

ORDINANCE NO. 2023-003

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, REZONING PROPERTY FROM A (AGRICULTURAL DISTRICT) TO R-3-3 (MULTIPLE-FAMILY DISTRICT). **PROPERTY LOCATED AT 10 WEST 53 TERRACE, HIALEAH, ZONED A (AGRICULTURAL 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 November 16, 2022 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 rezoned from A (Agricultural District) to R-3-3 (Multiple-Family District). Property located at 10 West 53 Terrace, Hialeah, zoned A (Agricultural District) and legally described as follows:

Lot 1, Block 8 of AMENDED PLAT OF PALM SPRINGS SUBDIVISION, according to the plat thereof, as recorded in Plat Book 53, at Page 22, 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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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.

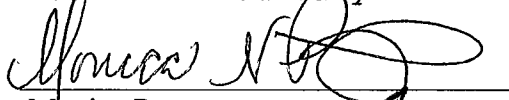
Section 4: Severability Clause.

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 10 day of January, 2023.



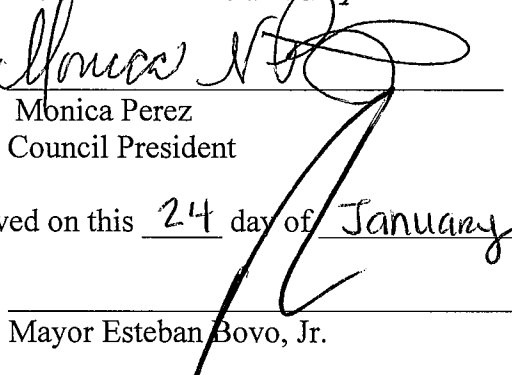
Monica Perez
Council President

Attest:



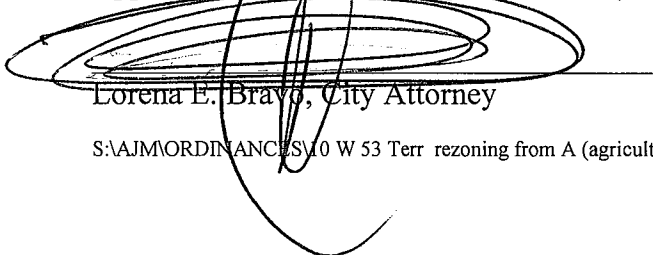
Marbelys Fatjo, City Clerk

Approved on this 24 day of January, 2023.



Mayor Esteban Bovo, Jr.

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

S:\AJMORDINANCES\10 W 53 Terr rezoning from A (agricultural) to R-3-3 (p&z 11.16.22).docx

Ordinance was adopted by 4-0-3 with Council Members Garcia-Roves, Perez, Rodriguez, Tundidor, and voting "Yes", Council Member Calvo and Council Member Casáls-Muñoz not present during roll call and Council Member Zogby absent.