

**ORDINANCE NO. 2022-005**

ORDINANCE REZONING FROM GU (INTERIM DISTRICT) TO MH (INDUSTRIAL DISTRICT); **PROPERTY LOCATED AT 4220 WEST 91 PLACE, HIALEAH, ZONED GU (INTERIM DISTRICT)**. 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 January 12, 2022 recommended approval of this ordinance; and

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) to MH (Industrial District). Property located at 4220 West 91 Place, Hialeah, zoned GU (Interim District a Miami-Dade County Zoning Designation) and legally described as follows:

Description of a portion of land being and lying in the SW ¼ of Section 20, Township 52 South, Range 40 East, City of Hialeah, Miami-Dade County, Florida, more particularly described as follows: Commence at the SW ¼ corner of Section 20-52-40; thence along the West line of the above mentioned Section for 1429.89 feet to a point; thence N 89° 40' 31" E for 10.0 feet to the Point of Beginning; thence continuing with the aforementioned direction for 1141.11 feet to a point; thence N 00° 19' 29" W for 100.0 feet to a point; thence N 89° 40' 31" E for 772.59 feet to a point; thence N 02° 36' 37" W for 542.34 feet to a point; thence S 89° 40' 31" W for 1917.36 feet to a point; thence S 02° 34' 51" W for 642.34 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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 8 day of February, 2022.

  
\_\_\_\_\_  
Carl Zogby  
Council President

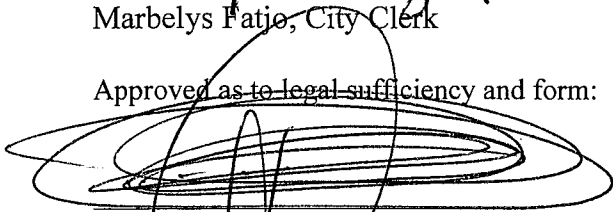
Approved on this 22 day of February, 2022.

  
\_\_\_\_\_  
Mayor Esteban Bovo, Jr.

Attest:

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

Approved as to legal sufficiency and form:

  
\_\_\_\_\_  
Lorena E. Bravo, City Attorney

Ordinance was adopted by 7-0 with Councilmembers Calvo, Casáls-Muñoz, Garcia-Roves, Perez, Rodriguez, Tundidor, and Zogby voting "Yes."

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