ORDINANCE NO. 2014-43

ORDINANCE APPROVING A FINAL PLAT OF READY AUTO ZONE TRACT, ACCEPTING ALL DEDICATION OF AVENUES, STREETS, ROADS OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; 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. **PROPERTY LOCATED AT 3850 WEST 12 AVENUE, HIALEAH, FLORIDA.**

WHEREAS, the Planning and Zoning Board at its meeting of August 13, 2014, 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 final plat of Ready Auto Zone Tract, submitted by The Cayon Family Limited Partnership No. 2, a Florida limited partnership, by and through Maurice Cayon, as President of its General Partner, Cayon Golden Eagle, Inc., a Florida corporation, is hereby accepted. Property is located at 3850 West 12 Avenue, Hialeah, Miami-Dade County, Florida, zoned C-2 (Liberal Retail Commercial), and classified under the Future Land Use Map as Commercial, and legally described as follows:

THE NORTH 90 FEET OF THE EAST 150 FEET OF LOT 2, IN BLOCK 1, OF READY SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 121, AT PAGE 10, OF

THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Section 2: All dedication of avenues or other public ways together with all existing and future planting, trees, shrubbery and fire hydrants thereon are hereby accepted.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: 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 5: 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 section of this ordinance.

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, and signed by the Mayor of the City of Hialeah, Florida.

PASSED and ADOPTED this 09 day of September, 2014.

Isis Garcia-Martinez
Council President

Attest:

Approved on this 11 day of September, 2014.

Marbelys L. Fatjo, Acting City Clerk

Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:

Lorena E. Bravo, Acting City Attorney

Ordinance was adopted by a 5-0-2 vote with Council Members Casáls-Muñoz, Garcia-Martinez, Gonzalez, Hernandez, & Lozano voting "Yes", & Councilmembers Caragol and Cue-Fuente absent.

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