

ORDINANCE #2009- 14

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING ORDINANCE 2008-16; SECTION 102 DEFINITIONS; PROVIDING A DEFINITION FOR "STORMWATER DRAINAGE" BY AMENDING SECTION 125, STORMWATER DRAINAGE; PROVIDING PROCEDURES FOR ELIMINATING PONDING OF WATER; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Doral in October of 2008 adopted a "Property Maintenance Code"; and

WHEREAS, the Public Works Department and Code Compliance have become aware of needed amendments to the existing Code; and

WHEREAS, the City of Doral wishes the code to provide for a definition for "Stormwater Drainage" and regulations for maintaining Stormwater Drainage; and

WHEREAS, the Mayor and City Council through the adoption of this ordinance seeks to protect the public health, safety, and welfare for all of the City of Doral;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND 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 a new ordinance of the City of Doral, entitled, "Minimum Housing Code," shall be and it is hereby created to read as follows:

Sec. 102. Definitions.

Stormwater Drainage – means any system or components of a system, within any developed property either commercial or residential, included but not limited to stormwater inlets, catch basins, curb and gutter, retention or detention ponds, swale, manholes, junction boxes, culverts, or other related components, designed to convey stormwater runoff and to dispose of runoff to appropriate and approved locations and or methods.

Sec. 125. Stormwater drainage.

All drainage facilities must be maintained as to be free of obstructions, sediments or other waste materials and shall be inspected a least one time per year to ensure that this Section is complied with. Stormwater causing recurrent or excessive ponding shall be eliminated through proper filling or grading of ground maintenance, and if needed design and construction methods. The ground should be graded away from the building and foundation, but not so as to cause the water to drain into adjoining property or city rights-of-way, streets or parkways. All water runoff must be maintained within property limits. Dumping of any substance or material other than water could be considered illegal dumping.

Section 3. Severability. That if any section, subsection, sentence, clause, phrase, work 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 Mayor and 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 Cabrera who moved its adoption. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilmember Pete Cabrera	Yes
Councilwoman Sandra Ruiz	Yes
Councilmember Robert Van Name	Yes

PASSED AND ADOPTED upon first reading the 10th day of June, 2009.

PASSED AND ADOPTED upon second reading the 9th, day of September, 2009.



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 MORALES, ESQ., CITY ATTORNEY