

ORDINANCE NO. 2019-035

ORDINANCE APPROVING A FINAL PLAT OF HORSEBIT HIALEAH; ACCEPTING ALL DEDICATION OF AVENUES, STREETS, ROADS OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. **PROPERTY LOCATED AT 3120 WEST 11th AVENUE, HIALEAH, FLORIDA.**

WHEREAS, the Planning and Zoning Board at its meeting of February 27, 2019 recommended approval of this ordinance.

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

Section 1: The final plat of Horsebit Hialeah submitted by Horsebit Capital VIII, LLC is hereby accepted. Property located at 3120 West 11th Avenue, Hialeah, Florida, Zoned R-1 (One-Family District), classified under the Future Land Use Map as Low Density Residential, and legally described as follows:

The East 120 feet of the South half of Tract 8, Amended Plat of Blocks 1 to 12 inclusive of West Hialeah Heights, according to the Plat thereof, as recorded in Plat Book 28, at Page 39, of the Public Records of Miami-Dade County, Florida.

Section 2: All dedication of avenues or other public ways together with all existing and future planting, trees, shrubbery and fire hydrants thereon are hereby accepted.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed 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 5: Severability Clause.

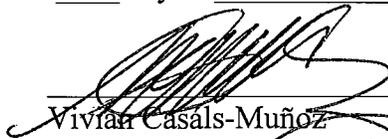
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or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

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, and signed by the Mayor of the City of Hialeah, Florida.

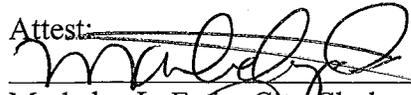
PASSED and ADOPTED this 26 day of March, 2019.

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

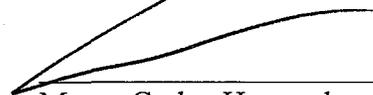


Vivian Casals-Muñoz
Council President

Approved on this 3 day of April, 2019.

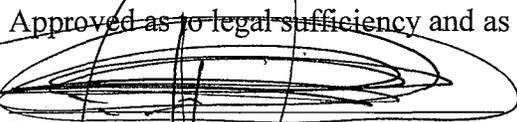
Attest:


Marbelys L. Fatjo, City Clerk



Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:



Lorena E. Bravo, City Attorney

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