

**ORDINANCE NO. 2020-059**

ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) PURSUANT TO HIALEAH CODE OF ORDINANCES § 98-161 TO ALLOW WELDING IN A PROPERTY ZONED M-1 (INDUSTRIAL DISTRICT), WHERE WELDING IS NOT A PERMITTED USED IN THE M-1 (INDUSTRIAL DISTRICT) ZONING CLASSIFICATION. **PROPERTY LOCATED AT 8000 WEST 24 AVENUE, UNIT 1, HIALEAH, ZONED M-1 (INDUSTRIAL DISTRICT)**. REPEALING ALL 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 9, 2020 recommended approval of this ordinance; and

**WHEREAS**, the developer has proffered a Declaration of Restrictions, to which the City accepts.

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 Special Use Permit (SUP) to allow welding in a property zoned M-1 (Industrial District), where welding is not a permitted used in the M-1 (Industrial District) zoning classification, pursuant to Hialeah code of Ordinances § 98-161.

**Section 2:** Property located at 8000 West 24 Avenue, Unit 1, Hialeah, zoned M-1 (Industrial District) and legally described as follows:

Condominium Building E, Unit Bay No. 1, of COLORAMA INDUSTRIAL PARK NO. 3 CONDOMINIUM, according to the Declaration of Condominium thereof, as recorded in Official Records Book 21776, at Page 3804, of the Public Records of Miami-Dade County, Florida. Lying in Tract C of "COLORAMA INDUSTRIAL PARK", according to the Plat thereof, as recorded in Plat Book 157 at Page 42, of the Public Records of Miami-Dade County, Florida.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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

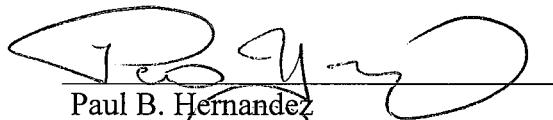
**Section 5: Severability Clause.**

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 sections of this ordinance.

**Section 6: 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.

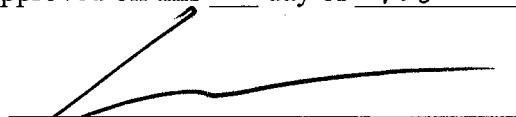
PASSED and ADOPTED this 13 day of October, 2020.

  
Paul B. Hernandez  
Council President


Attest:

  
Marbelys Fatjo, City Clerk

Approved on this 2 day of November, 2020.

  
Mayor Carlos Hernandez

Approved as to legal sufficiency and form:

  
Lorena E. Bravo, City Attorney

Ordinance was adopted by 7-0 vote with Councilmembers, Cue-Fuente, De la Rosa, Garcia-Roves, Hernandez, Perez, Tundidor and Zogby voting "Yes."