

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-08

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING THE ZONING CODE, ARTICLE 2, "DECISION MAKING AND ADMINISTRATIVE BODIES", SECTION 2-702, ENTITLED "CITY ATTORNEY", TO PROVIDE THE PROPER PROCEDURES TO FOLLOW TO REVIEW RULINGS OF THE CITY ATTORNEY; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the section on City Attorney provides for the City Attorney being the final authority with regard to legal issues involving interpretation and implementation of the Zoning regulations, however, it does not state the procedure to be followed when an aggrieved party wishes to review a ruling by the City Attorney;

WHEREAS, the City Commission of Coral Gables wishes to provide for the proper procedure to be used by any aggrieved party desiring to review the decisions of the City Attorney;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA 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 Zoning Code of the City of Coral Gables, Florida is hereby amended as to Article 2, "Decision Making and Administrative Bodies", Section 2-702, entitled "City Attorney" to read as follows:

ARTICLE 2. DECISION MAKING AND ADMINISTRATIVE BODIES

2-702. City Attorney.

The City Attorney serves as the final authority with regard to legal issues involving interpretation and implementation of these regulations. An action to review any decision of the City Attorney may be taken by any person or persons, jointly or separately, aggrieved by such decision by filing with the Circuit Court in the manner and within the time prescribed by the Florida Rules of Appellate Procedure.

SECTION 3. Severability.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. Repealer.

All ordinances or parts of ordinances in conflict herewith, be and the same, are hereby repealed.

SECTION 5. Codification.

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 a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. Effective Date.

This ordinance shall become effective immediately upon the date of its adoption by the City Commission.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF JANUARY, A.D., 2009.

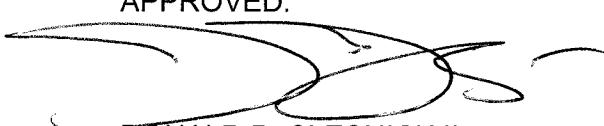
(Moved: Cabrera / Seconded: Kerdyk)

(Yea: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: E-3)

APPROVED:


DONALD D. SLESNICK II
MAYOR

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


ELIZABETH M. HERNANDEZ
CITY ATTORNEY