

ORDINANCE NO. 2021-114

ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP), PURSUANT TO HIALEAH CODE OF ORDINANCES § 98-161, TO ALLOW THE USE OF A PREFABRICATED BUILDING ON A PROPERTY ZONED M-1 (INDUSTRIAL DISTRICT) FOR AN EXTENDED PERIOD OF TIME NOT EXCEEDING 6 MONTHS FROM THE EFFECTIVE DAY OF THIS ORDINANCE, FOR A TEMPORARY SORTING FACILITY FOR THE LOADING AND UNLOADING, SORTING AND DISTRIBUTION OF MAIL PACKAGES (EXTENDING FOR SIX MONTHS THE 12 MONTH PERIOD PREVIOUSLY GRANTED BY THE CITY OF HIALEAH, FL ORDINANCE 2020-067). **PROPERTY LOCATED AT 6001 EAST 8 AVENUE, HIALEAH, ZONED M-1 (INDUSTRIAL 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 regular meeting of September 8, 2021, 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 granted an extension of the special use permit (SUP), pursuant to § 98-161, to allow the use of a prefabricated building on property zoned M-1 (Industrial District) for an extended six months from the effective date of this ordinance, for a temporary prefabricated building sorting facility for the loading and unloading, sorting and distribution of mail packages. Property located at 6001 East 8 Avenue, Hialeah Florida, zoned M-1 (Industrial District), and legally described as follows:

Tract A, SBD property, containing 57.35 acres, more or less, pursuant to the plat thereof, as recorded in plat book 122, at page 68, of the public records of Miami-Dade County, Florida.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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

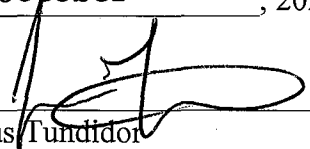
Section 4: Severability Clause.

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.

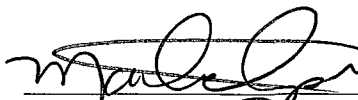
PASSED and ADOPTED this 12 day of October, 2021.




Jesus Tundidor
Council President

Attest:

Approved on this 21 day of October, 2021.

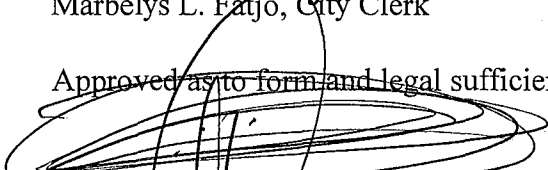


Marbelys L. Fatjo, City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

Ordinance was adopted by 4-0-3 vote with Councilmembers, Garcia-Roves, Perez, Tundidor, and Zogby voting "Yes" and with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Hernandez absent.