

ORDINANCE NO. 2005-10

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF DORAL, FLORIDA, CREATING A SECTION
ENTITLED "GENERAL PENALTY," TO PROVIDE
PENALTIES FOR THE VIOLATION OF THE
MUNICIPAL CODE; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION;
PROVIDING FOR CONFLICT; AND PROVIDING FOR
AN EFFECTIVE DATE**

WHEREAS, the City is authorized to impose a civil penalty for violators of the Municipal Code; and

WHEREAS, the City imposes civil penalties for violations of the Municipal Code which in part are designed to reimburse the City for the cost of providing services department; and

WHEREAS, the City Administration recommends the creation of a general penalty section to provide for the cost of conducting these services; and

WHEREAS, the City Council of the City of Doral considered the recommendation of the City Administration and concurs with the recommendation to create a general penalty section; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA:

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

Section 2. That a Section of the Municipal Code of the City of Doral, entitled "General Penalty," is hereby created to read as follows

Sec. . General Penalty.

The violation of, or failure to comply with any provision of this Code shall constitute an offense against the City of Doral, and where no specific penalty is provided therefore, shall subject the offender, upon conviction, to a fine of not to exceed five hundred dollars (\$500.00), or imprisonment for a period of not to exceed ninety (90) days, or by both such fine and imprisonment.

The judgment of the court imposing any fine, or fine and cost of prosecution, shall contain provision for a period of imprisonment in default of payment of same. The payment of fines and costs of prosecution may also be enforced summarily against the property of the delinquent.

Each and every act, action or thing done in violation of the provisions of this Code, or ordinance of the city, shall be construed, deemed and taken as a separate and distinct violation of such provisions of this Code, and in every event that a violation of this Code, or any of the provisions hereof, shall continue, each day of such continuance shall be deemed, construed and taken as a separate and distinct violation of the provisions of this Code that such condition so allowed to continue shall violate.

Section 3. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4 Inclusion in Code.

It is the intention of the City Council of the City of Doral that the provisions of this Ordinance shall become and be made a part of the City of Doral Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Repeal of Conflicting Ordinances.

All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 6. Effective Date.

This Ordinance shall become effective immediately upon adoption by the City Council.

A motion to approve the application was offered by Councilman VanName, 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 Peter Cabrera	yes
Councilman Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilman Robert Van Name	yes

PASSED AND ADOPTED this 13th day of April, 2005.

This Ordinance shall become effective immediately upon adoption by the City Council.

A motion to approve the application was offered by Councilman VanName, who moved its adoption.

The motion was seconded by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilman Michael DiPietro	absent
Councilwoman Sandra Ruiz	absent

Councilman Robert Van Name

yes

PASSED AND ADOPTED this 11th day of May, 2005.



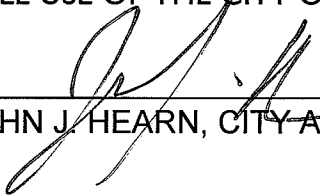
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



MERCY ARCE, ACTING CITY CLERK

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



JOHN J. HEARN, CITY ATTORNEY