

ORDINANCE No. 2020-26

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING ALL LOCAL BUSINESSES IN THE CITY OF DORAL WITH AN ACTIVE BUSINESS TAX RECEIPT (BTR) TO APPLY FOR A TEMPORARY BTR THAT WILL SERVE AS A SECONDARY USE TO THEIR LOCATION, WITH A SUNSET PROVISION OF DECEMBER 31, 2021 TO AID IN MITIGATING THE FINANCIAL IMPACTS OF THE COVID-19 PANDEMIC; PROVIDING FOR A REPEALER PROVISION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the coronavirus disease 2019 ("COVID-19"), is a severe acute respiratory illness caused by the SARS-CoV-2 virus that can spread rapidly from person to person and cause serious illness or death, constitutes a clear and present threat to the lives, health, welfare and safety of the people of the City of Doral; and

WHEREAS, on March 9, 2020, the Governor of Florida issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida related to Coronavirus Disease 2019 (COVID-19); and

WHEREAS, on March 11, 2020, the World Health Organization declared the rapidly spreading coronavirus outbreak a pandemic; and

WHEREAS, on March 12, 2020, Mayor Carlos A. Gimenez declared a local State of Emergency for Miami-Dade County invoking his authority to issue orders to protect the health, safety, and welfare of the community, including possibly imposing a curfew and closing certain businesses; and

WHEREAS, the social distancing required to slow the spread of the COVID-19 pandemic and minimize loss of life is also resulting in severe economic impacts for the City of Doral, particularly hospitality sectors, restaurants, retail establishments, and on

small businesses who provide both essential and non-essential services to their communities; and

WHEREAS, the Mayor and City Council are concerned about the short-term and long-term economic impacts of the COVID-19 pandemic to businesses in the City of Doral; and

WHEREAS, on May 15, 2020, the Mayor and City Council conducted a Council Workshop to discuss COVID-19 impacts and to consider appropriate actions to aid an economic recovery in the City of Doral; and

WHEREAS, on June 10, 2020, the Mayor and City Council adopted Emergency Ordinance No. 2020-15, "Temporary Business Tax Receipt," to aid in the economic recovery for businesses located within the City of Doral. Under the Emergency Ordinance, businesses were allowed to apply for temporary business tax receipts for a period of sixty (60) days; and

WHEREAS, on August 12, 2020, the Mayor and City Council adopted Emergency Ordinance No. 2020-20, "Temporary Business Tax Receipt," allowing businesses to apply for temporary business tax receipts for an addition period of sixty (60) days; and

WHEREAS, On October 14, 2020, the Mayor and City Council adopted Emergency Ordinance No. 2020-28, "Temporary Business Tax Receipt," allowing businesses to apply for temporary business tax receipts for an additional period of sixty (60) days; and

WHEREAS, the Mayor and City Council have directed the City Manager to authorize temporary business tax receipts for existing businesses who wish to expand their operations in accordance with the City's Land Development Code; and

WHEREAS, under the circumstances, authorizing temporary business tax receipts and temporarily waiving fees for such applications is warranted.

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

Section 1. Recitals. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. Implementation. The Mayor and City Council hereby direct the City Manager to authorize temporary business tax receipts for existing businesses who wish to expand their operations in accordance with the City’s Land Development Code. The Temporary Business Tax Receipt application shall be submitted to and approved by the City’s Planning and Zoning Department.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Conflicts. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

Section 5. Effective Date. This Ordinance shall become effective upon the date of its passage and adoption herein. This Ordinance shall remain in effect until December 31, 2021, and on that date this Ordinance is repealed.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilmember Mariaca upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 14 day of October, 2020.

PASSED AND ADOPTED on SECOND READING this 13 day of January, 2021.

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK



JUAN CARLOS BERMUDEZ, MAYOR

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



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY