

ORDINANCE NO. 1043-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-010, ROOF MATERIALS, REQUIREMENTS, AND RE-ROOFS; BY DELETING ALL REFERENCES TO THE TWO YEAR SUNSET PROVISION THEREBY INCLUDING ASPHALT SHINGLES AS AN ADDITIONAL APPROVED ROOFING MATERIAL FOR THE CITY; STRIKING SUBSECTION (H) OF THE ORDINANCE AS BEING INAPPROPRIATE AND OUTDATED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, approximately two years ago, the then City Council amended Code Section 150-010 to provide a two year period to determine the feasibility of permitting asphalt shingles as an additional approved roofing material in the City; and,

WHEREAS, during the aforesaid period a number of City property owners have installed new roofs or re-roofed their homes using the newly permitted asphalt shingles; and,

WHEREAS, as the time is approaching (January 2013) for this two year feasibility and testing period to automatically "sunset", the City Council has received documentation and testimony from the Building and Code Department Director regarding the results of the two year feasibility period and the current state and status of asphalt shingle products; and,

WHEREAS, in addition, the City Council has received many comments regarding the Building and Code Department's support of adding asphalt shingles as an approved roofing material in the City; and,

WHEREAS, the City Council has conducted its own debate and discussion of the issues related to adding asphalt shingles as an approved roofing material in the City; and,

WHEREAS, the City Council has determined that it is in the best interests of the City and its citizens to allow the use of asphalt shingles as an approved roofing material in the City; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 150-010, Roof Materials, Requirements and Re-Roofs, is hereby amended as follows:

150-010. Roof Materials, Requirements and Re-Roofs.

(A) . . .

(B) . . .

(C) In addition to the other approved materials for new roofs contained in subsections (A) and (B) above, Florida Building Code and Miami-Dade County N.O.A. approved asphalt shingles may be used for the installation of new roofs ~~for a two-year period commencing on the date of the passage of this Ordinance. If no further City Council action is approved prior to the expiration of the aforesaid two-year period, the provisions of this subsection shall automatically "sunset" and become null and void at the end of the two-year period.~~

(D) . . .

(E) . . .

(F) . . .

(G) Re-roofs. Any roof cover that has outlived its bond shall be replaced. The replacement roof shall be constructed of the same roofing materials as was utilized on the roof being replaced. However, nothing contained herein shall prevent the replacement roof from being constructed of cement tile or clay tile. In addition, metal roofs can be utilized as replacement or re-roofs so long as the conditions set forth above for new construction metal roof usage are met. Further, in accordance with the provisions of Subsection (C) above, Florida Building Code and Miami-Dade County N.O.A. approved asphalt shingles may be used for re-roofs ~~during the two-year "sunset" period provided therein.~~

~~(H) Gravel roof coverings shall be required for all roofs with a slope of one-half to two and one-half to 12.~~

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

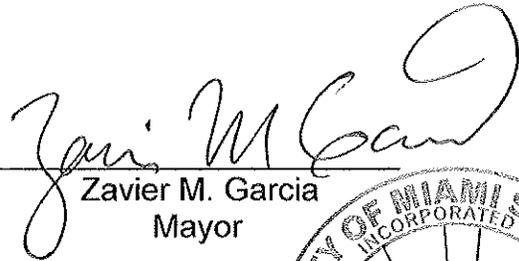
Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

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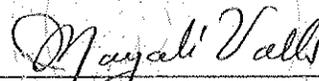
PASSED AND ADOPTED by the City Council of the City of Miami Springs,
Florida this 10th day of December, 2012.

The motion to adopt the foregoing ordinance was offered on
second reading by Councilman Best, seconded by
Councilwoman Bain, and on roll call the following vote ensued:

| | |
|-------------------|-------|
| Vice Mayor Ator | "no" |
| Councilman Best | "aye" |
| Councilwoman Bain | "aye" |
| Councilman Lob | "aye" |
| Mayor Garcia | "aye" |


Zavier M. Garcia
Mayor

ATTEST:


Magali Valls, CMC
City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY


Jan K. Seiden, Esquire
City Attorney

First reading: 11-19-2012
Second reading: 12-10-2012

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.