

MEMORANDUM

Agenda Item No. 11(A)(4)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 3, 2014

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

SUBJECT: Resolution directing the County
Mayor to inspect and take
appropriate enforcement action
for the purpose of optimizing
neighborhood aesthetics

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 3, 2014

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

SUBJECT: Agenda Item No. 11(A)(4)

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 Mayor'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

Agenda Item No. 11(A)(4)

Veto _____

9-3-14

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR
MAYOR'S DESIGNEE TO INSPECT AND TAKE
APPROPRIATE ENFORCEMENT ACTION FOR THE
PURPOSE OF OPTIMIZING NEIGHBORHOOD AESTHETICS

WHEREAS, the Board of County Commissioners wishes to maintain the aesthetic character of all business and industrial districts in unincorporated Miami-Dade County; and

WHEREAS, the Code of Miami-Dade County requires businesses in the BU-2, Special Business District, to conduct all uses within completely enclosed buildings, to store all materials and products within the building or within an area completely enclosed with walls, and not to store materials or products above the height of the walls; and

WHEREAS, the Code of Miami-Dade County requires businesses in the BU-3, Liberal Business District, to conduct all uses within completely enclosed buildings, to store all materials and products within the building or within an area completely enclosed with walls, and not to store materials or products above the height of the walls; and

WHEREAS, the Code of Miami-Dade County requires businesses in the IU-1, Light Industrial District, to conduct all uses within enclosed buildings, to store all materials and products within the building or within an area completely enclosed with masonry walls at least six feet high; and

WHEREAS, the Code of Miami-Dade County requires businesses in the IU-2, Heavy Manufacturing District, to conduct all uses within enclosed buildings, to store all materials and products within the building or within an area completely enclosed with masonry walls at least six feet high; and

WHEREAS, Section 8CC-10 of the Code of Miami-Dade County provides enforcement penalties of \$500 for illegal storage of materials above the height of a wall or fence; and

WHEREAS, some property owners have allowed their properties to fall into such disrepair that items being stored outside are visible over walls and outside enclosures,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Mayor or Mayor's designee is directed to inspect and take appropriate enforcement action to ensure that all businesses within the BU-2, BU-3, IU-1 and IU-2 areas of the County are storing materials and products completely within enclosed spaces or walls and to take appropriate enforcement actions, including penalties, where property owners fail to abide by relevant County ordinances related to storage of materials and products.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson.

It 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of September, 2014. 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.



Lauren E. Morse