Memorandum

MIAMI-DADE COUNTY

Date:	October 6, 2009
To:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners
From:	George M. Burgess County Manager
Subject:	Emergency Relief for Construction Affected by Economic Crisis

Agenda Item No. 9(A)(1)

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution providing emergency relief for construction affected by the current economic crisis. This resolution extends relief to affected construction under building permits which expire at a later date than that established under Ordinance No. 09-10 and authorizes the Building Official to extend stop work orders beyond the initial six month period established under the same ordinance.

SCOPE

Ordinance No. 09-10 amended Chapter 8 of the Code of Miami-Dade County which governs construction in both the incorporated and unincorporated areas of the County. As a result, adoption of this resolution will have a countywide impact.

FISCAL IMPACT/FUNDING SOURCE

This resolution providing emergency relief for construction affected by the current economic crisis will not have a fiscal impact on Miami-Dade County. The fee charged for extending a permit will be assessed in accordance with the Building Department's fee schedule.

TRACK RECORD/MONITOR

Not Applicable

BACKGROUND

On January 22, 2009, the Board of County Commissioners approved Ordinance No. 09-10 providing emergency relief for construction affected by the current economic crisis. Under this ordinance, permit applicants with valid permits for affected construction are eligible for relief. Affected construction is defined as any new residential or commercial construction with a valid permit issued for the first time on October 1, 2006 or thereafter with expiration dated on or before June 1, 2009. The ordinance further provides that the June 1, 2009 end date may be extended by resolution of the Board of County Commissioners. The proposed resolution amends the end date to December 31, 2009 thereby making additional construction projects eligible for relief.

Ordinance No. 09-10 also provides that the Building Official will issue a stop work order for good cause shown upon request of the permit applicant. The duration of a building permit is abated during the pendency of the stop work order. The stop work order cannot exceed six months in duration unless the Board of County Commissioners approves a further period of extension. The proposed resolution authorizes the Building Official to extend stop work orders for one or more periods of time. Further, initial and extended stop work orders will expire on or before June 30, 2010

Alex Muñoz
Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: October 6, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 9(A)(1)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 9(A)(1)
10-6-09

RESOLUTION NO. _____

RESOLUTION EXTENDING EMERGENCY RELIEF PROVISIONS OF ORDINANCE NO. 09-10

WHEREAS, this Board of County Commissioners adopted Ordinance No. 09-10 providing emergency relief for construction affected by the economic crisis; and

WHEREAS, Ordinance No. 09-10 specified those construction projects eligible for emergency relief; and

WHEREAS, Ordinance No. 09-10 limited the duration of stop work orders to a maximum time period of six months; and

WHEREAS, Miami-Dade County continues to experience economic hardship; and

WHEREAS, the economic slowdown continues to severely impact real estate development and construction; and

WHEREAS, Ordinance No. 09-10 authorizes the Board of County Commissioners to provide emergency relief for additional construction projects; and

WHEREAS, Ordinance No. 09-10 authorizes the Board of County Commissioners to empower the Building Official to extend stop work orders; and

WHEREAS, such measures will provide needed relief to affected persons, provide incentives to the construction industry, and promote compliance with applicable codes, thereby promoting the health, safety and welfare of the citizens of our County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. Affected construction under Ordinance No. 09-10 shall mean any new residential or commercial construction with a valid permit issued for the first time on October 1,

2006 or thereafter with expiration dated on or before December 31, 2009 where the construction work is suspended or abandoned as a result of economic hardship.

Section 2. The Building Official is authorized under Ordinance No. 09-10 to extend stop work orders issued for good cause shown one or more periods of time provided initial or extended stop work orders will expire on or before June 30, 2010.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of October, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez