

ORDINANCE NO. 2016-__

AN EMERGENCY ORDINANCE OF THE CITY OF CORAL GABLES GRANTING ORDINANCE NO. 2016-08 RELATING TO THE REGULATION OF POLYSTYRENE A RETROACTIVE EFFECTIVE DATE OF DECEMBER 8, 2015 (THE DATE OF PASSAGE ON FIRST READING), WHILE CONTINUING TO MAINTAIN THE SAME SCHEDULE AS TO ENFORCEMENT, PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Commissioner Lago)

WHEREAS, the Coral Gables City Commission, on February 9, 2016, passed Ordinance No. 2016-08, on second reading, which prohibited the use of polystyrene within the City; and

WHEREAS, the Coral Gables City Commission, on December 8, 2015, had the authority to enact legislation to protect and promote the public health, safety and welfare of its residents and visitors by reducing litter and pollutants on the land and in the waters of the City; and

WHEREAS, the Coral Gables City Commission, however, postponed the enactment of the legislation in order to obtain comments from the City's Chamber of Commerce and Business Improvement District; and

WHEREAS, the Coral Gables City Commission finds that the effective date of Ordinance Number 2016-08 should be December 8, 2015, the date of first reading; and

WHEREAS, the Coral Gables City Commission finds that the retroactive application of the Ordinance is merely procedural in nature.

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

SECTION 1. That 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. That the effective date for Ordinance Number 2016-08 shall be December 8, 2015. No other portion of Ordinance Number 2016-08 shall be altered or amended by this Ordinance.

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All ordinances or parts of ordinances in conflict herewith, are hereby repealed.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 upon adoption.

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

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY