

ORDINANCE No. 2007-10-116

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXTENDING THE MORATORIUM ON THE PROCESSING OF PERMITS FOR AUTOMATIC CHANGING ELECTRIC SIGNS ("DIGITAL SIGNS"), INCLUDING, BUT NOT LIMITED TO, SITE PLANS, BUILDINGS, PLUMBING, MECHANICAL AND ELECTRICAL PERMITS, DEVELOPMENTAL APPLICATIONS AND ORDERS AND ANY RELATED ACTIONS AND/OR APPROVALS FOR SUCH SIGNS WITHIN THE CITY, FOR AN ADDITIONAL TWO HUNDRED SEVENTY (270) DAY PERIOD; PROVIDING FOR A TERM; PROVIDING FOR EXCEPTIONS; PROVIDING FOR A STUDY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, recently several Automatic Changing Electric Signs, a/k/a "digital signs" have been erected in the City, and

WHEREAS, the Miami-Dade County Code is made applicable to the City by virtue of Section 8.3 of the City's Charter; however, Miami-Dade County does not have adequate regulations to address these signs, and

WHEREAS, the City has received a number of complaints from residents and Council members relating to these signs, and

WHEREAS, the City Manager previously requested that the City Council impose a six (6) month moratorium on the processing of these signs to permit a study to be conducted to determine whether these signs should be permitted in the City, and

WHEREAS, Ordinance No. 2007-03-109 was adopted on January 24, 2007, and initiated a six-month moratorium on the processing of digital signs in order to permit a study to be conducted in the City, and

WHEREAS, it has taken longer than anticipated to complete the study, and

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WHEREAS, the City Manager is requesting that the City Council extend the moratorium for an additional two hundred seventy (270) day period,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. EXTENSION OF MORATORIUM: The moratorium approved by Ordinance No. 2007-03-109 on the processing and permitting of Automatic Changing Electric Signs a/k/a "digital signs" is hereby extended for an additional period of two hundred seventy (270) days from January 24, 2007, the effective date of Ordinance No. 2007-03-109. The moratorium covers the processing of all site plans, development applications and orders, building, plumbing, electrical and mechanical permits for digital signs, subject to the provisions of Section 3 herein. Except as otherwise provided herein, no department of the City shall issue any permits, development orders, or undertake the review and approval of any site plans, building permits, or development plans with respect to such uses within the City, during the term of the moratorium established hereby.

SECTION 3. EXEMPTION: The moratorium established hereby shall not apply to the following:

- a) Building, plumbing, mechanical and electrical permits for the repair of lawfully existing Automatic Changing Electric Signs.
- b) The renewal of a previously existing building, plumbing, mechanical or electrical permits for a lawfully existing digital sign.

SECTION 4: STUDY AND CITY MANAGER: The City Manager is hereby authorized and directed to coordinate with the City's consultants, as well as such other departments of the City, as the City Manager shall deem appropriate to conduct necessary studies of Automatic Changing Electric Signs within the City of Miami Gardens, and to determine the most appropriate geographic area(s) if any for the location of such signs. The City Manager shall report back to the Mayor and City Council the results of any studies.

SECTION 5. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 6. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

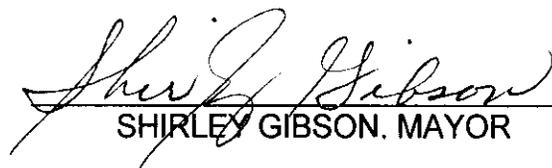
PASSED ON FIRST READING ON THE 11TH DAY OF APRIL, 2007.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 25TH DAY OF APRIL, 2007.

ATTEST:



RONETTA TAYLOR, CMC, CITY CLERK



SHIRLEY GIBSON, MAYOR

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Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilwoman Watson
SECONDED BY: Councilman Bratton

VOTE: 6-0

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|-------------------------------|--------------------|------------------|-------------|
| Mayor Shirley Gibson | <u> x </u> (Yes) | <u> </u> (No) | |
| Vice Mayor Oscar Braynon, II | <u> x </u> (Yes) | <u> </u> (No) | |
| Councilman Melvin L. Bratton | <u> x </u> (Yes) | <u> </u> (No) | |
| Councilman Aaron Campbell | <u> </u> (Yes) | <u> </u> (No) | Out of town |
| Councilman André Williams | <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) | |

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City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Oscar Braynon II
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman André Williams
Councilwoman Sharon Pritchett
Councilwoman Barbara Watson

Agenda Cover Page

Date: April 25, 2007

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

City Manager

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

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Staff Summary

On January 24, 2007 the City Council adopted a moratorium upon automated copy signs with renewable periods of 90 days.

RECOMMENDATION: The Council renew the automated copy sign moratorium for an additional 270 days in order to provide time for City Council to consider the issuance and development of new regulations if required.

**I-2) 2ND READING
ORDINANCE
DIGITAL SIGNS**