



Legislation Details (With Text)

File #: 19-9518 **Version:** 1 **Name:**
Type: Resolution **Status:** Adopted
File created: 12/11/2019 **In control:** City Commission
On agenda: 1/28/2020 **Final action:** 1/28/2020
Enactment date: 1/28/2020 **Enactment #:** 2020-32

Title: An Ordinance of the City Commission of Coral Gables, Florida amending the Code of Ordinances, Chapter 58, "Special Assessments," Article III, "Repair or construction of streets and sidewalks", by eliminating Section 58-57 "Work required in new building construction and/or alterations exceeding \$15,000.00 in value or exceeding 600 square feet in floor area," in its entirety; providing for severability clause, repealer provision, and providing for an effective date.
(Sponsored by Commissioner Mena)

Sponsors: Vice Mayor Mena

Indexes:

Code sections:

Attachments: 1. Signed Resolution 2020-32, 2. Cover Memo Ordinance revoking Sec. 58-57, 3. Draft Ordinance Revoking Sec. 58-57 sidewalks, 4. Amended City Code Section 58-57, 5. Verbatim Transcript - CCMtg Jan 28 2020 - Agenda Item F-3 - Ordinance amending the Code of Ordinances, Chapter 58, Article III, Repair or construction of streets and sidewalks

Date	Ver.	Action By	Action	Result
1/28/2020	1	City Commission	adopted by Resolution Number	Pass

An Ordinance of the City Commission of Coral Gables, Florida amending the Code of Ordinances, Chapter 58, "Special Assessments," Article III, "Repair or construction of streets and sidewalks", by eliminating Section 58-57 "Work required in new building construction and/or alterations exceeding \$15,000.00 in value or exceeding 600 square feet in floor area," in its entirety; providing for severability clause, repealer provision, and providing for an effective date.
(Sponsored by Commissioner Mena)

The City Commission continues to support increased sidewalks throughout the City in order to encourage pedestrian activity, improve mobility for persons with disabilities, to provide safe routes to schools for all children in the City, and to promote and encourage walkable neighborhoods and parks, but does not believe the existing mechanism is the most equitable or efficient in achieving that goal.

On January 26th, 1988, the City of Coral Gables Commission adopted Ordinance No. 2765, amending the City Code to include Sec. 28-25.1 titled "Construction, reconstruction or repair of sidewalks, curbs and/or gutters required in new building construction and/or alterations exceeding fifteen thousand dollars in value or exceeding six hundred square feet in floor area," which required the construction of sidewalks in conjunction with new construction or renovations above a certain threshold in order to increase the availability of sidewalks throughout the City.

The City Commission believes any future sidewalks will require further discussions and planning which would be better managed on a case-by-case basis and not a one-size-fits-all approach affecting all properties within the City. As a result, the City Commission desires to amend the City Code by removing Section 58-57 "Work

required in new building construction and/or alterations exceeding \$15,000.00 in value or exceeding 600 square feet in floor area” to eliminate the existing sidewalk requirements. The City Commission also grants the City Attorney the authority to release covenants running with the land that were executed in compliance with Section 58-57, at the request of the property owner.

Section 58-48 of the Code remains in force and continues to require abutting property owners to maintain sidewalks in a condition that presents a smooth, continuous surface and to remedy defective conditions, further stating that broken or cracked sidewalks constitute a nuisance.