

ORDINANCE No. 2007-21-127

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, BUILDING, PLUMBING, MECHANICAL AND ELECTRICAL PERMITS, DEVELOPMENT APPLICATIONS AND ORDERS, AND ANY RELATED ACTIONS AND/OR APPROVALS FOR SUCH SIGNS WITHIN THE CITY, FOR AN ADDITIONAL ONE HUNDRED AND TWENTY (120) DAYS; PROVIDING FOR A TERM; PROVIDING FOR EXCEPTIONS; PROVIDING FOR A STUDY(S); PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, 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, on January 24, 2007, the City 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, on April 11, 2007, the City Council extended the moratorium for a period of 270 days, and

WHEREAS, the City has since contracted for professional services to prepare the City's sign code, including, but not limited to automatic changing electric signs, but the adoption of the new sign code will not occur prior to the expiration of the current moratorium, and

WHEREAS, to maintain the status quo on the automatic changing electric signs, City staff is requesting that the moratorium be extended an additional 120 days,

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 one hundred and twenty (120) days from October 24, 2007. 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

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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 10TH DAY OF OCTOBER 2007.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24TH DAY OF October, 2007.



SHIRLEY GIBSON, MAYOR

ATTEST:



RONETTA TAYLOR, CMC, CITY CLERK

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Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECONDED BY: Councilman Bratton

VOTE: 7-0

Mayor Shirley Gibson	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Vice Mayor Barbara Watson	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Aaron Campbell Jr.	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman André Williams	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
Councilman Oscar Braynon, II	<input checked="" type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)

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