

ORDINANCE NO. 2008-22

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PROVIDING FOR A MORATORIUM CONSISTENT WITH THE CITY CHARTER ON THE ACCEPTANCE, PROCESSING, REVIEW AND/OR REJECTION OF APPLICATIONS FOR PERMITS TO ERECT SIGNS WITHIN THE CORPORATE BOUNDARIES OF THE CITY; PROVIDING FOR EXEMPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 10 of the Doral Land Development Code regulates the permitting and construction of signs within the City of Doral; and

WHEREAS, Section 10-15 of the Doral Land Development Code prohibits all off-site signs such as billboards; and

WHEREAS, the adoption of the moratorium on the acceptance, processing, review, and/or rejecting of applications for permits to erect signs within the City will provide the City time to review and determine if Section 10 of the Doral Land Development Code requires amendment to meet the requirements of the Florida and United States Constitutions; and

WHEREAS, the City Council of the City of Doral has determined that it is in the best interests of the citizens of the City of Doral to enact a moratorium on the acceptance, processing, review, and/or rejection of applications for sign permits, to provide time for the City to review and determine if Section 10 of the Doral Land Development Code requires amendment to meet the requirements of the Florida and United States Constitutions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Moratorium Imposed. The City Council of the City of Doral hereby declares a moratorium for the time period specified in Section 4 on the acceptance, processing, review, and/or rejection of applications for permits to erect signs within the City.

Section 3. The City Council of the City of Doral hereby determines that all applications for sign permits which were received prior to the public notice of the adoption of this ordinance are exempt from this moratorium.

Section 4. The City Council of the City of Doral hereby declares that the moratorium shall be effective for six months from the date of adoption of this ordinance, unless otherwise modified by the City Council.

Section 5. All Ordinances or parts of Ordinances in conflict herewith are and the same are repealed to the extent of such conflict.

Section 6. If any Section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilman DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Peter Cabrera	Yes
Councilmember Michael DiPietro	Yes
Councilwoman Sandra Ruiz	Yes
Councilmember Robert Van Name	Yes

PASSED AND ADOPTED upon FIRST READING and public hearing this 8TH day of October, 2008.

PASSED AND ADOPTED upon SECOND READING and public hearing this 22ND day of October, 2008.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JOHN J. HEARN, CITY ATTORNEY