

ORDINANCE NO. #2006- 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING AND ADOPTING A CODE SECTION ENTITLED "LANDSCAPE REQUIREMENTS"; PROVIDING FOR DEFINITIONS; PROVIDING FOR DESIGN STANDARDS; PROVIDING FOR MAINTENANCE STANDARDS; PROVIDING FOR ENFORCEMENT PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Doral does not currently have a comprehensive landscape ordinance that regulates a reasonable height of overgrown grass; and

WHEREAS, the City of Doral believes that it is necessary to have a landscape maintenance ordinance in place to further the aesthetics of the city: and

WHEREAS, the City of Doral has launched a campaign of "Keep Doral Beautiful"; and

WHEREAS, the City Council through the adoption of this ordinance seeks to maintain a uniform appearance of empty lots and provide standards for landscape maintenance throughout the city;

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, "Landscaping Requirements," shall be and it is hereby created to read as follows:

Article I Landscape Requirements

Sec. 1 Landscaping descriptions and definitions.

Ground cover. A planting of low growing plants that provide a complete cover over an area in one growing season.

Landscaping. Living plant material purposely installed for functional or aesthetic reasons at ground level and open to the sky.

Landscape maintenance. The irrigation and cultivation of landscaping to keep a neat and orderly appearance, including removal of debris, replacement of required plantings and the control of growth thereof.

Lawn, turf and sod. The surface layer of soil that is bound by a solid cover of grassy plants and roots.

Mulch. An organic soil additive or decorative topping such as chipped bark or wood chips used for reducing evaporation, weed control, soil enrichment or decorative purposes.

Open space. All areas of a site not occupied by a structure, walks, service areas or by the vehicular use areas.

Sec. 2. Design standards.

a. All open space shall be planted with grass, sod or living ground cover and a minimum of two trees.

b. The use of impervious material as ground cover shall be prohibited except for areas dedicated to vehicular driveways, patios, tennis courts or pool decks. Chattahoochee stone or similar materials shall not be substituted for grass, sod or living ground cover.

c. A boat storage area of 200 square feet surfaced by gravel rock of one-half inch diameter, or greater, shall be permitted.

d. Use of mulch as ground cover to enhance the growth of an adjacent shrub or tree is permitted in open spaces.

e. Vegetable gardens are permitted in rear yards.

Sec. 3. Maintenance standards.

- a. Property owners are responsible for the proper maintenance of landscaping on their property in accordance with the site plan submitted for the location and the standards in this Article. Maintenance shall include watering, mowing and trimming on a regular basis as required in each instance to keep said landscaping in healthy, attractive and growing condition. Fertilizing, treating, mulching, removal or replacement of dead or diseased plants and removal of refuse and

debris shall be done as required to maintain the health and appearance of landscaping as follows:

- (1) The length of the grass and lawn shall be that necessary to provide a neat, well-kept appearance, but in no case shall exceed eight (8) inches.
- (2) Ground cover used in lieu of grass shall be of one uniform type through a given lawn area and shall not be permitted to become adulterated with weeds.
- (3) Grass and ground cover areas shall be maintained so that weed infestation or non-growth areas do not exceed 25 percent thereof.
- (4) Property owners are responsible for maintaining the landscaping on right-of-way areas.
 - a. Maximum allowable heights for hedges parallel to property lines shall be fourteen (14) feet and shall be neatly maintained and trimmed.
 - b. The removal of living trees from property within the City of Doral shall be governed by the Miami-Dade Dade County Code.
 - c. Dead trees shall be removed, and damaged or diseased trees shall be treated.

Sec. 4. Responsibilities of owners of vacant or unimproved lots.

- (a) Every owner of a vacant lot shall keep the area clean and in sanitary condition.
- (b) Lots shall be kept free from the excessive growth of weeds, grass and other flora. The term "excessive" shall be interpreted as detrimental to the health, safety or welfare of the occupants or the public.
- (c) Every owner of a vacant lot shall grade and maintain the exterior premises so as to prevent the accumulation of stagnant water on the premises.
- (d) Animals and pets shall not be kept on the property in such manner as to create unsanitary conditions or constitute a nuisance.
- (e) Every owner of a vacant lot shall keep the premises free from rodents, insects and vermin.
- (f) Every owner of a vacant lot shall be responsible for removing unauthorized signs, posters and graffiti.

Sec. 4. Enforcement

- a. Violations of any provision of this code will result in the enforcement action being taken by the Code Compliance Division in accordance with the Code Compliance procedures and ordinance adopted by the Mayor and City Council.

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.

[Section left blank intentionally]

The foregoing Ordinance was offered by Councilman DiPietro who moved its adoption. The motion was seconded by Councilwoman Ruiz 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

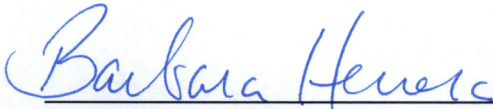
PASSED AND ADOPTED upon first reading the 14th day of September, 2006.

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