

ORDINANCE NO. #2007- 18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, REVISING THE CODE SECTION TITLED "CONSTRUCTION FENCES" FOR CLARIFICATION PURPOSES; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at their meeting of February 12, 2007, the City Council adopted Ordinance No. 2007-02 which created regulations for construction fences to provide security and improve the aesthetic appearance of building sites; and

WHEREAS, the City Council has found that it is necessary to clarify the definition of "construction site" to encompass all instances of construction; and

WHEREAS, the City Council finds it to be in the best interests of its citizens to amend the Code to clarify the definition of "construction site;"

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 the City of Doral Code Section entitled "Construction Fences," shall be and it is hereby amended to read as follows:

ARTICLE 1

* * *

Sec. 3 Regulations

Temporary construction fence required. The provisions of this section shall apply to residential and nonresidential developments as follows:

- a) "Construction site" shall mean any site, excluding a single residential lot and additions and alterations to existing nonresidential structures, upon which there is any construction, earthwork, clearing of land or any other related work as determined by the City Manager or his designee ~~or demolition work is occurring, or upon which such work has commenced but has not been completed.~~ The provisions of this section shall apply ~~from the time raw building materials are placed on the site~~ until the installation of all building fixtures has been completed.

* * *

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of ordinances or resolutions of the County Code made inconsistent or in conflict herewith shall be and they are hereby repealed in their entirety as there is conflict or inconsistency.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.

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

PASSED AND ADOPTED upon first reading the 12th day of September, 2007

PASSED AND ADOPTED upon second reading the 10th day of October, 2007.



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