

**ORDINANCE NO. #2007-16**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, REVISING THE CODE SECTION ENTITLED "OCCUPATIONAL LICENSE AND CERTIFICATE OF USE" TO PROVIDE DEFINITION FOR HEALTH CARE PROVIDER; TO PROVIDE FOR PROCEDURES IN ISSUING LICENSES TO HEALTH CARE PROVIDERS; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, numerous fraudulent health care provider facilities have attempted to operate within the City of Doral; and

WHEREAS, the City has been contacted by State and Federal Officials in a request to provider stricter procedures in issuing licenses to health care providers; and

WHEREAS, the City Council finds it to be in the best interests of its citizens to amend the Code to provide for a definition of "health care provider and establish new procedures for issuing occupational licenses and certificate of uses to health care provider facilities;

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

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

Section 2. That the City of Doral Code Section entitled "Occupational License and Certificate of Use ", shall be and it is hereby amended to read as follows:

## **ARTICLE 1**

\* \* \*

### **Sec. 7. Occupational License and Certificate of Use.**

All businesses and/or professionals shall need a business tax receipt and/or a certificate of use from the city prior to the operation within the city limits of the city boundaries. If any business shall require approval, permit, certification and/or licensing from Federal, State, County, and/or any other relevant agency such documentation shall be provided to the city along with their initial application at the moment of submitting.

All such businesses or professionals shall include without limitation, health care providers licensed by the relevant licensing agency of the State of Florida or the federal government as may be required by State or Federal law. Upon the initial issuance of a business tax receipt or certificate of use to a health care provider operating within the limits of the city boundaries, the city shall provide notification to the applicable Florida licensing agency. Following the initial issuance of a business tax receipt or certificate of use, and as condition of maintaining or renewing a business tax receipt or certificate of use, all state licensed businesses or professionals operating within the city limits of the city boundaries, shall, upon request by the city, provide proof of licensure or exemption from licensure by the appropriate licensing authority. Failure to provide such proof within 60 days shall void the issued business tax receipt or certificate of use. Should the city revoke, void or not renew a business tax receipt or a certificate of use of any health care provider for any reason, it shall provide notice to the applicable State licensing agency.

As used in this section, "health care providers", shall mean, without limitation, those providers of health care, who provide health care services, items, or goods to individuals, patients, beneficiaries or recipients and receive reimbursement, in whole or in part from an individual, patient, beneficiary or a Federal or State funded health car program, including the Florida Medicaid Program or other third-party payer such as health insurance companies or home maintenance organizations.

\* \* \*



Section 3.     Severability. That if any section, subsection, sentence, clause, phrase, word or amount of this ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the ordinance shall not be affected thereby, and shall remain in full force and effect.

Section 4.     Repeal of Conflicting Provisions. That all ordinances or parts of ordinances or resolutions of the County Code made inconsistent or in conflict herewith shall be and they are hereby repealed in their entirety as there is conflict or inconsistency.

Section 5.     Inclusion in Code. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Doral Code; 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 6.     Effective Date. This Ordinance shall become upon adoption on second reading.

The foregoing Ordinance was offered by Councilman Van Name 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	Absent
Councilmember Robert Van Name	Yes

PASSED AND ADOPTED upon FIRST READING the 14<sup>th</sup> day of September, 2007

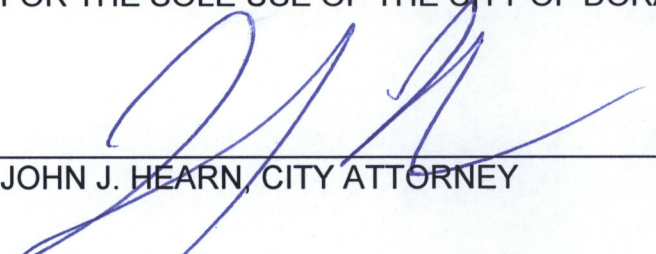
PASSED AND ADOPTED upon SECOND READING the 10<sup>th</sup>, day of October, 2007.

ATTEST:

  
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JUAN CARLOS BERMUDEZ, MAYOR

  
\_\_\_\_\_  
BARBARA HERRERA, CITY CLERK

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

  
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JOHN J. HEARN, CITY ATTORNEY