

ORDINANCE NO. 2014-06

ORDINANCE REPEALING AND RESCINDING HIALEAH, FLA., ORDINANCE 2013-43 (JUNE 25, 2013), GRANTING A VARIANCE PERMIT TO ALLOW PAWNBROKING OF SECONDHAND JEWELRY BY A RETAIL JEWELRY STORE ON PROPERTY ZONED CR (COMMERCIAL-RESIDENTIAL DISTRICT) AND LOCATED IN THE EXTENDED HIALEAH DOWNTOWN URBAN CENTER DISTRICT, CONTRA TO HIALEAH CODE §98-1111(21) AS REFERENCED IN HIALEAH CODE §98-891. **PROPERTY LOCATED AT 1765-1795 EAST 4 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 recommended approval of this ordinance at its meeting of December 11, 2013; and

WHEREAS, the property owner is no longer interested in pursuing the operation of a pawnshop at the property subject of the variance;

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

Section 1: Repeal of Hialeah, Fla., Ordinance 2013-43. Hialeah, Fla., Ordinance 2013-43 (June 25, 2013) is hereby repealed and rescinded in its entirety.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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

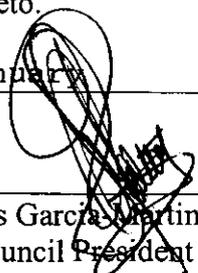
Section 4: Severability Clause.

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 28 day of January, 2014.



Isis Garcia-Martinez
Council President

Attest:

Approved on this 30 day of JANUARY, 2014

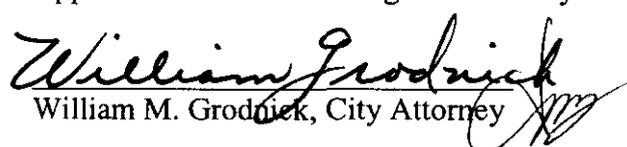


Marbelys Fatjo, Acting City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".