

ORDINANCE NO. 2010-25-233

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF MIAMI GARDENS, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING FOR CORRECTIONS OF SCRIVENER'S ERRORS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 13, 2006, the City Council by adoption of Resolution No. 2006-154-500, initiated the process to codify the City of Miami Gardens Ordinances, and

WHEREAS, as a result of numerous reviews by city staff, and rewrites by Municipal Code Corporation the task of codifying City of Miami Gardens adopted ordinance into a municipal code has been completed, and

WHEREAS, the attached ordinance officially adopts the Code entitled "Code of Ordinances, City of Miami Gardens, Florida," published by Municipal Code Corporation, consisting of Chapters 1 through 34,

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 paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. ADOPTION OF CODE: The Code entitled "Code of Ordinances, City of Miami Gardens, Florida," published by Municipal Code Corporation, consisting of chapters 1 through 34, each inclusive, is adopted.

Section 3. GENERAL PENALTY PROVISION: Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a not exceeding \$500.00 or imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment in the discretion of the court. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, administrative adjudication, injunctive relief and revocation of licenses or permits.

Section 4. ADDITIONS/AMENDMENTS: Additions or amendments to the Code when passed in such form as to indicate the intention of the city to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments. Ordinances adopted after June 9, 2010, which amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 5. CORRECTIONS OF SCRIVENERS' ERRORS: The City Attorney and City Clerk are hereby authorized to correct scriveners errors contained in the Code.

Section 6. CONFLICT: All ordinances of a general and permanent nature enacted on or before June 9, 2010, and not included in the Code or recognized and continued in force by reference therein, are repealed. The repeal provided herein shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 7. 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 8. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the section of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

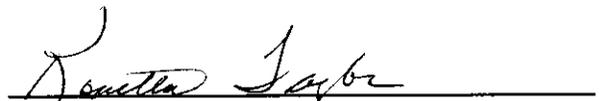
Section 9. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 8<sup>th</sup> DAY OF SEPTEMBER, 2010.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 22<sup>nd</sup> DAY OF  
SEPTEMBER, 2010.

  
SHIRLEY GIBSON, MAYOR

**ATTEST:**

  
RONETTA TAYLOR, MMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: RONETTA TAYLOR, CITY CLERK

Moved by: Councilwoman Pritchett  
Second by: Councilman Gilbert

**VOTE: 7-0**

Mayor Shirley Gibson	<u>  X  </u> (Yes)	____ (No)
Vice Mayor Aaron Campbell	<u>  X  </u> (Yes)	____ (No)
Councilwoman Lisa Davis	<u>  X  </u> (Yes)	____ (No)
Councilman Oliver Gilbert III	<u>  X  </u> (Yes)	____ (No)
Councilman Andre' Williams	<u>  X  </u> (Yes)	____ (No)
Councilwoman Sharon Pritchett	<u>  X  </u> (Yes)	____ (No)
Councilwoman Felicia Robinson	<u>  X  </u> (Yes)	____ (No)