

**ORDINANCE NO. 2022-059**

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AMENDING THE HIALEAH CODE OF ORDINANCES CHAPTER 50, ENTITLED “HOUSING”, ARTICLE III. “HOUSING ASSISTANCE PROGRAM”, DIVISION 2. “AFFORDABLE HOUSING ADVISORY COMMITTEE”; §50-87 “MEMBERSHIP, TERMS, QUORUM, AND VOTING REQUIREMENTS.”; ADDING “ELECTED OFFICIALS OF THE CITY OF HIALEAH” AS ONE OF THE CATEGORIES FROM WHICH A REPRESENTATIVE MAY BE SELECTED TO FORM THE AFFORDABLE HOUSING ADVISORY COMMITTEE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to §50-87 of the Hialeah Code of Ordinances, the city council of the City of Hialeah shall appoint, by resolution, no less than 8 and no more than 11 people to the affordable housing advisory committee; and

**WHEREAS**, the appointees shall be selected from the categories specified in §50-87; and

**WHEREAS**, the City of Hialeah wishes to include “Elected Officials of the City of Hialeah” as a category from which appointees shall be selected.

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

**Section 1:** Chapter 50, Entitled “Housing”, Article III. “Housing Assistance Program”, Division 2. “Affordable Housing Advisory Committee”; §50-87 “Membership, terms, quorum, and voting requirements.” is hereby amended as follows:

\* \* \*

Sec. 50-87. - Membership, terms, quorum, and voting requirements.

\* \* \*

(d) The city council shall appoint by resolution the members to the committee from recommendations submitted to the city council by the mayor. The composition of the committee shall include one representative from at least six of the categories below, who may also serve on the local housing partnership:

(1) An Elected Official of the City of Hialeah

(+2) A citizen who is actively engaged in the residential home building industry.

(23) A citizen who is actively engaged in the banking or mortgage banking industry.

(34) A citizen who is a representative of those areas of labor engaged in home building.

(45) A citizen who is designated as an advocate for low-income persons.

(56) A citizen who is actively engaged as a for-profit provider of affordable housing.

(67) A citizen who is actively engaged as a not-for-profit provider of affordable housing.

(78) A citizen resident who is a real estate professional in connection with affordable housing.

(89) A citizen resident who actively serves on the local planning agency pursuant to F.S. § 163.3174.

(910) A citizen who resides within the city.

(1011) A citizen who represents employers in the city.

(1112) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

\* \* \*

**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.

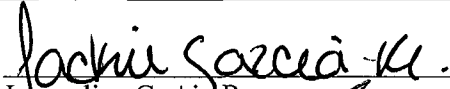
**Section 5: Inclusion in Code.**

The Code Amendments provided for in this ordinance shall be included and incorporated in the Code of Ordinances of the City of Hialeah, Florida.

**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.

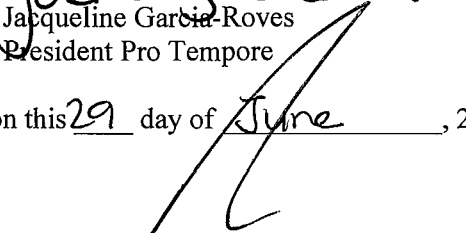
PASSED and ADOPTED this 28 day of June, 2022.

  
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Jacqueline Garcia-Roves  
President Pro Tempore

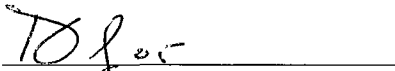
Attest:

Approved on this 29 day of June, 2022.

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

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

Approved as to legal sufficiency and form:

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

Ordinance was adopted by 5-0-2 vote with Councilmembers Calvo, Garcia-Roves, Casals-Muñoz, Rodriguez, and Tundidor voting "Yes" and with Council President Zogby and Council Vice President Perez absent.

~~Strike through~~ indicates deletion. Underline indicates addition.

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