

ORDINANCE NO. 2018-033

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING ARTICLE I, ENTITLED "IN GENERAL" IN CHAPTER 98, BY ADDING A NEW SECTION § 98-7 ENTITLED "FEES"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of April 11, 2018 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: Chapter 98, "Zoning", Article I, Entitled "In General", of the Code of Ordinances is hereby amended to add a new section §98-7 entitled "Fees" as follows:

Chapter 98

ZONING

* * *

ARTICLE I. - IN GENERAL

* * *

Sec. 98-7. - Fees.

Fees for review of plans by the planning and zoning division:

<u>Administrative Review</u>	<u>Fee</u>
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Plans review of minor improvements to appurtenances such as fences, drives, sheds, slabs, or railings (first three reviews under same process number—\$25 and \$25 for each review thereafter)	<u>\$25</u>
Plans review for improvements to property dedicated for single family or duplex use that is not otherwise considered minor (first three reviews under same process number —\$35 and \$35 for each review thereafter)	<u>\$35</u>
Plans review for improvements on property dedicated for all other uses not otherwise considered minor (first three reviews under same process number – \$70 and \$70 for each review thereafter)	<u>\$70</u>

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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: Inclusion in Code. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Hialeah, as an addition or amendment thereto, and the sections of this ordinance shall be renumbered to conform to the uniform numbering system of the Code.

Section 6: 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 8 day of May, 2018.

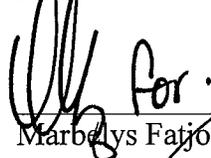
THE FOREGOING ORDINANCE OF THE CITY OF HIALEAH WAS PUBLISHED IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 166.041 PRIOR TO FINAL READING.



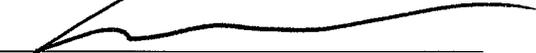
Vivian Casals-Munoz
Council President

Approved on this 14 day of May, 2018.

Attest:

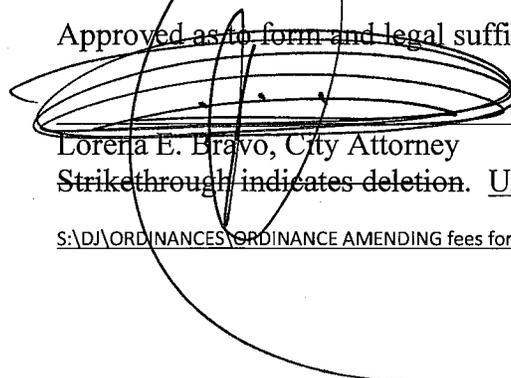


Marbelys Fatjo, City Clerk



Carlos Hernandez, Mayor

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

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

~~Strikethrough indicates deletion.~~ Underline indicates addition.