

MEMORANDUM

Agenda Item No. 4(J)

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

DATE: February 7, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Ordinance amending sections
8B1 & 8B2 of Chapter 8B
Emergency Management

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez.

for: 
Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

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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

Agenda Item No. 4 (J)

Veto _____

2-7-06

Override _____

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 8B1 AND 8B2 OF CHAPTER 8B EMERGENCY MANAGEMENT OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; 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

Chapter 8B EMERGENCY MANAGEMENT

State law references: Emergency management, Florida Statutes § 252.

Editor's note: Ord. No. 99-51, § 3, adopted May 25, 1999, amended chapter 8B, § 8B-1--8B-12, in its entirety. Former chapter 8B pertained to Civil Defense and derived from Ord. No. 68-79, § 3--6, 8, adopted December 17, 1968.

Sec. 8B-1. Establishment.

Pursuant to F.S. 252, there is hereby established the Miami-Dade County Office of Emergency Management, the operation of which shall be the responsibility of the County Manager. >>The Miami-Dade County Office of Emergency Management shall be a division of the Miami-Dade Fire Rescue Department.<< The duties of the Office of Emergency Management shall be to provide for the effective direction, control and coordination of Miami-Dade County government disaster management services, functional units, and personnel, and provide collaboration with other governments and the private sector, in compliance with the Miami-Dade County Comprehensive Emergency Management Plan. (Ord. No. 99-51, § 3, 5-25-99)

Sec. 8B-2. Definitions.

When used in Chapter 8B the following terms shall have the meanings set forth below:

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.

(1) The Board of County Commissioners is the elected legislative body representing all residents of Miami-Dade County and shall herein be referred to as the "Board".

(2) The County Manager is the Chief Administrative Officer of Miami-Dade County and shall herein be referred to as the "Manager".

(3) The Director of the Office of Emergency Management is the Miami-Dade County official who will execute the Comprehensive Emergency Management Plan in Miami-Dade County and shall herein be referred to as the "Director."

* * *

(10) The "Miami-Dade County Office of Emergency Management" shall herein be referred to as the "Office of Emergency Management >>and shall be a division of the Fire Rescue Department<<." (Ord. No. 99-51, § 3, 5-25-99).

* * *

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 Carlos A. Gimenez