

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-34

AN ORDINANCE OF THE CITY COMMISSION AMENDING CHAPTER 62 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE IV "MAINTENANCE OF SIDEWALKS AND SWALE AREAS", SECTION 62-151 "ALLEYS, SWALE AREAS AND RIGHTS-OF-WAY TO BE KEPT CLEAN AND MOWED" OF THE CODE OF ORDINANCES, TO REVISE THE MAINTENANCE RESPONSIBILITIES OF PROPERTY OWNERS, PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is engaged in a renewed effort to improve the appearance of the commercial areas of the City through targeted code enforcement, downtown clean-up events, community education and engagement, and business incentive programs; and

WHEREAS, since August 24, 2021, the City Commission has discussed the City's downtown cleanup efforts at City Commission Meetings on at least ten separate occasions; and

WHEREAS, City staff and elected officials have participated in downtown walk-throughs and a trolley tour to assess the condition of the commercial areas of the City and brainstorm solutions to elevate the City's appearance; and

WHEREAS, the City has hosted four downtown clean-up events through Keep Coral Gables Beautiful, collecting over 806 pounds of litter with the help of 154 volunteers; and

WHEREAS, the City announced the Commercial Beautification Awards on April 26, 2022, to highlight businesses that have gone above and beyond in the beautification and maintenance of their storefronts and surrounding areas; and

WHEREAS, Coral Gables City Code Section 105-2 requires that exterior building façades be clean and well maintained, including awnings, signs, windows, doors and sidewalk overhangs; and

WHEREAS, Coral Gables City Code Section 58-48 requires abutting property owners to maintain sidewalks in the City as a smooth continuous surface, free from cracks and defects; and

WHEREAS, Coral Gables City Code Section 62-152 requires abutting property owners and occupants of property to maintain unpaved areas adjacent to sidewalks in good condition, free from holes and hidden dangers; and

WHEREAS, Coral Gables City Code Section 62-151 requires owners and occupants of improved and unimproved property to maintain their property in a clean, litter-free and mowed condition, including sidewalks, grass strips, alleys, curbs, swale areas, and rights-of-way; and

WHEREAS, the City has been engaged in an ongoing education campaign to inform the property owners and tenants within the business community of their maintenance responsibilities via individual meetings, the distribution of flyers, individual mailings, announcements via the City's E-newsletter, a dedicated webpage, social media postings, and through partnership and joint messaging with the Coral Gables Chamber of Commerce and Coral Gables Business Improvement District; and

WHEREAS, in furtherance of the City's ongoing efforts, the City Commission wishes to amend Coral Gables City Code Section 62-151, to provide greater clarity as to a property owner's maintenance responsibilities and expressly require a deep cleaning of commercial property and their surrounding areas at least every six months or more frequently as circumstances may necessitate;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

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. Chapter 62 "Streets, Sidewalks and Other Public Places", Article IV "Maintenance of Sidewalks and Swale Areas", Section 62-151 "Alleys, swale areas and rights-of-way to be kept clean and mowed" of the Code of Ordinances is hereby amended and shall read as follows:

Sec. 62-151. Alleys, swale areas and rights-of-way to be kept clean and mowed.

All owners of ~~unimproved property~~ and occupants of property, whether improved or unimproved, or occupants and owners of improved property shall maintain their property in a clean, litter-free and mowed condition, including abutting sidewalks, grass strips, alleys up to and including the median point of the alley, curbs, swale areas, parking lanes where they exist, or rights-of-way up to the edge of pavement of any public street. Landscape maintenance shall include, but not be limited to, mowing the grass and performing general edging, trimming, weed removal, and cleanup activities. General maintenance shall include, but not be limited to, removing debris, gum, and litter. Additionally, in commercial areas of the city, properties and their surrounding areas including abutting sidewalks, alleys up to and including the median point of the alley, curbs, parking lanes where they exist, or rights-of-way up to the edge of pavement of any public street, must be deep cleaned at least every six months or more frequently as conditions may necessitate. Deep cleaning consists of pressure washing, scrub-brushing, or an alternative method of cleaning that effectively removes stains, grease, spray paint, motor oil and like substances. Specialty pavers and pavement treatments must be deep-cleaned consistent with city-approved cleaning protocols. Property owners or their designees are prohibited from trimming trees and performing other activities within the city rights-of-way except in accordance with the provisions outlined in section 82-1 and as may otherwise be regulated by this Code. The city may, upon the approval of the city manager, mow selected areas of rights-of-way when doing so is found to serve a public interest.

SECTION 3. All Ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. 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 5. 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 of Coral Gables Code of Ordinances; 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 6. If the Official 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 7. That the City Manager shall provide a copy of this Ordinance to commercial property owners within the City.

SECTION 8. That the City Manager shall begin enforcement of the deep-cleaning requirement contained herein on June 30, 2022, but may adjust the specific enforcement date as necessary, provided enforcement occurs on a biannual basis.

SECTION 9. This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF JUNE, A.D., 2022.


(Moved: Anderson / Seconded: Menendez)

(Yeas: Menendez, Anderson, Fors, Jr., Mena, Lago)


(Unanimous: 5-0 Vote)

(Agenda Item: F-2)


APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY