

ORDINANCE NO. 1020-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS CREATING CODE OF ORDINANCE SECTION 93-51, COLOR PALETTE COMPLIANCE; BY PROVIDING FOR APPLICABILITY, PALETTE COMPLIANCE, PROCEDURES FOR COMPLIANCE, AND ENFORCEMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; DIRECTIONS TO CODIFIERS; EFFECTIVE DATE.

WHEREAS, the City has recently approved color palettes for the commercial districts of the City; and,

WHEREAS, the City Council is desirous of securing compliance and conformity with the colors of the palettes applicable to the Neighborhood Business District (“NBD”), Central Business District (“CBD”), and Northwest 36th Street District of the City; and,

WHEREAS, the City Council understands and appreciates the economic burden being imposed upon the owners of properties in the “NBD”, “CBD” and “Northwest 36th Street District” areas of the City by requiring compliance with the established color palette; and,

WHEREAS, the City Council is willing to provide a reasonable amount of time for property owners in the “NBD”, “CBD” and “Northwest 36th Street District” areas of the City to paint their buildings in order to conform to the City’s color palette; and,

WHEREAS, the City Council has determined that it is both proper and appropriate and in the best interests of the City and its citizens to secure compliance and conformity with the City's color palettes in the "NBD", "CBD" and "Northwest 36th Street District" areas of the City:

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

Section 1: That Code of Ordinance Section 93-51, Color Palette Compliance, is hereby created as follows:

93.51 Color Palette Compliance.

- (A) Applicability - The provisions of this Ordinance shall be applicable to the Neighborhood Business District ("NBD"), Central Business District ("CBD") and "Northwest 36th Street District" of the City.
- (B) Compliance with Color Palette - This Ordinance requires that all commercial buildings within the applicable Business Districts of the City shall conform to the color palettes approved and authorized in Resolutions Nos. 2011-3510 and 2011-3511 and codified in Code of Ordinance Sections 150-028 (F) (2) (3).
- (C) Procedure for Compliance - Owners of property within the applicable Business Districts of the City shall paint their buildings to conform with the aforesaid color palette in accordance with the following procedures:
 - 1. All commercial buildings in the applicable Business Districts of the City are hereby required to be in conformity with the color palette of the City by no later than December 31, 2012.
 - 2. No building permit shall be required for the painting of any commercial building in order to conform to the City's color palette.

3. The first twenty-five (25) Commercial buildings that have had the entire exterior of the building painted within two years prior to the enactment of this Ordinance may, upon the presentation of proof of repainting to comply with the applicable City color palette, receive up to One Thousand (\$1,000.00) Dollars from the City towards the costs of repainting required by this Ordinance prior to December 31, 2012.
 - (4) The painting of commercial building exteriors may utilize as many as three (3) approved palette colors.
 - (5) The Building Department is authorized to approve minor "shading" variations in palette colors that may be caused by the use of paint from different manufacturing companies.
 - (6) Upon the completion of the exterior painting of any commercial building, the property owner shall provide the City Building Department with written or on-line notification and confirmation thereof.
- (D) Enforcement - Any commercial property located within the applicable districts of the City that is not in conformity with the aforesaid color palette of the City and the requirements of this Ordinance by December 31, 2012, shall be subject to the imposition of a fine in the amount of One Hundred (\$100) Dollars for each day that a violation of this Ordinance exists.

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 codifiers are hereby directed to codify this Ordinance in the proper manner and format of the City of Miami Springs Code of Ordinances.

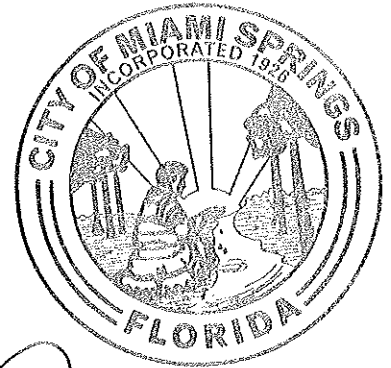
Section 4: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

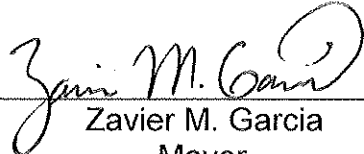
PASSED AND ADOPTED by the City Council of the City of Miami Springs,

Florida this 27th day of June, 2011.


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

Vice Mayor Best	"aye"
Councilman Espino	"aye"
Councilman Lob	"aye"
Councilwoman Ator	"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: 06/13/2011
Second reading: 06/27/2011

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