dated 10-5-16 prepared by Pascual Perez Kiliddjian & Associates with the site plan and pattern book prepared by same dated 1-24-19; and the landscape plan dated 10-5-16 prepared by Witkin Huts Design Group with the landscape plan dated 1-28-19 signed and sealed by Edgardo Perez, R.A. Properties located on the SE Corner of NW 170 Street and NW 97 Ave, Hialeah Florida, and legally described in Exhibit "2" attached.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 12 day of March, 2019.

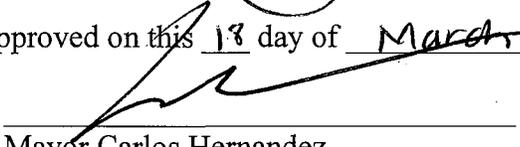
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



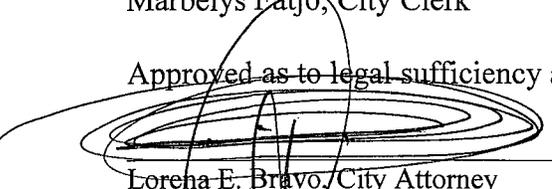
Vivian Casals-Munoz
Council President

Attest:


Marbelys Fatjo, City Clerk

Approved on this 18 day of March, 2019.


Mayor Carlos Hernandez

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a 7-0 vote with Councilmembers, Zogby, Lozano, Casals-Munoz, Garcia-Martinez, Hernandez, Caragol and Cue-Fuente voting "Yes".