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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

# MEMORANDUM

Agenda Item No. 11(A)(1)

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

**DATE:** October 20, 2009

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

**SUBJECT:** Resolution to enforce expressway sign ordinance within municipalities

**Resolution No. R-1214-09**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.

R. A. Cuevas, Jr.
County Attorney

RAC/up

# MEMORANDUM
(Revised)

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

**DATE:** October 20, 2009

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

**SUBJECT:** Agenda Item No. 11(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. 11(A)(1)
10-20-09

RESOLUTION NO. **R-1214-09**

RESOLUTION DIRECTING THE MAYOR OR HIS DESIGNEE AND OFFICE OF THE COUNTY ATTORNEY TO ENFORCE EXPRESSWAY SIGN ORDINANCE WITHIN MUNICIPALITIES

**WHEREAS**, pursuant to Sections 33-82 and 33-121.11 of the Code of Miami Dade County, Florida, the zoning regulations pertaining to outdoor signs are applicable to both the unincorporated and incorporated areas; and

**WHEREAS**, pursuant to Section 33-121.12., outdoor signs may not be placed within 600 feet of an expressway (the "protected area"), except in those municipalities that have elected to opt out of that prohibition in accordance with such section,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that the Mayor or his designee and the Office of the County Attorney are hereby directed to utilize appropriate means to enforce the zoning regulations pertaining to outdoor signs in the protected area adjacent to expressways within municipalities.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

| | | | |
|---|---|---|---|
| Dennis C. Moss, Chairman | **aye** | | |
| Jose "Pepe" Diaz, Vice-Chairman | **aye** | | |
| Bruno A. Barreiro | **absent** | Audrey M. Edmonson | **absent** |
| Carlos A. Gimenez | **aye** | Sally A. Heyman | **aye** |
| Barbara J. Jordan | **aye** | Joe A. Martinez | **aye** |
| Dorrin D. Rolle | **aye** | Natacha Seijas | **aye** |
| Katy Sorenson | **aye** | Rebeca Sosa | **aye** |
| Sen. Javier D. Souto | **absent** | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 20th 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

Approved by County Attorney as
to form and legal sufficiency.

CHC

By: **DIANE COLLINS**
Deputy Clerk

Craig H. Coller