

ORDINANCE NO. 2021-074

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIALEAH, CHAPTER 22 ENTITLED "CODE ENFORCEMENT", ARTICLE I. "IN GENERAL", AND IN PARTICULAR, AMENDING ARTICLE III. "ENFORCEMENT PROCEDURES", DIVISION 3. "CIVIL VIOLATION ENFORCEMENT PROCEDURES", SECTION 22-190, ENTITLED "SCHEDULE OF CIVIL PENALTIES" TO PROVIDE FOR A CIVIL PENALTY IN THE AMOUNT OF \$250.00 FOR VIOLATIONS OF SECTION 18-613 OF THE CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 22 of the City of Hialeah Code of Ordinances provides a uniform, equitable, expeditious, efficient and effective method for enforcement of violations of city ordinances or laws, and due process; and

WHEREAS, non-compliance with city ordinances and laws can have a detrimental effect in this community; and

WHEREAS, Section 18-613 of the City of Hialeah of Hialeah Code or Ordinances entitled Hotel and Motel Rentals, was recently amended to add, among other things, a registry to be maintained of guests, and review and approval by, among other departments, the police department regarding a plan to mitigate crime to obtain the annual business tax receipt, f/k/a occupational license; and

WHEREAS, the City finds it is in the best interest of the public to adopt this ordinance to enforce violations of, if any, of §18-613 commencing on October 1, 2021.

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

Section 1:

Chapter 22 entitled “Code Enforcement”, of the Code of Ordinances of the City of Hialeah, is hereby amended to read as follows:

Chapter 22
CODE ENFORCEMENT

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ARTICLE III. – ENFORCEMENT PROCEDURES.

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DIVISION 3. CIVIL VIOLATION ENFORCEMENT PROCEDURES

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Sec. 22-190. - Schedule of civil penalties.

Code Section	Description of violations	Civil Penalty
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Miami-Dade County Code, chapter 17, section 17-25, section 17-26, section 17-29, and section 17-30.	Minimum Housing Standards.	\$250.00
<u>City of Hialeah Code of Ordinances, chapter 18, article XII.-Hotels and Motels, section 18-613.</u>	<u>Failure to comply with regulations applicable to hotel and motel rentals.</u>	<u>\$250.00</u>

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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: Inclusion in Code.

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Hialeah, as an addition or amendment thereto, and the sections of this ordinance shall be renumbered to conform to the uniform numbering system of the Code.

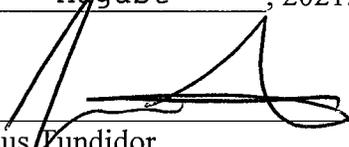
Section 6: Severability Clause.

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 7: 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.

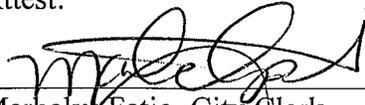
PASSED AND ADOPTED this 24 day of August, 2021.



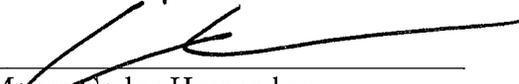
Jesus Tundidor
Council President

Attest:

Approved on this 3 day of September, 2021.

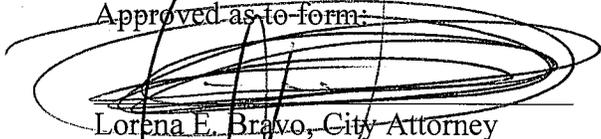


Marbelys Fatjo, City Clerk



Mayor Carlos Hernandez

~~Approved as to form:~~



Lorena E. Bravo, City Attorney

Ordinance was adopted by 6-0-1 vote with Councilmembers, Cue-Fuente, De la Rosa, Garcia-Roves, Perez, Tundidor, and Zogby voting "Yes" and with Council Member Hernandez absent.

~~Strikethrough~~ indicates deletion. Underline indicates addition.