

ORDINANCE #2010 – 07

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PROVIDING FOR THE ADOPTION OF "THE CODE OF ORDINANCES, CITY OF DORAL, FLORIDA;" PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

WHEREAS, the City of Doral (the "City") was incorporated in 2003 and initially adopted the Code of Miami-Dade County; and

WHEREAS, since the City's incorporation, the City Council has enacted numerous ordinances that have either supplemented or amended the Codes adopted from Miami-Dade County; and

WHEREAS, the City contracted with the Municipal Code Corporation to codify all the ordinances of the City that were adopted prior to October 14, 2009; and

WHEREAS, the Municipal Code Corporation has prepared a codification and the City wishes to adopt such codification as its definitive code book;

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

Section 1. The City Council hereby adopts the Code entitled "Code of Ordinances, City of Doral, Florida," published by Municipal Code Corporation, consisting of chapters 1 through 86, each inclusive, a copy of which is on file with the City Clerk (the "Code").

Section 2. All ordinances of a general and permanent nature enacted on or

before October 14, 2009, and not included in the Code or recognized and continued in force by reference therein, are hereby repealed. The repeal provided for herein shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this Ordinance.

Section 3. The City Council hereby acknowledges that (a) any additions or amendments to the Code when passed in such form as to indicate an intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments, and (b) ordinances adopted after October 14, 2009, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 4. Unless another penalty is expressly provided in the Code, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not to exceed \$500, a term of imprisonment not to exceed sixty (60) days or both a fine and term of imprisonment. If a violation of the Code is also a violation of State law, the violation shall be punished in the same manner and within the same limits as are prescribed for such violation of State law. Except as otherwise provided by law or ordinance: (1) with respect to violations of the Code that are continuous with respect to time, each day that the violation continues shall constitute a separate offense; (2) when a violation of the Code is contingent upon the City giving notice of the violation, each day that the violation continues after such notice is given shall constitute a separate

offense; and (3) with respect to other violations, each act constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. The imposition of a penalty does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions and any sanction may be employed in the case of a violation of the Code.

Section 5. This Ordinance shall be effective upon adoption on second reading.

[Section left blank intentionally]

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

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

PASSED AND ADOPTED on first reading this 10th day of March, 2010.

PASSED AND ADOPTED on second reading this 14th day of April, 2010.



Juan Carlos Bermudez, Mayor

ATTEST:



Barbara Herrera, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Jimmy L. Morales, City Attorney