



Legislation Details (With Text)

File #: 16-4884 **Version:** 1 **Name:** Buttons ord
Type: Ordinance **Status:** Adopted
File created: 3/4/2016 **In control:** City Commission
On agenda: 4/12/2016 **Final action:** 4/12/2016
Enactment date: 4/12/2016 **Enactment #:** 2016-25

Title: An Ordinance of the City of Coral Gables, Florida, prohibiting buttons and other encroachments in the public right-of-way without approval from the City, directing the City to remove such unauthorized buttons and other encroachments from the right-of-way, authorizing the City to bill the property owner for such removal as a special assessment, and providing for a repealer provision, severability clause, codification, enforcement and providing for an effective date.
(Sponsored by Mayor Cason)

Sponsors: Commissioner Cason

Indexes:

Code sections:

Attachments: 1. Signed Ordinance 2016-25, 2. 04 12 16 - CC - Buttons Ordinance, 3. 04 12 16 - Draft Ordinance (Updated), 4. 04 12 16 - Draft Ordinance, 5. 03.29.2016 - Signed Cover Memo - Buttons Ordinance, 6. Ordinance - buttons, 7. Presentation, 8. Signed Ordinance 2016-25, 9. Verbatim Transcript - CCMtg March 29 2016 - Agenda Items E-5 and F-1 are related - Ordinance prohibiting buttons and other encroachments in the public right-of-way, 10. Verbatim Transcript - CCMtg April 12 2016 - Agenda Item E-1 - Ordinance on Second Reading prohibiting buttons and other encroachments

Date	Ver.	Action By	Action	Result
4/12/2016	1	City Commission	adopted by Ordinance Number	Pass
3/29/2016	1	City Commission	approved as an Ordinance on First Reading as Amended	Pass

An Ordinance of the City of Coral Gables, Florida, prohibiting buttons and other encroachments in the public right-of-way without approval from the City, directing the City to remove such unauthorized buttons and other encroachments from the right-of-way, authorizing the City to bill the property owner for such removal as a special assessment, and providing for a repealer provision, severability clause, codification, enforcement and providing for an effective date.

(Sponsored by Mayor Cason)

It has come to the City Commission’s attention that there is a proliferation of ceramic buttons, pyramids, reflectors and other encroachments in the public right-of-way, throughout the City, that create visual clutter and diminish the aesthetics of these areas. Further, these encroachments may cause hazardous conditions for drivers and pedestrians. Therefore, the City wishes to eliminate all unauthorized encroachments in the public right-of-way. This ordinance does not preclude the City from installing traffic and parking control devices in the public right of way where there is a safety concern or other demonstrated public benefit.

Property owners will be given 60 days after the Ordinance is approved to remove said encroachments. If they are not removed within the 60-day period, the City will remove the items and assess the cost to the property owner. Property owners who obtained permits to install the items may apply to the City for a refund of the permit fee. Reinstallation of these items after their removal is a code enforcement violation punishable by a fine of \$100 per day.

Once the ordinance is approved, City staff will work with the community to facilitate removal of the buttons and other encroachments. Elements of the removal strategy could include the following:

- Distribute door hangers explaining property owner/resident responsibility, timeframe and options for removal/disposal of items in the public right of way.
- Provide options and suggestions for re-using or re-purposing the buttons on their private property, and for utilizing alternative landscape treatments in swales.
- Develop plan for city forces to remove remaining buttons and encroachments following the initial 60-day period; identify sustainable alternatives to landfilling, as practicable.

To date, Public Works has issued under 20 permits for button installation, resulting in approximately \$1000 in revenue that may be refunded to property owners. Other City costs associated with the overall effort to remove the buttons and other items from the public right of way could include public outreach, supplementing city forces with overtime and temporary employees, equipment rental, and disposal costs. The estimated costs for removal of the encroachments range from approximately \$15,000 to \$35,000 depending on the level of resident compliance and disposal method and location. Costs will be assessed to the property owner based on time and labor spent at each property as appropriate.