

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING SECTION 38-1 OF THE CITY OF CORAL GABLES CODE, ADDING A \$15,000 FINE, WHEN A MISDEMEANOR IS COMMITTED WITHIN THE LIMITS OF THE CITY, AS SPECIFIED UNDER SECTION 162.09(2), F.S., PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, ENFORCEABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 38-1 of the City of Coral Gables Code makes it “unlawful for any person to commit, within the limits of the City, any act which is or shall be recognized by the laws of the state as a misdemeanor;” and

WHEREAS, the City Commission wishes to add a penalty provision to said Section so as to preserve its right to enforce the section; and

WHEREAS, Section 162.09, F.S. grants municipalities with a population equal to or greater than 50,000 the authority to impose fines up to \$15,000 for certain violations; and

WHEREAS, the City Commission has reason to believe that the City of Coral Gables has a population equal to or greater than 50,000.

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. Section 38-1 of the Code of the City of Coral Gables, Florida, is hereby created to read as follows:

Sec. 38-1. – Adoption of state misdemeanors.

(a) It shall be unlawful for any person to commit, within the limits of the city, any act which is or shall be recognized by the laws of the state as a misdemeanor. The commission of such acts is hereby forbidden.

(b) A violation of this section shall result in the imposition of a \$15,000 fine, as a code enforcement matter, pursuant to Sections 101-181 - 188 of the City of Coral Gables Code.

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 All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.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 City Commission that the provisions of this Ordinance shall become and be made a part of the City Code, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 6. If the City Code’s Tables of Contents, Supplemental History Table, or other reference portions are affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2016.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY