

ORDINANCE #2010-05

AN ORDINANCE OF THE CITY OF DORAL, FLORIDA, AMENDING CHAPTER IX, SECTION 6, OF THE CITY'S LAND DEVELOPMENT CODE; TO AMEND REGULATIONS PERTAINING TO SPEED BUMPS AND OTHER DEVICES WHICH CAUSE A BREAK IN THE LEVEL SURFACE OF A ROADWAY OR DRIVE, PROVIDING FOR RENUMBERING, CODIFICATION, CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, at its meeting of August 22, 2007, the City Council of the City of Doral adopted its first Land Development Code; and

WHEREAS, Miami-Dade County Public Works Department currently regulates and permits these types of traffic calming measures; and

WHEREAS, nearly all residential communities currently have breaks in the surface of a roadway to calm traffic that were installed prior to the City's incorporation; and

WHEREAS, the current regulation deprives new communities of the same opportunity which was previously enjoyed by existing communities; and

WHEREAS, the City Council of the City of Doral has reviewed the proposed revision to the Land Development Regulations to confirm consistency with the City's Comprehensive Plan, and has conducted all necessary public hearings for the adoption by the City of the Land Development Regulations;

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. The City Council of the City of Doral hereby adopts the Land Development Regulations, incorporated herein;

Chapter IX, Section 6

(a) Curbing, wheel stops and breaks in the roadway and speed bumps

- (1) Curbing, wheel stops, or barriers to protect sidewalks, walls, fences, or landscaped areas, and to prevent parking or loading where not permitted, shall be provided in accordance with this code except for parking areas for single-family or two-family dwellings.
- (2) Wheel stops shall be prohibited, however, a 2' wide vehicle overhang shall be provided for this purpose from obstructing a sidewalk or making contact with a wall, landscape island, hedge or fence.
- (3) ~~Speed bumps or other~~ Devices which create a hazardous break in the level surface of a roadway or drive shall ~~not~~ be permitted within the city subject to the approval of the appropriate jurisdictional agency.

Section 3. Renumbering. To the extent necessary, the sections of the Land Development Regulations, as well as provisions of previously approved Ordinances to be included within the codified Land Development Regulations, may be renumbered or re-lettered to accomplish the codification authorized herein.

Section 4. 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 5. 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 6. 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 7. Effective Date. This Ordinance shall become effective as provided by law.

The foregoing Ordinance was offered by Councilman Cabrera 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 Robert Van Name	Yes
Councilmember Peter Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilmember Michael DiPietro	Yes

PASSED AND ADOPTED upon first reading the 10th day of February, 2010.

PASSED AND ADOPTED upon second reading the 10th day of March, 2010.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

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



JIMMY L. MORALES, CITY ATTORNEY