

ORDINANCE NO. 2019-094

ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) FOR A TWELVE MONTH PERIOD FROM THE EFFECTIVE DATE OF THIS ORDINANCE OF A TEMPORARY PREFABRICATED BUILDING SORTING FACILITY FOR THE LOADING AND UNLOADING, SORTING AND DISTRIBUTION OF MAIL PACKAGES; WHICH USE WAS EXTENDED AND IS OPERATING THROUGH THE EXTENSION GRANTED AND ENDING OCTOBER 9, 2019 PURSUANT TO ORDINANCE NO. 2018-113; ON PROPERTY ZONED M-1 (INDUSTRIAL DISTRICT). **PROPERTY LOCATED AT 6001 EAST 8 AVENUE, HIALEAH FLORIDA.** 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.

WHEREAS, the Planning and Zoning Board at its regular meeting of September 25, 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 below-described property is hereby granted an extension of the special use permit (SUP) to allow the use of a prefabricated building on property zoned M-1 (Industrial District) for an extended twelve months from the effective date of this ordinance, for a temporary prefabricated building sorting facility for the loading and unloading, sorting and distribution of mail packages. Property located at 6001 East 8 Avenue, Hialeah Florida, zoned M-1 (Industrial District), and legally described as follows:

TRACT A, SBD PROPERTY, CONTAINING 57.35 ACRES, PURSUANT TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, AT PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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 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 4: Severability Clause.

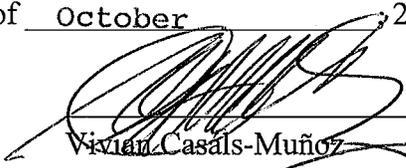
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or 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 22 day of October, 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

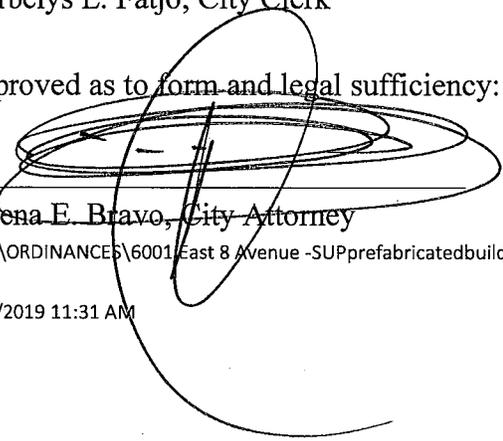
Attest:

Approved on this 29 day of October, 2019.


Marbelys L. Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena E. Bravo, City Attorney

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10/2/2019 11:31 AM

Ordinance was adopted by a 6-0-1 vote with Councilmembers, Caragol, Zogby, Hernandez, Casals-Munoz, Garcia-Martinez and Cue-Fuente voting "Yes" and with Councilmember Lozano absent.