

**ORDINANCE NO. 2016-12**

ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) FOR THE OPERATION OF AN EXISTING HOSPITAL, PALMETTO GENERAL HOSPITAL PURSUANT TO HIALEAH CODE §98-181(2)(e), ON PROPERTY ZONED GU (GOVERNMENTAL USE). **PROPERTY LOCATED AT 2001 WEST 68 STREET, 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 meeting of January 13, 2016 recommended approval of this ordinance in substantial form.

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 a conditional use permit (CUP) for the operation of an existing hospital, Palmetto General Hospital, pursuant to Hialeah Code §98-181(2)(e). The property is located at 2001 West 68 Street, Hialeah, Florida, Miami-Dade County, Florida and legally described as follows:

See Exhibit "A", attached hereto and incorporated herein.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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

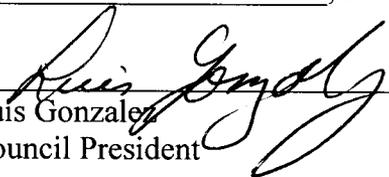
**Section 4: Severability Clause.**

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.**

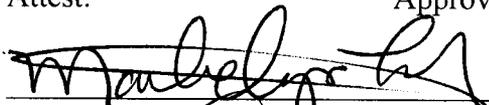
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

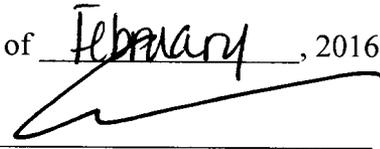
THE FOREGOING ORDINANCE OF THE CITY OF HIALEAH WAS PUBLISHED IN ACCORDANCE WITH THE PROVISIONS OF FLORIDA STATUTE 166.041 PRIOR TO FINAL READING. **PASSED AND ADOPTED** this 9 day of February, 2016.

  
Luis Gonzalez  
Council President

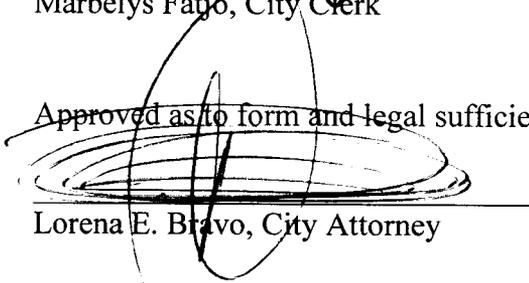
Attest:

Approved on this 18 day of February, 2016.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena E. Bravo, City Attorney

Ordinance was adopted by a (4-0-3) vote with Councilmembers, Cue-Fuente, Hernandez, Gonzalez, and Lozano voting "Yes" & Councilmembers, Caragol, Garcia -Martinez and Casáls-Muñoz absent.