

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2024-12

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, CREATING SECTION 5-314 “WINDOW HURRICANE SHUTTERS” TO REGULATE THE CLOSURE OF WINDOW HURRICANE SHUTTERS AND AMENDING THE CITY CODE, CHAPTER 1 - GENERAL PROVISIONS, SECTION 1-7 ENTITLED “PENALTIES” TO PROVIDE A PENALTY FOR THE CLOSURE OF WINDOW HURRICANE SHUTTERS OUTSIDE OF THE HURRICANE SEASON.

WHEREAS, the City of Coral Gables is committed to maintaining and enhancing the aesthetic quality of its neighborhoods; and

WHEREAS, the continuous closure of hurricane shutters throughout the City contributes to an undesirable visual impact on the community; and

WHEREAS, the City recognizes the importance of allowing residents to protect their homes during the Atlantic hurricane season, which runs from June 1 to November 30 each year; and

WHEREAS, the City Commission desires to strike a balance between ensuring the safety of residents during hurricane events and preserving the overall aesthetic character of the community; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on February 20, 2024, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with text amendments to the Official Zoning Code, and after due consideration, recommended approval with conditions (vote: 5 to 0) of the text amendment; and

WHEREAS, after notice was duly published, a public hearing was held before the City Commission for First Reading on January 9, 2024, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City staff incorporated changes from first reading, and recommendations from the Planning and Zoning Board, and the City Commission was presented with a final text amendment on second reading;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES THAT:

SECTION 1. The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended to read as follows¹:

Article 5. Architecture

Section 5-314: Window Hurricane Shutters

(a) Window and hurricane shutters, which are visible from the right-of-way, may be closed during the six-month Atlantic hurricane season, which runs from June 1 until November 30, for the purpose of protecting property from potential hurricane events.

(b) Properties with closed windows or hurricane shutters outside of the Atlantic hurricane season will be given a 30-day warning before any further enforcement action, including but not limited to fines pursuant to Section 1-7 of the City Code.

(c) The closure of windows or hurricane shutters that are not visible from the street are permitted year-round.

(d) Shutters shall be in good working order and properly maintained.

(e) Exceptions to this regulation may be granted by the City Manager or designee in cases where unique circumstances or emergencies necessitate the closure of window and hurricane shutters outside the hurricane season.

SECTION 3. The Official City Code of the City of Coral Gables Chapter 1 “General Provisions”, Section 1-7 “Penalties” is hereby amended to read as follows¹:

| <i>Zoning Code §</i> | <i>Description of Violation</i> | <i>Penalty</i> |
|----------------------|------------------------------------------------------------------------------------------|----------------------------------|
| ***** | ***** | ***** |
| ZC 5-201 | Failure to properly maintain or operate a service station | Civil penalty of \$100.00 |
| ZC 5-301 | Maintaining an illegal awning or canopy | Civil penalty of \$100.00 |
| <u>ZC 5-314</u> | <u>Closure of a Window or Hurricane Shutter outside of the Atlantic Hurricane Season</u> | <u>Civil penalty of \$100.00</u> |
| ZC 5-606 | Failure to use the correct materials to construct an exterior wall | Civil penalty of \$100.00 |

¹ Deletions are indicated by strikethrough. Insertions are indicated by underline.

| | | |
|-----------|---------------------------------------------------|---------------------------|
| ZC 5-1403 | Failure to provide the required driveway approach | Civil penalty of \$100.00 |
|-----------|---------------------------------------------------|---------------------------|

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

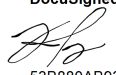
SECTION 6. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “City Code” and “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. If the Official Zoning Code or the Official City Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 8. This Ordinance shall become effective on the 1st day of December, 2024.

PASSED AND ADOPTED THIS TWELFTH DAY OF MARCH, A.D., 2024.
(Moved: Fernandez / Seconded: Anderson)
(Yeas: Anderson, Castro, Fernandez, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: E-2)

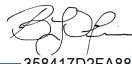
APPROVED:

DocuSigned by:

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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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CRISTINA M. SUÀREZ
CITY ATTORNEY