

ORDINANCE NO. #2006-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING AND ADOPTING A CODE SECTION ENTITLED "MAINTENANCE OF PERIMETER WALLS AND FENCES"; PROVIDING FOR CORRECTIVE ACTION OF THE CITY; PROVIDING FOR THE ASSESSMENT OF LIENS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Doral wishes to preserve and enhance the aesthetic character of the City of Doral avoiding the visual clutter that may be caused by the appearance of walls in deteriorating conditions and non-uniform colors; and

WHEREAS, the City of Doral has reviewed the proposed regulations provided by this ordinance and finds such regulations accomplish the purposes intended in the least restrictive method possible; and

WHEREAS, the City Council through the adoption of this ordinance seeks to develop a consistent pattern of the maintenance of perimeter walls and fences;

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 new ordinance of the City of Doral, entitled, "Maintenance of Perimeter Walls and Fence," shall be and it is hereby created to read as follows:

ARTICLE 1 "MAINTENANCE OF PERIMETER WALLS AND FENCES"

Section 1-1 Walls and Fences

- (1) The exterior sides of all perimeter walls and fences, where exposed to the public view, shall be maintained in good condition and shall not show evidence of deterioration, ripping, tearing chipping, or other holes or breaks. Painted or stained surfaces shall be free of peeling paint, mold or mildew and void of any evidence of deterioration. Walls and exterior fences established in a continuous pattern over a multiple development or city block area shall be maintained/painted in a uniform color that is approved by the City Manager of his designee.
- (2) If the property owner fails to comply with this Section, as determined by the Code Compliance Division, the Code Compliance Division shall take enforcement action in accordance with this code.

Section 1-2 Enforcement

In addition to the enforcement set forth herein, the city administration or code compliance officer have the option to use any method provided by law or municipal or county ordinance to enforce the provisions of this code.

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 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.

[Space left blank intentionally]

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

PASSED AND ADOPTED upon first reading the 14th day of September, 2006.

PASSED AND ADOPTED upon second reading the 11th day of October, 2006.



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:



JOHN J. HEARN, CITY ATTORNEY