

ORDINANCE NO. 04-07-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RE-ADOPTING MIAMI-DADE COUNTY FLOOD HAZARD ORDINANCE AS A CITY ORDINANCE; PROVIDING FOR FLOOD DAMAGE PREVENTION; PROVIDING FOR THE INCORPORATION OF ALLADMINISTRATION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 8.03 of the City of Miami Gardens Charter, the Code of Miami-Dade County is the City Code; and

WHEREAS, federal government has certain requirements to be adopted by municipalities to prevent flood damage; and

WHEREAS, floods and flooding constitute a major danger for individuals, businesses and communities in general and for the City of Miami Gardens, Florida; and

WHEREAS, Miami-Dade has established a flood hazard ordinance that applies to the Miami Gardens; and

WHEREAS, the City Council has determined that it is in the best interest of the City and its residents and businesses to adopt a Flood Plain Management Regulation Ordinance to protect the health and safety of its residents; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. Flood Hazard Ordinance.

The City Council of Miami Gardens hereby re-adopts the Miami-Dade County Flood Hazard Ordinance (Chapter 11C, County Code), attached as Appendix A and made a part hereto as if it were set out in full herein.

Section 2. Administration

That the City Council of Miami Gardens has previously approved Miami-Dade County as its staff for the purposes of building, planning and zoning enforcement, for the purposes of administration of the Flood Hazard Ordinance, the City Council re-affirms that Miami-Dade County will administer the provisions of this ordinance for the City of

Miami Gardens. Any references to the administration of this ordinance in the "unincorporated" areas of Miami-Dade County shall also read to mean "within the City of Miami Gardens." The City Manager of the City of Miami Gardens will do all things necessary to ensure compliance with this Ordinance.

Section 3. Repealer.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

Section 4. Severability.

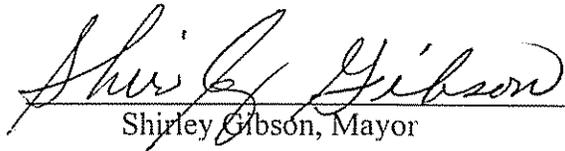
Provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional, shall decision shall not affect the validity of the remaining section, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Effective Date.

This Ordinance shall take effect ten (10) days after adoption on second reading.

PASSED on first reading this 11th day of February, 2004

PASSED AND ADOPTED on second reading this 25th day of February, 2004.


Shirley Gibson, Mayor

ATTEST:



Ronetta Taylor, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



Sonja K. Knighton
City Attorney

VOTE: 7-0

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon II	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Audrey King	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)