

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING CHAPTER 34 "NUISANCES", ARTICLE XI "NUISANCE ABATEMENT" SECTIONS 34-305 "DEFINITIONS" AND 34-307 "PROCEDURES" OF THE CODE OF ORDINANCES, BY ADDING STORAGE OF HAZARDOUS MATERIALS TO THE DEFINITION OF "PUBLIC NUISANCE" AND CREATING AN EXPEDITED NUISANCE ABATEMENT PROCESS, PROVIDING FOR SEVERABILITY CLAUSE, REPEALER PROVISION, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City's nuisance abatement procedures protect the general public from properties that repeatedly violate the law or otherwise adversely affect the health and welfare of the community or the free use and enjoyment of another's property; and

WHEREAS, public nuisances can exist anywhere in the city, on properties of every character and use, including residential, commercial, home office etc.; and

WHEREAS, some public nuisances can pose an immediate harm to persons or property and warrant an expedited resolution; and

WHEREAS, this ordinance expands the definition of "public nuisance" to include properties that on more than one occasion or for more than 24 hours, in a manner that is detrimental or dangerous to persons or property within the city, stores or disposes of any corrosive, combustible, hazardous, or flammable materials or liquids; and

WHEREAS, this ordinance creates an expedited nuisance abatement process for nuisances that pose an immediate threat of harm to persons or property and such process includes notice and a public hearing;

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 34 "Nuisances", Article XI "Nuisance Abatement" of the Code of Ordinances is hereby amended per the attached Exhibit 1.

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 All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.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. This ordinance shall become effective _____, 2022.

PASSED AND ADOPTED THIS ___DAY OF _____.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY