

ORDINANCE NO. 2018-109

ORDINANCE REZONING PROPERTY FROM GU (INTERIM DISTRICT MIAMI-DADE COUNTY ZONING DESIGNATION) TO MH (INDUSTRIAL DISTRICT). **PROPERTY LOCATED AT 14450 NW 102 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 meeting of September 12, 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: The below described property is hereby rezoned from GU (Interim District Miami-Dade County Zoning Designation) TO MH (Industrial District). Property Located at 14450 NW 102 Avenue, and legally described as:

That portion of Tracts 2 and 3 in the SW ¼ of Section 20, Township 52 South, Range 40 East, "CHAMBERS LAND COMPANY SUBDIVISION", according to the Plat thereof, recroded in Plat Book 2, at Page 68 of the Public Records of Miami-Dade County, Florida; the same being a portion of area "LAKE A" as shown on an unrecorded layout entitled "PENNSUCO 4 LAKES", described as follows:

Commence 567.53 feet South of the center of said Section 20 (same as the NE corner of Tract 1, Plat Book 2, Page 68) measured along the centerline of said Section 20; thence go S 89° 50' 15" W for a distance of 60.05 feet, to the POINT OF BEGINNING; thence continue S 89° 50' 15" for a distance of 440.36 feet, to the East line of said Lake "A"; thence go S 02° 29' 48.5" E along the East line of said Lake "A" for a distance of 296.80 feet, to a point; thence go N 89° 50' 15" E, for a distance of 440.36 feet, to a point; thence go N 02° 29' 48.5" W, 60 feet West of and parallel with the centerline of said Section 20, for a distance of 296.80 feet to the POINT OF BEGINNING.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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 9 day of October, 2018.

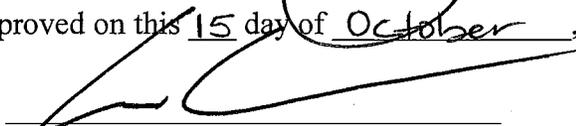
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Vivian Casals-Munoz
Council President

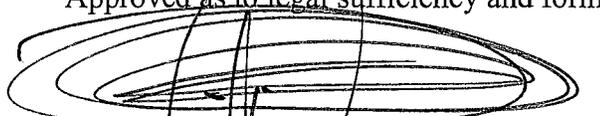
Attest:

Approved on this 15 day of October, 2018.


Marbelys Fatjo, City Clerk


Carlos Hernandez, Mayor

Approved as to legal sufficiency and form:


Lorena E. Bravo, City Attorney

Ordinance was adopted by a 5-0-2 vote with Councilmembers, Zogby, Casals-Munoz, Caragol, Hernandez, and Garcia-Martinez voting "Yes" and with Councilmembers Cue-Fuente and Lozano absent.