

MEMORANDUM

Agenda Item No. 11(A)(9)

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

DATE: April 2, 2013

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

SUBJECT: Resolution directing the County
Mayor to provide notice to
mobile vendors of Miami-Dade
County's requirements on
certificates of use and other
applicable County regulations
Resolution No. R-257-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp



MEMORANDUM

(Revised)

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

DATE: April 2, 2013

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

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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
Veto _____
Override _____

Agenda Item No. 11(A)(9)
4-2-13

RESOLUTION NO. R-257-13

RESOLUTION DIRECTING THE COUNTY MAYOR OR
MAYOR'S DESIGNEE TO PROVIDE NOTICE TO MOBILE
VENDORS OF MIAMI-DADE COUNTY'S REQUIREMENTS
ON CERTIFICATES OF USE AND OTHER APPLICABLE
COUNTY REGULATIONS

WHEREAS, Section 33-14.1 of the Code of Miami-Dade County requires that mobile vendors obtain a Certificate of Use from the County and also sets forth regulations on when and where such mobile vendors may operate in the unincorporated areas; and

WHEREAS, Section 33-14 of the Code of Miami-Dade County also sets out requirements for businesses that distribute box lunches in the unincorporated areas; and

WHEREAS, some mobile vendors may not be familiar with the County's Certificate of Use requirements or the County's regulations on when and where mobile vendors may operate, and as a result, they may subject themselves to citations for violating the Code of Miami-Dade County; and

WHEREAS, these mobile vendors may already be paying their required local business taxes through the Tax Collector Division of the Miami-Dade County Finance Department; and

WHEREAS, it may be efficient for the County's Finance Department to inform mobile vendors of the County's Certificate of Use requirements and other applicable regulations at the time when such mobile vendors contact the Department to pay their local business taxes; and

WHEREAS, this distribution of information about County's regulations on where and when mobile vendors may operate may result in improved compliance with the Code of Miami-Dade County and may reduce the need for some enforcement efforts,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor or Mayor's designee is hereby directed to provide notice to mobile vendors of Miami-Dade County's regulations on mobile vendors, as contained within Sections 33-14 and 33-14.1 of the Code of Miami-Dade County and as amended from time to time. Such notice shall be provided by the Miami-Dade County Finance Department, or successor department, when a mobile vendor pays its local business tax.

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

	Rebeca Sosa, Chairwoman	aye
	Lynda Bell, Vice Chair	aye
Bruno A. Barreiro	absent	Esteban L. Bovo, Jr. aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson aye
Sally A. Heyman	aye	Barbara J. Jordan aye
Jean Monestime	aye	Dennis C. Moss aye
Sen. Javier D. Souto	aye	Xavier L. Suarez aye
Juan C. Zapata	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of April, 2013. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "ASR", is written over a horizontal line.

Abbie Schwaderer-Raurell