

ORDINANCE NO. 2017-013

ORDINANCE REPEALING AND RESCINDING HIALEAH, FLA. ORDINANCE NO. 05-52 (JUNE 20, 2005) THAT REZONED PROPERTY FROM INDUSTRIAL AND OFFICE (COUNTY ZONING DESIGNATION) TO (MH INDUSTRIAL DISTRICT); AND REZONING FROM GU (INTERIM DISTRICT) TO (MH INDUSTRIAL DISTRICT). **PROPERTY LOCATED AT 9100 WEST 40 AVENUE HIALEAH, FLORIDA.** PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of February 8, 2017 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: Hialeah, Fla. Ordinance 2005-52 is repealed.

Hialeah, Fla. Ordinance No. 2005-52 (June 20, 2005) rezoning property from Industrial and Office (County Zoning Designation) to MH Industrial District is hereby repealed and rescinded.

Section 2: The below-described property is hereby rezoned from GU (Interim District) to (MH Industrial District). Property located at 9100 West 40 Avenue, Hialeah, Florida, and legally described as follows:

A parcel lying and being in Section 20, Township 52 South, Range 40 East, in Miami-Dade County, Florida, and within the plat of "Chambers Land Company Subdivision" as recorded in Plat Book 2, Page 68, of the Public Records of Miami-Dade County, Florida.

AND

A Portion of Tract "A" of "Rinker Lake" as recorded in Plat Book 82, Page 47, of the Public Records of Miami-Dade County, Florida, also being a portion of the vacated Right-of-Way at N.W. 105th Avenue

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.

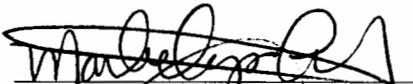
THE FOREGOING ORDINANCE OF THE CITY OF HIALEAH WAS PUBLISHED IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 166.041 PRIOR TO FINAL READING.

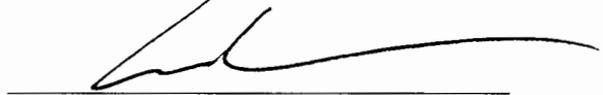
PASSED and ADOPTED this 28 day of February, 2017.


Luis Gonzalez
Council President

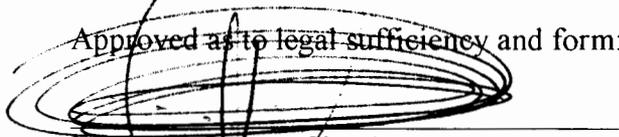
Approved on this 8th day of March, 2017.

Attest:


Marbelys Fatjo, City Clerk


Carlos Hernandez, Mayor

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a (6-0-1) vote with Councilmembers, Caragol, Gonzalez, Hernandez, Cue-Fuente, Garcia-Martinez and Casáls-Muñoz voting "Yes". Councilmember Lozano absent.