

ORDINANCE #2013-28

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ESTABLISHING A SIXTY (60) DAY FAST TRACK PERMIT EXPIRATION RENEWAL AMNESTY PERIOD COMMENCING WITH THE EFFECTIVE DATE OF THIS ORDINANCE AND AUTHORIZING THE REACTIVATION (RENEWAL) OF LAPSED BUILDING PERMITS WITHOUT PENALTIES AND REDUCTION OF RENEWAL FEES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, since the incorporation of the City of Doral (the "City"), Florida, the building department has issued thousands of minor permit types such as shutters, burglar alarms, signs, tents, events, etc.; and

WHEREAS, through inadvertence, economic climate, or circumstances beyond the control of the person or entity that pulled the permit, building permits issued by the City have lapsed and the construction work or development activity authorized thereby has not been finalized or inspected; and

WHEREAS, the City has been unable to final a permit or issue a Certificate of Occupancy or Certificate of Completion for the corresponding construction work or development activity; and

WHEREAS, un-finished, incomplete or uninspected construction work or development activity poses a risk to the health, safety and welfare to the residents of the City; and

WHEREAS, the City desires to establish an amnesty period to encourage any person who may have allowed a minor type of building permit to lapse to reactivate (renew) the lapsed permit to allow for the completion of the construction work or development activity in question.

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

Section 1. This Ordinance shall apply to all City issued minor type building permits that are not identified in the Expired Permit Renewal Amnesty Program and which have lapsed through inadvertence, economic climate, or circumstances beyond the control of the person or entity that pulled the building permit.

Section 2. There is hereby created a sixty (60) day amnesty period commencing November 1, 2013. Within the Amnesty Period, any person who has a City minor type building permit that was issued or has lapsed on or before December 31, 2012 may reactivate (renew) the expired building permit without penalty.

Section 3. Notwithstanding any contrary provision of the City Code, the City Building Official is authorized to reduce the renewal fee to the minimum permit amount of \$86, as set forth in the City Code.

Section 4. A Re-Inspection Fee shall be assessed in the amount of \$60 (one inspection required).

Section 5. Furthermore, all renewals must be submitted with a set of approved plans. The Building Official is authorized to substitute the Last, Revised, and Reworked Plans Fees, a fee assessed in the amount of twenty percent (20%) of the original Base Building Permit Fee and apply a set fee of \$10 on the Cost of Record Fees for the reproduction of renewal required documents, along with a \$1 per page fee for certification of copies.

Section 6. The Amnesty applicant shall be responsible for all applicable Miami-Dade County and State of Florida Surcharges as set forth in the City Code Fee Schedule.

Section 7. When a change of contractor or qualifier is required to renew the expired permit, the Building Official shall waive the Change of Contractor or Qualifier Fee of \$140 to no fee.

Section 8. Should an expired permit require to be cancelled, the applicant shall pay the Cancellation of Expired Permit Fee in the amount of \$86.

Section 9. Notwithstanding the provisions of this Ordinance, the City may at all times continue enforcement of the City Code through any authorized means, including but not limited to, issuance of a Notice of Violation, demolition of an unsafe structure, the issuance of a citation, and Code Compliance action pursuant to City Code 2006-06 Articles II & III (stipulating that the City of Doral has the authority to hold hearings and impose fines, liens, and other non-criminal penalties for violations). This Ordinance shall not be construed or interpreted to serve as a defense against any enforcement action brought to the City based on non-compliance with the current requirements of the City Code.

Section 10. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 11. The Amnesty Period established herein shall automatically expire upon the passage of sixty-one (61) days from November 1, 2013. Any lapsed permit that has not been re-activated within the Amnesty Period shall be deemed to have expired, and no further construction work or development activity shall take place unless an after-the-fact building permit or development permit shall have been issued by the City. These expired permits shall be forwarded to the Code Compliance Department for further code enforcement action.

Section 12. This Ordinance shall be effective immediately upon its adoption on second reading.

Section 13. Effective Date. This Ordinance shall become effective upon adoption on second reading.

The foregoing Ordinance was offered by Vice Mayor Rodriguez Aguilera, who moved its adoption.

The motion was seconded by Councilmember Fraga and upon being put to a vote, the vote was as follows:

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

PASSED AND ADOPTED upon first reading the 11 day of September, 2013.

PASSED AND ADOPTED upon second reading the 15 day of October, 2013.



LUIGI BORIA, MAYOR

10/16/2013

ATTEST:



BARBARA HERRERA, CITY CLERK

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



JOHN HERIN, CITY ATTORNEY