

ORDINANCE NO. 1077 - 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-013(C)(1), FRONT YARD FENCES – RESTRICTED AREA; BY PROVIDING AN ADDITIONAL APPROVED FENCING MATERIAL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE

WHEREAS, front yard fences have traditionally been subject to specific restrictions due to their location on residential homesites; and,

WHEREAS, although low height open spaced fences have been previously permitted, picket fences constructed of wood have not been allowed; and,

WHEREAS, the prohibition against wood picket fences has been largely based upon the fact that the wood products available were highly susceptible to an advance rate of deterioration; and,

WHEREAS, with the recent introduction into the market of wood products that are pressure treated and highly resistant to deterioration, there is no longer a reason to not allow wood picket fences; and,

WHEREAS, the City Council has determined that it is in the best interests of the City and its citizens to authorize wood as an additional approved front yard fence material.

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

Section 1. That Code of Ordinance Sections 150-013(C)(1), Front Yard Fences--Restricted Area, is hereby amended as follows:

(C) Fence and wall materials and locations.

(1) Front yard fences – Restricted area. Front yard fences shall ~~may~~ be constructed of either ornamental iron, ~~or~~ concrete posts and paling, or wood pickets, ~~and~~ but all such fences shall not exceed three and on-half feet in height along the front yard area property lines. In addition, decorative PVC/plastic lattice “fence-like” panels may also be permitted in such front yard areas so long as they do not exceed 24 inches in height, are properly anchored to the ground, and have been approved by the City Building Department.

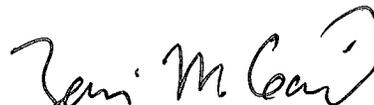
Section 2. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Effective Date. That this Ordinance shall take effect immediately upon adoption.

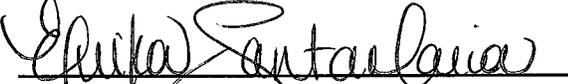
PASSED ON FIRST READING this 23rd day of February, 2015, on a motion made by Councilman Windrem and seconded by Councilman Lob.

PASSED AND ADOPTED ON SECOND READING this 9th day of March, 2015, on a motion made by Councilmand George Lob and seconded by Vice Mayor Petralanda.

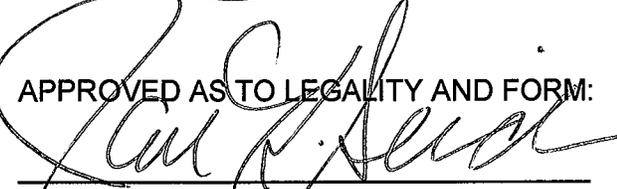
Vice Mayor Petralanda	<u>YES</u>
Councilman Windrem	<u>YES</u>
Councilman Bain	<u>YES</u>
Councilman Lob	<u>YES</u>
Mayor Garcia	<u>YES</u>


Zavier M. Garcia, Mayor

ATTEST:


Erika Gonzalez-Santamaria, MMC, City Clerk

APPROVED AS TO LEGALITY AND FORM:


Jan K. Seiden, City Attorney

