

MEMORANDUM

Agenda Item No. 7(A)

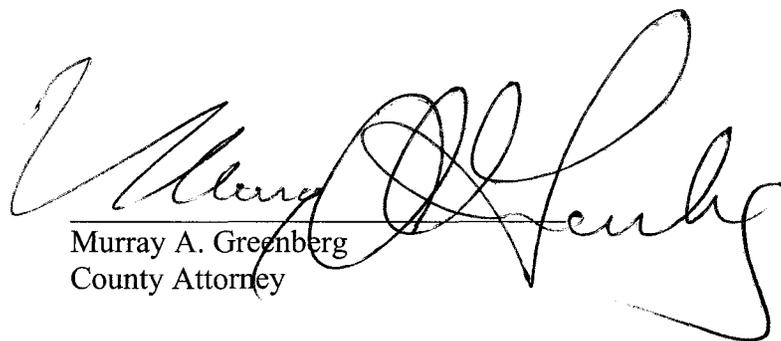
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: (Second Reading 01-24-06)
October 18, 2005

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending
Section 8-16 of the
Code relating to
special hurricane
inspections

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman and Commissioner Jose "Pepe" Diaz.



Murray A. Greenberg
County Attorney

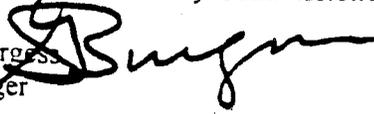
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Memorandum



Date: January 24, 2006

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

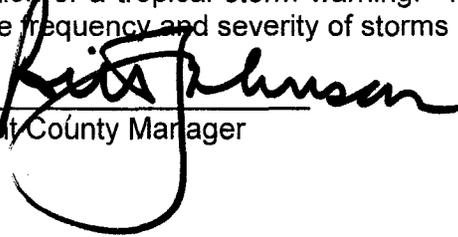
From: George M. Burgess
County Manager 

Subject: Ordinance amending Section 8-16 of the Code relating to special hurricane inspections

This ordinance amending the threshold event for the duty to secure and store loose property including construction materials from a hurricane watch to a tropical storm warning may have a fiscal impact to Miami-Dade County.

Currently, the Building Department provides a placard for posting on construction sites, upon the onset of hurricane season, informing those obtaining permits of their responsibility to secure the construction sites prior to the onset of a severe weather event. In the aftermath of the storm, the required investigation ordered by the Building Official is determined according to the severity of the weather event. If the severe weather event was determined to be a hurricane, any overtime costs incurred by the Building Department as result of this event may be reimbursable by FEMA.

The implementation of this ordinance may have a fiscal impact to the construction industry, County construction projects, and outdoor vendors through the requirement to secure job sites upon the declaration of a tropical storm warning. The resulting loss of productivity and/or sales would depend upon the frequency and severity of storms impacting Miami-Dade County.


Assistant County Manager

Fiscal00506



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: January 24, 2006

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)
01-24-06

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 8-16 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO LOWER THE THRESHOLD EVENT FOR THE DUTY TO SECURE OR PROPERLY STORE LOOSE PROPERTY INCLUDING CONSTRUCTION MATERIALS FROM A HURRICANE WATCH TO A TROPICAL STORM WARNING; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 8 of the Miami-Dade County Code is hereby amended to read as follows:¹

Sec. 8-16. Special Hurricane Inspections.

(a) During such periods of time as ~~[[are designated by]]~~ the National Weather Service ~~>>h<<~~as ~~[[being a hurricane watch]]~~ ~~>>issued a severe weather advisory that is in effect for Miami-Dade County, best efforts must be used so that<<~~ all furniture, display racks, material and similar loose objects in exposed outdoor locations, ~~>>including loose material of projects under construction,<<~~ ~~[[shall be lashed]]~~ are secured or otherwise appropriately braced to rigid construction or stored in buildings ~~>>to the extent practicable given the conditions<<~~. Orders shall be oral or written and shall be given to any person on the premises most logically responsible for maintenance and such orders shall be carried out before winds of ~~[[hurricane]]~~ ~~>>tropical storm<<~~ velocity are anticipated.

(b) After winds of ~~[[hurricane]]~~ ~~>>the<<~~ velocity ~~>>associated with a severe weather event<<~~ are experienced and

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or ~~>>double arrowed<<~~ constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

have subsided, the Building Official shall investigate to determine if damage has occurred to buildings or other structures.

(c) No building or other structure or assembly or part thereof, which was damaged or collapsed or out of plumb or line shall be repaired or altered or otherwise returned to its original position without inspection and approval by the Building Official.

>>(d) For the purposes of this section, "severe weather advisory" shall be defined as any one of the following: a tropical storm warning, a hurricane watch, or a hurricane warning and the term "severe weather event" shall be defined as a tropical storm or hurricane.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. 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 other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Eric A. Rodriguez

Sponsored by Commissioner Sally A. Heyman and
Commissioner Jose "Pepe" Diaz