

RESOLUTION NO. R-77-93

RESOLUTION CALLING SPECIAL ELECTION IN DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, MARCH 16, 1993, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF DADE COUNTY THE QUESTION OF WHETHER THE DADE COUNTY CHARTER SHOULD BE AMENDED TO PROVIDE THAT, IN THE UNINCORPORATED AREA, ZONING AND LAND USE PLANNING BE DETERMINED BY EIGHT ELECTED LIMITED PURPOSE PLANNING AND ZONING BOARDS INSTEAD OF BY THE ZONING APPEALS BOARD AND THE COUNTY COMMISSION; AUTHORIZE, IN SPECIFIED CIRCUMSTANCES, VOTERS RESIDING WITHIN A MUNICIPALITY, TO VOTE TO SEPARATE FROM THAT MUNICIPALITY WITHOUT THE CONSENT OF THE MUNICIPAL GOVERNING BODY; AND PROVIDE AN ALTERNATIVE METHOD FOR MUNICIPAL INCORPORATION

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. A county-wide special election is hereby called and shall be held in Dade County, Florida, on Tuesday, March 16, 1993, for the purpose of submitting to the qualified electors of Dade County, the question of whether the Home Rule Charter shall be amended to (1) provide that, in the unincorporated area, zoning and land use planning be determined by eight elected limited purpose planning and zoning boards instead of by the Zoning Appeals Board and the County Commission; (2) authorize, in specified circumstances, voters residing within a municipality, to vote to separate from that municipality without the consent of the municipal governing body; and (3) provide an alternative method for municipal incorporation.

Section 2. Notice of such special election shall be published in accordance with Section 100.342, Florida Statutes 1991.

**Agenda Item No. 5(g)(21)**

The attached resolution was placed on the agenda at the request of Commissioner Charles Dusseau.

RAG/ydl

Section 3. The result of such special election shall be determined by a majority of the qualified electors of Dade County voting upon the proposal. The polls at such special election shall be open from 7:00 a.m. until 7:00 p.m. on the day of such special election. All qualified electors of Dade County, Florida, shall be entitled to vote at said special election. The County registration books shall remain open at the Office of the Dade County Supervisor of Elections until thirty (30) days prior to the date of such special election, at which time the registration books will close in accordance with the provisions of the general election laws. Votomatics shall be used in such special election, and the question shall appear on the votomatic in substantially the following form:

PLANNING AND ZONING PROCEDURES; VOTERS'  
ADDITIONAL METHOD OF CHANGING MUNICIPAL  
BOUNDARIES AND CREATING MUNICIPALITIES

SHALL THE COUNTY CHARTER BE AMENDED TO:

- \* PROVIDE THAT, IN THE UNINCORPORATED AREA, ZONING AND LAND USE PLANNING BE DETERMINED BY EIGHT ELECTED LIMITED PURPOSE PLANNING AND ZONING BOARDS INSTEAD OF BY THE ZONING APPEALS BOARD AND THE COUNTY COMMISSION;
- \* AUTHORIZE, IN SPECIFIED CIRCUMSTANCES, VOTERS RESIDING WITHIN A MUNICIPALITY, TO VOTE TO SEPARATE FROM THAT MUNICIPALITY WITHOUT THE CONSENT OF THE MUNICIPAL GOVERNING BODY; AND
- \* PROVIDE AN ALTERNATIVE METHOD FOR MUNICIPAL INCORPORATION?

YES ☐

NO ☐

Section 4. Such question shall appear on the votomatic ballot as a separate question or proposal. Those qualified electors desiring to adopt or approve such proposal shall be instructed to punch out the black dot on the ballot card immediately opposite the number on the ballot page designated "YES". Those qualified electors desiring to reject or disapprove the proposal shall be instructed to punch out the black dot on the ballot card immediately opposite the number on the ballot page designated "NO".

Section 5. Absentee paper ballots may be used by qualified electors of Dade County for voting on this proposal at said special election. The form of such absentee ballot shall be in accordance with the requirements prescribed by the general election laws, and shall have printed thereon the question or proposal hereinabove set forth, with proper place for voting either "YES" or "NO" following the statement of the question or proposal aforesaid.

Section 6. A sample ballot showing the manner in which the question or proposal aforesaid will appear on the votomatic at this special election shall be published and provided in accordance with the applicable provisions of the general election laws.

Section 7. This special election on the proposal aforesaid shall be held and conducted in accordance with applicable provisions of the general laws relating to special elections and the provisions of the Dade County Home Rule Charter. The County Manager, the Finance Director, the

Supervisor of Elections and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this resolution. This special election shall be a nonpartisan election. Election Inspection Boards, inspectors and clerks to serve as election officials in connection with this special election shall be appointed in accordance with the provisions of the general election laws.

Section 8. This special election shall be canvassed by the County Canvassing Board, in accordance with the provisions of Section 2.07 of the Home Rule Charter.

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

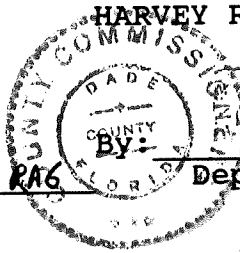
Mary Collins	aye
Charles Dusseau	aye
Joseph M. Gersten	absent
Larry Hawkins	aye
Alexander Penelas	aye
Arthur E. Teele, Jr.	aye
Sherman S. Winn	aye
Stephen P. Clark	nay

The Mayor thereupon declared the resolution duly passed and adopted this 26th day of January, 1993.

DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as  
to form and legal sufficiency.



WILLIAM G. OLIVER

Deputy Clerk.

**ARTICLE 9**  
**LOCAL PLANNING, ZONING & COMMUNITY CONTROL**

**SECTION 9.01 PURPOSE**

In order to secure for the citizens of Dade County, living in both unincorporated areas and larger municipalities, more responsive and accountable government, protect such communities from rampant over-development, inappropriate uses and generally, from planning and zoning decisions which are not made in concert with local area needs and desires, the following municipalities and procedures are established.

**SECTION 9.02 PLANNING AND ZONING MUNICIPALITIES**

Initially, there shall be eight incorporated Planning and Zoning Municipalities for the areas that at the time of adoption of this Article were the unincorporated areas of Dade County, with boundaries as set forth in the map following this Article (exclusive of incorporated municipalities which existed at the time of adoption of this Article).

**SECTION 9.03 POWERS**

The Planning and Zoning Municipalities shall exist solely for the planning and zoning purposes expressly provided herein and for no other purposes whatsoever. Dade County shall continue to provide all other municipal services to, and otherwise serve as the municipal government of, such areas. Planning and Zoning Municipalities, within their respective geographical boundaries (which exclude incorporated municipalities existing as of the date of adoption of this Article), as set forth in the map following this Article, shall have the following powers:

A. Those powers heretofore held by the Dade County Commission, granted by the Home Rule Amendment, this Charter and The Florida Statutes, to serve as the chief governing body of their respective areas of jurisdiction for purposes of preparation and adoption of the future land use plan element and land use maps for those areas pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, as such Act may be amended from time to time. Additionally, the Planning and Zoning Municipalities shall have the power to prepare and adopt for their respective areas of jurisdiction, the following optional elements, or portions or phases thereof, under the Local Government Comprehensive Planning and Land Development Regulation Act, as same may be amended from time to time: 1) A public buildings and related facilities element; 2) A recommended community design element; 3) A general area redevelopment element; 4) A safety element; 5) An historical and scenic preservation element; 6) An economic element; 7) Such other optional elements, or portions or phases thereof, as may be peculiar to, and necessary for, the area concerned or as hereafter may be agreed between the Planning and Zoning Municipality and Board of County Commissioners. The comprehensive plan elements and maps adopted by the Planning and Zoning Municipalities shall jointly comprise such element and map of the Comprehensive Development Master Plan of Dade County with regard to the geographic area of the Planning and Zoning Municipalities. The County Commission shall continue as the body responsible for adoption

2

and implementation of the remaining elements of the County's Comprehensive Development Master Plan for the entire area within Planning and Zoning Municipalities, including but not limited to establishing minimum concurrency requirements. Each Planning and Zoning Municipality shall designate its own local planning agency pursuant to Florida Statutes, and shall also appoint one person residing within its geographical boundaries to serve on the local planning agency for Dade County together with other appointees of the Board of County Commissioners. The future land use plan element and maps of Dade County's Comprehensive Development Master Plan in effect at the time of the adoption of this Article shall govern until the respective Planning and Zoning Municipalities adopt their own such element and maps, which shall be accomplished by each Planning and Zoning Municipality within one year of the election of its first governing board.

B. Those legislative and quasi-judicial zoning powers presently held by the Dade County Commission, which powers shall be transferred to such Planning and Zoning Municipalities, to the same extent as such powers vest in full-service, incorporated municipalities created pursuant to this Charter. Administrative powers and responsibility shall remain vested in Dade County. The county's zoning code and other land use regulations applicable to the geographical area of each of the Planning and Zoning Municipalities, in effect on the date of adoption of this Article and to the extent not inconsistent herewith, shall continue to apply within such areas subject to modification or repeal thereafter by the respective Planning and Zoning Municipalities.

#### **SECTION 9.04 APPEALS**

The enactments and decisions of such Planning and Zoning Municipalities shall be final and there shall be no review by, or appeal of any kind to, the Mayor or Board of County Commissioners of Dade County. Judicial review of site-specific zoning decisions shall be by appeal to the Circuit Court in accordance with the Florida Rules of Appellate Procedure.

#### **SECTION 9.05 ELECTIONS AND TERMS OF OFFICE**

Elections and terms of office of the members of the governing board of the Planning and Zoning Municipalities shall be as follows:

A. Each Planning and Zoning Municipality shall be governed by seven elected board members who must maintain their primary residence within that Planning and Zoning Municipality's geographical area of jurisdiction; who must have so resided for at least twelve months prior to the election to such Planning and Zoning Municipality; who are not employees of the County, appointees to a County board, or members of the Board of County Commissioners; and who are otherwise qualified to hold public office.

B. Elections shall be non-partisan and shall be held at the same time as the first County Commission primaries are held, provided that the initial elections herein shall be held within 120 days of the adoption of this Article.

C. State law requirements regarding campaign contribution limits and filing of campaign finance reports shall apply to all candidates for seats on the boards of the Planning and Zoning Municipalities.



D. The seven candidates receiving the greatest number of votes of the registered voters residing within the area of jurisdiction of such Planning and Zoning Municipality will be elected to the governing board of that Planning and Zoning Municipality. In the event of a tie between the seventh and eighth place candidates, a runoff for those two candidates only shall be held at the same time as the runoff held for county commission candidates, or within 60 days, whichever is sooner.

E. No member of the governing board of a Planning and Zoning Municipality may serve more than two consecutive terms and each term shall be limited to two years; provided, each member shall hold office until his or her successor has been duly elected.

F. The members of the governing boards of such Planning and Zoning Municipalities shall serve without compensation but shall be entitled to reimbursement from the County for necessary expenses incurred in the performance of their official duties.

#### **9.06 ORGANIZATION**

A. The County's Zoning Director and Planning Director shall serve as Zoning Secretary and Planning Secretary, respectively, for each of the Planning and Zoning Municipalities and attend, or designate a qualified staff member to attend, all meetings as advisors and be permitted to propound questions and present evidence.

B. The meetings shall be held after 5:00 p.m. at a location to be set by each of the Planning and Zoning Municipalities; however, such scheduling shall be coordinated through the Planning Secretary and Zoning Secretary so as to avoid conflicts with meetings of the other Planning and Zoning Municipalities and of the Board of County Commissioners.

C. The governing board of each Planning and Zoning Municipality shall elect a chairperson and vice-chairperson from among its members, shall be governed by the latest edition of Roberts' Rules of Order unless otherwise provided, and shall adopt such further rules or provisions for its functions as such governing board may see fit.

D. No action shall be taken by the governing board of a Planning and Zoning Municipality on any matter except adjournment unless a quorum of four members is present and then, only by majority vote. However, any action resulting in expansion of the Urban Development Boundary shall require a minimum of four votes.

#### **SECTION 9.07 FUNDING**

The Board of County Commissioners shall provide the revenue necessary and adequate to carry out the Planning and Zoning Municipalities' functions; however, it is the intent of this Article that it be fully implemented with the least fiscal impact to the taxpayers and accordingly, the County shall reassign existing staff and make available existing equipment and public meeting facilities to enable the Planning and Zoning Municipalities to perform their functions while minimizing the need for additional expenditures. If, notwithstanding the foregoing, any increases in expenditures are required, such increases shall be funded by adjusting application fees and/or by collecting impact fees imposed for such purpose on new developments, and not by increase in ad valorem taxation.

## **SECTION 9.08 MODIFICATION OF BOUNDARIES**

A. Changes to boundaries of adjoining Planning and Zoning Municipalities may be proposed jointly by the respective Planning and Zoning Municipalities. Upon receipt of a joint resolution proposing the boundary change, the Board of County Commissioners shall call for elections to be held within 120 days in each of the affected Planning and Zoning Municipalities. A majority vote in each such Planning and Zoning Municipality shall be required to effect the boundary change.

B. In order to further carry out the goal of more responsive and accountable government and local control over land use, registered voters who reside within the geographical area of jurisdiction of one or more of the Planning and Zoning Municipalities, but who prefer to form their own separate Planning and Zoning Municipality, may petition the Board of County Commissioners to call an election to determine whether the area described in the petition should be constituted into a separate Planning and Zoning Municipality having the identical powers of the eight initial Planning and Zoning Municipalities. To be sufficient, a petition shall:

1. Describe a contiguous area within which at least 5,000 registered voters reside;

2. Contain the signatures of at least 20% of the registered voters residing within the area described in the petition;

3. If approved, not result in the remaining area of any affected Planning and Zoning Municipality being left with less than 5,000 electors.

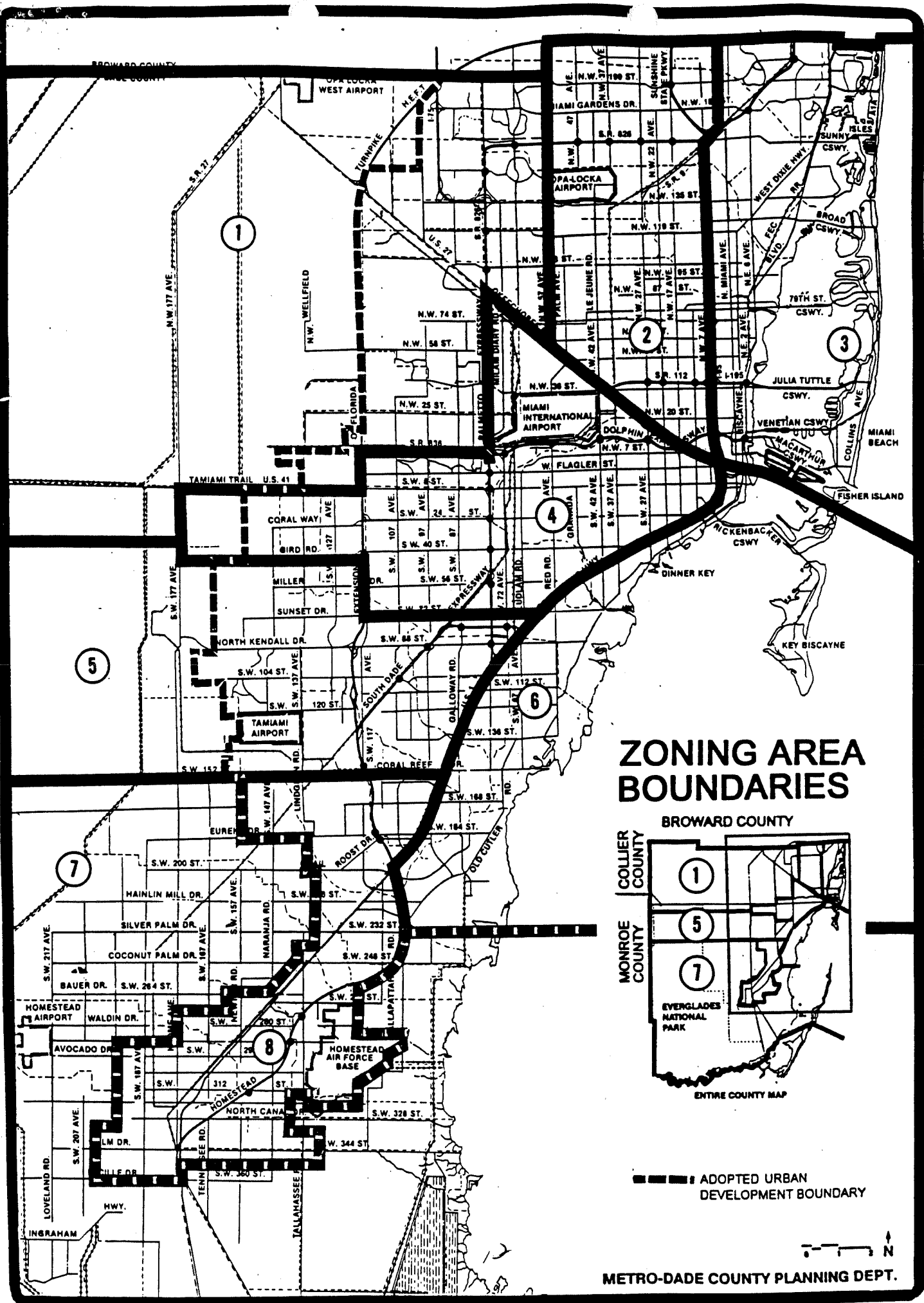
The Board of County Commissioners, after hearing the recommendations of its local planning agency, and after a public hearing, shall call an election to be held within 120 days of certification of a sufficient petition by the Supervisor of Elections. Only registered voters who reside within the area described in the petition shall be eligible to vote in the election. The result shall be determined by a majority vote of the electors voting on the proposal.

C. Any boundary change shall be effective as of the date of the next scheduled election of the Planning and Zoning Municipalities. Upon any such boundary change, any conflicting boundaries set forth in the map attached hereto shall be considered amended.

## **SECTION 9.09 SEPARATION FROM MUNICIPALITIES**

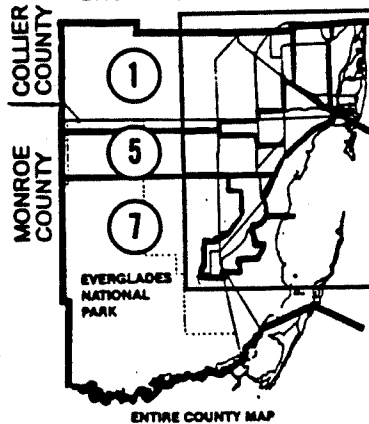
In order to further carry out the goal of more responsive and accountable government and local control over land use, registered voters who reside within an incorporated municipality in existence as of the date of adoption of this Article, which has 30,000 or more registered voters, may petition the Board of County Commissioners to call an election to determine whether the area described in the petition should be separated from the municipality in which they reside. To be sufficient, a petition shall:

1. Describe a contiguous area within which at least 5,000 registered voters reside and which, if separated from the municipality, would not result in a portion of the affected municipality becoming noncontiguous with the rest of the affected municipality; and



# ZONING AREA BOUNDARIES

BROWARD COUNTY



ADOPTED URBAN DEVELOPMENT BOUNDARY

Attachment B

Boundary Descriptions

Area 1 (unincorporated portion only)

- North: The Dade County/Collier County boundary at theoretical NW 202 Street, then eastward to NW 57 Avenue (Red Road).
- South: Theoretical SW 36 Street from the Dade County/Monroe County boundary eastward to SW 177 Avenue (Krome Avenue), then northward on SW 177 Avenue to SW 8 Street (US 41/Tamiami Trail), then eastward on SW 8 Street to the Florida Turnpike, then northward on the Florida Turnpike the Dolphin Expressway (SR 836), then eastward on the Dolphin Expressway to the Palmetto Expressway (SR 826), then northward on the Palmetto Expressway to the Miami Canal, then southeastward on the Miami Canal to NW 57 Avenue (Red Road).
- East: NW 57 Avenue (Red Road) from the Dade County/Broward County boundary southward to the Miami Canal.
- West: The Dade County/Collier County boundary at theoretical NW 202 Street, then southward to theoretical SW 36 Street.

Area 2 (unincorporated portion only)

- North: The Dade County/Broward County boundary from NW 57 Avenue (Red Road) eastward to NW 2 Avenue (US 441).
- South: The Miami Canal/Miami River from NW 57 Avenue (Red Road) southeastward to I-95.
- East: NW 2 Avenue (US 441) from the Dade County/Broward County boundary southward to I-95, then I-95 southward to the Miami River.
- West: NW 57 Avenue (Red Road) from the Dade County/Broward County boundary southward to the Miami Canal.

Area 3 (unincorporated portion only)

- North: The Dade County/Broward County boundary from NW 2 Avenue (US 441) eastward to the Intracoastal Waterway and then eastward to the Atlantic Ocean.
- South: The Miami River from I-95 eastward to Biscayne Bay and the Intracoastal Waterway, then southeastward through the Norris Cut between Fisher Island and Virginia Key to the Atlantic Ocean.

East: The Atlantic Ocean from the Dade County/Broward County boundary southward to the Norris Cut between Fisher Island and Virginia Key and the Atlantic Ocean.

West: NW 2 Avenue (US 441) from the Dade County/Broward County boundary southward to I-95, then I-95 southward to the Miami River.

Area 4 (unincorporated portion only)

North: SW 8 Street (US 41/Tamiami Trail) from SW 177 Avenue (Krome Avenue) eastward to the Florida Turnpike, then northward on the Florida Turnpike to the Dolphin Expressway (SR 836), then eastward on the Dolphin Expressway to the Palmetto Expressway (SR 826), then northward on the Palmetto Expressway to the Miami Canal.

South: SW 42 Street (Bird Drive) from SW 177 Avenue (Krome Avenue) eastward to the Florida Turnpike, then southward on the Florida Turnpike to SW 72 Street (Sunset Drive), then eastward on SW 72 Street to US 1.

East: The Miami Canal/Miami River at the Palmetto Expressway southeastward to I-95, then I-95 southward to US 1, then US 1 southwestward to SW 72 Street (Sunset Drive).

West: SW 177 Avenue (Krome Avenue) from SW 8 Street (US 41/Tamiami Trail) southward to SW 42 Street (Bird Drive).

Area 5 (unincorporated portion only)

North: Theoretical SW 36 Street from the Dade County/Monroe County boundary eastward to SW 177 Avenue (Krome Avenue), then southward on SW 177 Avenue to SW 42 Street (Bird Drive), then eastward on SW 42 Street to the Florida Turnpike, then southward on the Florida Turnpike to SW 72 Street (Sunset Drive), then eastward on SW 72 Street to US 1.

South: Theoretical SW 152 Street (Coral Reef Drive) from the Dade County/Monroe County boundary eastward to US 1.

East: US 1 from SW 72 Street (Sunset Drive) southwestward to SW 152 Street (Coral Reef Drive).

West: The Dade County/Monroe County boundary from theoretical SW 36 Street southward to theoretical SW 152 Street (Coral Reef Drive).

Area 6

(unincorporated portion only)

- North: The Miami River from I-95 eastward to Biscayne Bay and the Intracoastal Waterway, then southeastward through the Norris Cut between Fisher Island and Virginia Key to the Atlantic Ocean.
- South: SW 232 Street (Silver Palm Drive) from the Florida Turnpike eastward to Biscayne Bay and the Intracoastal Waterway, then eastward to the Atlantic Ocean.
- East: The Atlantic Ocean from the Norris Cut between Fisher Island and Virginia Key southward to the theoretical eastern extension of SW 232 Street (Silver Palm Drive).
- West: I-95 from the Miami River southward to US 1, then US 1 southwestward to the Florida Turnpike, then the Florida Turnpike southward to SW 232 Street (Silver Palm Drive) and the Atlantic Ocean.

Area 7

(unincorporated portion only)

That portion of Dade County, Florida, outside the Urban Development Boundary of the Comprehensive Development Master Plan, as may be amended from time to time, south of SW 152 Street (Coral Reef Drive) from the Dade County/Monroe County boundary eastward to the Urban Development Boundary at SW 157 Avenue (Newton Road), then south following the Urban Development Boundary to SW 360 Street (Lucille Drive) and theoretical SW 199 Avenue, then eastward to SW 352 Street and 132 Avenue, then northward to the Florida Turnpike and SW 232 Street (Silver Palm Drive), then eastward to the Atlantic Ocean.

Area 8

(unincorporated portion only)

That portion of Dade County, Florida, inside the Urban Development Boundary of the Comprehensive Development Master Plan, as may be amended from time to time, south of SW 152 Street (Coral Reef Drive) from the intersection of SW 152 Street and SW 157 Avenue (Newton Road) southward following the Urban Development Boundary to SW 360 Street (Lucille Drive) and theoretical SW 199 Avenue, then eastward to SW 352 Street and 132 Avenue, then northward to the Florida Turnpike and US 1, then northward along US 1 to SW 152 Street.

2. Contain the signatures of at least 20% of the registered voters residing within the area described in the petition.

No consent of the governing body of the municipality shall be required. The Board of County Commissioners, after hearing the recommendations of its local planning agency, and after a public hearing, shall call an election to be held within 120 days of certification of a sufficient petition by the Supervisor of Elections. Only registered voters who reside within the area described in the petition and those residing outside such area but within the affected full-service, incorporated municipality shall be eligible to vote in the election. If the majority of the electors residing in the area described in the petition vote against the separation, the separation shall fail. If the majority of electors voting on the proposal both in the area described in the petition and outside such area cast votes in favor of the proposal, the separation shall be effected. However, if the majority of the electors voting on the proposal who reside outside the area described in the petition vote against the separation, then the separation shall fail unless at least sixty percent of the votes cast within the area described in the petition are in favor of separation, in which case the separation shall be effected notwithstanding the vote of the electors residing outside the area described in the petition. If the election is certified between October 1 and December 31, the separation shall take effect at the beginning of the next succeeding fiscal year. If the election is certified between January 1 and September 30, the separation shall take effect at the beginning of the second fiscal year following the certification of the election. If applicable, the Board of County Commissioners shall by ordinance, create a special taxing district for the separated area which shall be liable for the area's pro-rata attributable bonded indebtedness from the former municipality. Upon any such boundary change, any conflicting boundaries set forth in the charter of such municipality shall be considered amended.

The area so separated shall become part of the geographical territory of the Planning and Zoning Municipality having jurisdiction over the surrounding area. In the event that the separation creates an enclave within boundaries of municipalities in existence at the time of adoption of this Article, which enclave has 5,000 or more electors, then the registered voters within such enclave may petition the Board of County Commissioners in accordance with Section 9.08B herein for the creation of a separate Planning and Zoning Municipality having the identical powers held by the initial eight Planning and Zoning Municipalities.

The rights and remedies provided by this section are in addition to and not in lieu of any other rights and remedies provided in this Charter. This section shall not take effect until January 1, 1994.

#### **SECTION 9.10 INCORPORATION OF FULL SERVICE MUNICIPALITIES**

In order to further carry out the goal of more responsive and accountable government, registered voters who reside within the area of one or more Planning and Zoning Municipalities, but who prefer to incorporate into a full-service municipality, may petition the Board of County Commissioners to call an election to determine whether the area described in the petition should be incorporated as a full-service municipality. To be sufficient, a petition shall:

1. Describe a contiguous area within which at least 5,000 registered voters reside and which, if full-service incorporation is approved, would

not result in an enclave of less than 5,000 electors becoming noncontiguous with the rest of the affected Planning and Zoning Municipality; and

2. Contain the signatures of at least 20% of the registered voters residing within the area described in the petition.

The Board of County Commissioners, after hearing the recommendations of its local planning agency, and after a public hearing, shall call an election to be held within 120 days of certification of a sufficient petition by the Supervisor of Elections. Only registered voters who reside within the area described in the petition and those residing outside the described area but within such portions of Dade County as are not then incorporated, full-service municipalities shall be eligible to vote in the election. If the majority of the electors residing in the area described in the petition vote against full-service incorporation, such incorporation shall fail. If the majority of electors voting on the proposal both in the area described in the petition and outside such area cast votes in favor of the proposal, the full-service incorporation shall be effected. However, if the majority of the electors voting on the proposal who reside outside the area described in the petition vote against the full-service incorporation, then such incorporation shall fail unless at least sixty percent of the votes cast within the area described in the petition are in favor of the incorporation, in which case the incorporation shall be effected notwithstanding the vote of the electors residing outside the area described in the petition. If the election is certified between October 1 and December 31, the incorporation shall take effect at the beginning of the next succeeding fiscal year. If the election is certified between January 1 and September 30, the incorporation shall take effect at the beginning of the second fiscal year following the certification of the election.

The rights and remedies provided by this section are in addition to and not in lieu of any other rights and remedies provided in this Charter. This section shall not take effect until January 1, 1994.

#### **SECTION 9.11 CONSTRUCTION AND CONFLICTS WITH OTHER PROVISIONS**

This Article constitutes full authority for the things herein authorized and no proceedings, publications, notices, consents, or approvals shall be required for the doing of the things herein authorized except as are herein prescribed and required. To the extent that any other provision of this Charter cannot be harmonized with the provisions of this Article, the provisions of this Article shall supersede the inconsistent provision or portion thereof, but only to the extent necessary to achieve the purposes and intent of this Article.

#### **SECTION 9.12 SEVERABILITY**

If any provision of this Article shall be declared invalid, it shall not affect the validity of the remaining provisions of this Article.

#### **SECTION 9.13 EFFECTIVE DATE**

Except as expressly provided herein, this Article shall take effect immediately upon adoption by the voters of Dade County.

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