

ORDINANCE #2013-39

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AMENDING SECTION 38-61 OF CHAPTER 38 OF THE CODE OF ORDINANCES, CITY OF DORAL, FLORIDA, REGARDING THE NAMING, RENAMING OR CO-DESIGNATION OF CITY STREETS, SIDEWALKS AND OTHER PUBLIC PLACES AND TO PROHIBIT THE NAMING OF SUCH PROPERTIES AFTER LIVING INDIVIDUALS; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council desires to amend the provisions of the Code of Ordinances, City of Doral, Florida regarding the naming of city buildings, facilities, parks, rights-of-way, streets, and other City properties and to prohibit naming such properties after living individuals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AS FOLLOWS:¹

Section 1. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

¹ / Additions to existing text are shown by underline, changes to existing text on second reading are shown by double underline, and deletions are shown as ~~strikethrough~~.

Section 2. Code Amendment. Section 38-61 of the Code of Ordinances, City of Doral, Florida, is hereby amended to read as follows:

Chapter 38

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

**ARTICLE III. PROCEDURES FOR NAMING, RENAMING OR CO-DESIGNATING
STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

Sec. 38-61. Procedures for naming, re-naming or co-designation.

- (a) All organizations and individuals requesting to name any eligible street, sidewalk or public place in the city must submit a city application for naming, renaming or co-designating streets, sidewalks or public places as provided, and must pay a nonrefundable fee in the amount of \$100.00 to cover the cost of notification, advertising, etc. If the city incurs in any additional costs, these will be billed to the organization or individual submitting the request.
- (b) The application and fee shall be submitted to the public works department.
- (c) The public works department will review all proposals for adherence to the stated criteria and will submit a recommendation to the city manager and city council.
- (d) The city council will review all applications for the following:
 - (1) That the application clearly shows that approving the request would be consistent with the criteria provided below ~~in this policy~~; and
 - (2) That the application demonstrates written public support for the proposed name.
- (e) The application will describe the significant cultural, historic, educational, community or public service, humanitarian, financial or business contribution to the city, state or country ~~contributions made to the city~~ by the person, organization or corporation after whom a city street, sidewalks or other public place is to be named (nominee) and will describe why the specific naming proposal is appropriate; however, the name of the nominee shall not include that of a living individual (i.e., posthumous naming only). The city council shall make a final determination on granting or denying an application. In doing so, the city council shall have absolute discretion to grant or deny the application. All applications for naming a city street, sidewalk or other public place shall require a

minimum of three votes of the city council to be approved. A majority of the city council may propose the naming of a street, sidewalk or other public place after a person, organization or corporation, subject to the criteria set forth in this section.

Section 3. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in their 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 the City of Doral, Florida; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. Effective Date. This Ordinance shall be effective upon adoption on second reading.

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

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED on FIRST READING this 11th day of December, 2013.

PASSED AND ADOPTED on SECOND READING this 15th day of January, 2014.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF DORAL ONLY:



JOHN R. HERIN, JR., CITY ATTORNEY

