

ORDINANCE NO. 2008-05-141

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING ORDINANCE NO. 2005-04-20 WHICH AMENDED SECTIONS 5, 6 AND 10 OF ORDINANCE NUMBER 2004-14-30 ENTITLED "CERTIFICATES OF USE", TO PROVIDE THAT CERTIFICATES OF USE WOULD BE RENEWED BY JANUARY 1ST OF EACH YEAR INSTEAD OF OCTOBER 1ST OF EACH YEAR; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 14, 2004, the City Council adopted a Certificate of Use Ordinance, and

WHEREAS, on December 8, 2004, the Certificate of Use Ordinance was amended to changes the date for when the renewal fees are due from October 1st to January 1st, and

WHEREAS, it is more efficient to have the Certificates of Use renewed at the same time that Business Licenses are renewed, and

WHEREAS, the City Council deems it to be in the best interest of the City for certificates of use to be renewed prior to October 1st of the same year,

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. REPEAL: ORDINANCE NO. 2005-04-42 is repealed in its entirety.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

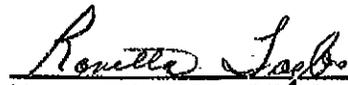
SECTION 5. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 23rd DAY OF JANUARY, 2008.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 13th DAY OF FEBRUARY, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. DICKENS, City Attorney

SPONSORED BY: Danny Crew, City Manager

MOVED BY: Councilman Campbell

SECONDED BY: Councilman Bratton

VOTE: 6-0

Mayor Shirley Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Oscar Braynon, II	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilman Aaron Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman André Williams	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Oscar Braynon II
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: **February 13, 2008**

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: **General Fund**

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: **Dr. Danny O. Crew, City Manger**

Public hearing

Ordinance

1st Reading

Advertising requirement:

Quasi-Judicial

Resolution

2nd Reading

Yes No

RFP/RFQ/Bld # **N/A**

Title

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING ORDINANCE NO. 2005-04-20 WHICH AMENDED SECTIONS 5, 6 AND 10 OF ORDINANCE NUMBER 2004-14-30 ENTITLED "CERTIFICATES OF USE", TO PROVIDE THAT CERTIFICATES OF USE WOULD BE RENEWED BY JANUARY 1ST OF EACH YEAR INSTEAD OF OCTOBER 1ST OF EACH YEAR; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Staff Summary

On July 14th, 2004, the City Council adopted a Certificate of Use Ordinance, and on December 8th, 2004, amended the same to change the date for when the renewal fees are due from October 1st to January 1st.

As the City has grown and as staff now has a few years of experience renewing said certificates it has been recognized that it is more efficient to have the Certificates of Use renewed at the same time that Business Licenses/Tax Receipts are renewed. This ordinance will now require that City Certificates of Use to be renewed prior to October 1st on an annual basis, in conjunction with Business Licenses/Tax Receipts in order to improve the efficiency of the issuance of these certificates.

Recommendation

It is recommended that the City Council adopt this ordinance, thereby requiring that Certificates of Use now be required to be renewed prior to October 1st each year, in conjunction with Business Licenses/Tax Receipts.

Attachment