

ORDINANCE 2012-18

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING SECTION 80-5 “NONCONFORMING SIGNS”; ELIMINATING THE AMORATIZATION OF CERTAIN SIGNS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Doral adopted the Sign Code which amortizes all non-monument signs within the City; and

WHEREAS, non-monument signs were previously permitted under the Miami-Dade County Code prior to the adoption of Ordinance 2007-09 “Sign Code” which restricts non-monument signs; and

WHEREAS, the Sign Code is now part of the City’s Land Development Code (LDC); and

WHEREAS, Section 80-5 of the LDC requires all non-monumental signs to be made to conform or removed from the premises by May 15, 2012; and

WHEREAS, this is the only instance in the LDC where legal nonconforming signs are required to conform or be removed by a specific date; and

WHEREAS, the City Council recognizes that the amortization of such legal nonconforming signs may not be in the best interest of the business community; and

WHEREAS, the City Council has reviewed the proposed amendment to the Land Development Regulations and find the amendment to be in the best interest and welfare of the City and its residents.

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

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

Section 2. Window Sign. Chapter 80 of the City of Doral Land Development Code, entitled “Sign Regulations,” shall be and is hereby amended as appropriate by the following:

Sec. 80 – 5 Nonconforming signs

(a) All future changes to any of the following existing nonconforming signs will require conformity to this section:

(1) All signs that are damaged and need repair which is in excess of 50 percent of the value of the sign due to natural calamities.

(2) All signs that are being repaired or upgraded substantially at the cost of with more than 50 percent of the value of the sign.

(b) ~~The following nonconforming signs that existed when the ordinance from which this chapter is derived became effective may be continued, although it does not conform to all the provisions hereof; provided that no text or structural alterations are made thereto and that all such nonconforming signs shall be completely removed from the premises or made to conform by May 15, 2012:~~

~~(1) *Residential uses.* All permanent ground signs that are not monument or decorative wall signs.~~

~~(2) *Nonresidential uses.* All permanent ground signs that are not monument, pylon or decorative wall signs.~~

Section 3. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Ordinance, those provisions are repealed in its entirety.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of City of Doral, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 8. Effective Date. This Ordinance shall be effective upon adoption on second reading.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Peter Cabrera	Yes
Councilman Luigi Boria	Yes
Councilwoman Ana-Maria Rodriguez	YEs

PASSED AND ADOPTED on first reading this 30 day of May, 2012.

PASSED AND ADOPTED on second reading this 27 day of June, 2012.



Juan Carlos Bermudez, Mayor

ATTEST:



Barbara Herrera, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Jimmy Morales, City Attorney