

ORDINANCE NO. 2023-009

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AMENDING CHAPTER 2 ENTITLED “ADMINISTRATION”, ARTICLE III. ENTITLED “BOARDS, COMMISSIONS AND COMMITTEES”, BY AMENDING DIVISION 5 “ENTITLED “VETERAN’S AFFAIRS BOARD” BY DESIGNATING IT AS THE “VETERAN’S AFFAIRS COMMITTEE”; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter provides that appointed or elective board members must be resident electors §4.0-7 (d) City Charter; and

WHEREAS, committees are not subject to the resident elector requirement in the City Charter.

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

Section 1: Chapter 2, Entitled “Administration”, Article III, entitled “Boards, Commissions and Committees” Division 5 entitled “Veteran’s Affairs Board” is hereby amended by designating it as the “Veteran’s Affairs Committee” as follows:

Chapter 2 - ADMINISTRATION

ARTICLE III. – BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 5. – VETERAN’S AFFAIRS BOARD COMMITTEE

Sec. 2-701. - Established.

The city establishes a veteran’s affairs ~~board~~ committee.

Sec. 2-702. - Composition and term of service.

The veteran’s affairs ~~board~~ committee shall consist of eight members. Each councilmember and the mayor shall select a member. Members shall serve without compensation. Members shall serve for a term of two years.

Sec. 2-703. – Meetings.

The veteran's affairs ~~board~~ committee shall establish the date, time and place of its meetings.

Sec. 2-704. – Duties and Powers.

The enumerated powers and duties of the veteran's affairs ~~board~~ committee are to:

- (1) Advise the city council on significant and pertinent matters relating to veterans.
- (2) Promote and encourage public participation in activities honoring veterans.
- (3) Educate the public in the importance and value of military service to the United States.
- (4) Advise the city council on the recognition of veterans who received special honor in service to the United States and of veterans who lost their lives in service.

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All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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 24 day of January, 2023.



Monica Perez
Council President

Attest:

Approved on this 31 day of January, 2023.

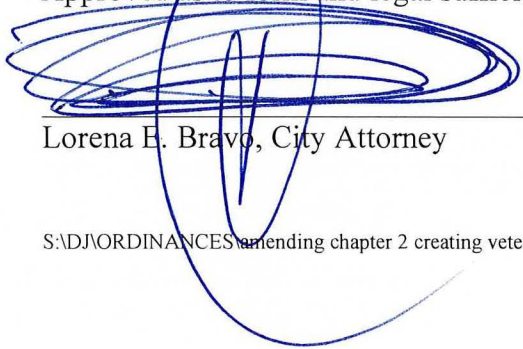


Marbelys Fatjo, City Clerk



Mayor Esteban Bovo, Jr.

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

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Ordinance was adopted by 6-0-1 vote with Council Members Calvo, Casáls-Muñoz, Garcia-Roves, Perez, Rodriguez, and Zogby voting "Yes" and with Council Member Tundidor absent.